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# TOOLBOX

January 2019

## Check Overpayment Scams Targeting Contractors

Check overpayment scams are nothing new; they begin when a scammer overpays for a service, then asks the victim to return the difference. The check for the original payment bounces after the victim has wired the "overpayment" to the scammer. The scammer walks away from the transaction with the money from the victim, and the victim is left without payment.

Recently, contractors in Oregon have become a target for these check overpayment scams. Here's a common scenario:

*An out-of-state customer contacts a contractor to perform work (e.g., painting, driveway repair) on a nearby home they claim to have recently purchased. The "customer" is not available to meet in person until the work is complete. Communication is conducted over the phone, text, or email.*

*When the contractor agrees to do the work, the customer sends a check for more than the required deposit. The customer then requests an immediate refund of the overpayment amount.*

Contractors who have been contacted by these scammers have often found that the house, which is still listed for sale on real estate websites, will not show that an offer is pending. Real estate agents have confirmed that the person contacting the contractor is not the buyer of the house.

Protect yourself from check overpayment scams.

- Always meet with the customer in person.
- Never accept a check for more than what was requested.
- Never agree to wire funds back to a customer.
- Be cautious when accepting out of state checks; request checks from local banks whenever possible.

Get a contract when working with a customer, even if the payment amount falls below the \$2,000 requirement threshold. Listen to your instincts. If something about a job doesn't seem right, don't accept it.

If you are contacted by a scammer or think you have fallen victim to a scammer, contact the Oregon Office of the Attorney General at 1-877-877-9392, or online at [www.oregonconsumer.gov](http://www.oregonconsumer.gov).



Construction Contractors Board

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# Continuing Education Updates

## Residential Contractor Continuing Education

The catalog of continuing education courses continues to grow! CCB has added a class to its list of approved OSHA courses, so residential contractors can now take the Safety Committees and Meetings class for credit.

A growing number of trade organizations are approved as continuing education providers, while others are expanding their offerings. The Oregon Home Builders Association, for example, recently added Risk Management and estimating class to their online education program, and they're adding more classes all the time. Members of trade associations typically receive free or discounted classes.

You can see all the offerings for business courses and trade courses on our website ([www.oregon.gov/ccb](http://www.oregon.gov/ccb)). Recently, CCB has partnered with a network of 811 trainers to deliver information to contractors about 811's rules for excavation. You can learn from these trainers and others at our upcoming in-person classes. CCB has released its spring schedule of in-person 3-hour classes:

## **CCB has released its spring schedule of in-person 3-hour classes:**

- Klamath Falls, March 7
- Grants Pass, March 11
- Salem, March 18
- Ontario, March 20
- Bend, April 4
- Corvallis, April 19
- Wilsonville, May 22

Coming later in the year, you can find us in Eastern Oregon, on the coast, and up and down the valley. Check on our website for updates to our schedule. To sign up for a CCB class, email us at [ccbeducation@ccb.stat.or.us](mailto:ccbeducation@ccb.stat.or.us), or call us at 503-934-2227.

## Commercial Contractor Continuing Education

Many commercial contractors ask us if they can get CCB credit for attending conferences. (The CCB is not required to approve course content for commercial contractors.) Conferences can be a great way to get an education **AS LONG AS** you obtain a course completion certificate that includes the date and length of the course. The same is true of webinars. We need proof of course completion!



# STATE OF OREGON CONSTRUCTION CONTRACTORS BOARD

Laws, regulations & business practices





## 3 Hours of Credit for CCB Continuing Education Courses

Each renewal cycle residential contractors are required to complete 3 hours of CCB Laws, Regulations & Business Practices (LRB) continuing education courses **and** 5 or 13 hours from other approved education providers.

### KEY CONTACTS

- Licensing:  
503-378-4621
- Report unlicensed activity:  
503-934-2229
- Dispute resolution (mediation):  
503-934-2247
- Education:  
503-934-2227

### BOARD MEMBERS

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Oregon law only allows residential contractors to claim 3 hours of CCB credit. They are welcome to take as many CCB classes as they want, but we cannot award additional credit!

If you have questions about your continuing education requirements, contact the education section at CCB at 503-934-2227, or [ccbeducation@ccb.state.or.us](mailto:ccbeducation@ccb.state.or.us).

## Revisions Asbestos Rules Now In Effect

Oregon's Environmental Quality Commission adopted revisions to the Oregon asbestos rules. These rules were adopted November 15 and are now in effect. The asbestos rules contained in OAR 340-248 identify requirements for contractor licensing, worker and supervisor certification, training provider accreditation, work practices for all asbestos abatement projects, notification and fee requirements, and asbestos waste disposal requirements. The rules require property owners and contractors to identify asbestos-containing material and to properly handle, package and dispose of asbestos waste from demolition and renovation projects. Only DEQ licensed asbestos abatement contractors may remove friable asbestos (asbestos materials that can be easily crumbled or broken).

**There are three main changes to the asbestos requirements:** 1) DEQ now requires asbestos surveys to be performed at residential renovation projects where the original construction date is prior to January 1, 2004; 2) Disposal requirements for nonfriable asbestos-containing waste material (ACWM) are now the same as for friable asbestos-containing waste; and 3) Asbestos bulk samples are now required to be analyzed by accredited labs.

- **Residential renovation asbestos survey:** A *residence* is a facility used as a residence, which can consist of site-built houses, modular homes, mobile homes, condominiums, duplexes, or multi-unit facility consisting of four units or less. Residences must now have an asbestos survey conducted by an accredited inspector prior to renovation activities. There is one exception; owners who occupy the residence as their primary home and are doing their own renovation work inside their home are exempt from the asbestos survey requirement. The residential asbestos survey requirement reduces the risk that homeowners, contractors, neighbors and disposal site workers could be inadvertently exposed to asbestos and reduces the potential for their homes to be potentially contaminated with asbestos.
  - o Please note that an asbestos survey has been required for residential demolition activities at residential facilities constructed prior to January 1, 2004, since the last rule update in 2016. Asbestos surveys are and have been required at all non-residential commercial demolition and renovation projects since 2002. ***The changes to this rule add the asbestos survey requirement for residential renovation.***
  - o Only an accredited inspector may perform the asbestos surveying and produce the asbestos survey report as required in OAR 340-248-0270. An accredited inspector must complete training and maintain a valid accreditation certificate. Contractors who are interested in becoming an AHERA accredited inspector can contact PBS Engineering and Environmental at 503-248-1939 or Asbestos Training Project at 503-233-7707 or another training provider.
- **Updated disposal requirements for nonfriable waste:** Nonfriable asbestos waste must now be packaged the same as friable asbestos waste. Friable materials are those that can be easily crumbled and release asbestos fibers. Applying the same packaging standard for nonfriable and friable materials streamlines the packaging requirements for all asbestos waste and ensures a safer work environment for employees, residents, neighbors and disposal facility workers.

- **Accredited laboratories for asbestos testing:** Starting January 1, 2021, the bulk asbestos samples collected during the asbestos surveying must be analyzed by a laboratory that participates in a nationally recognized accreditation or testing program. This new requirement establishes a common level of competency and reliability in analysis to properly identify asbestos content. DEQ will maintain a public list of accredited laboratories on its website.

**DEQ recommends that all construction contractors carefully read the revised rules.**

If you have questions or would like to meet with a DEQ asbestos specialist to discuss implementation of the rules, please contact DEQ. You can also find more information at 503-229-5696 or online at [www.oregon.gov/DEQ](http://www.oregon.gov/DEQ).

## **New Construction Workforce Enhancement Program**

In an effort to help increase the number of construction professionals in the State of Oregon, the 2018 Legislature passed the Governor's bill, HB 4144.



This law temporarily waives the pre-license training and application fee for out of state sole proprietors, or employees making the transition to licensed contractor, with eight years of full time residential or small commercial construction experience, **who are applying for a new residential contractor license**. The applicants must still take the exam, and meet the other licensing requirements.

In addition, individuals who are licensed under this law may qualify for additional incentives related to emerging small business loans through the Oregon Business Development Department, or financial support for workforce training through the Oregon Higher Education Coordinating Commission. for more information visit [www.oregon4biz.com](http://www.oregon4biz.com).

This law is effective on January 1, 2019, and sunsets on January 2, 2022, and is applicable to sole proprietors ONLY. You can find more information about this new license on our website at [www.oregon.gov/ccb](http://www.oregon.gov/ccb) under "Get a License."

## **Construction Job Training Event to Take Place in Ontario, March 20-21**

On March 20-21 the Treasure Valley Community College Center for Business, Workforce & Community Learning will be hosting a construction job training event at the Home Depot in Ontario. Workers will receive onsite training in framing, plumbing, concrete, flooring, electrical, masonry and more.

Trainees will build sheds while rotating through various contractor training stations. Workers will have the opportunity to network with contractors and participate in mini-interviews. At the end of the event, some trainees may even walk away with new jobs. CCB will be at the event to share information about how to get a CCB license. We'll also talk about the Construction Workforce Enhancement Program mentioned above. On the evening of March 20, the CCB will also give a 3 hour CCB Laws, Regulations and Business Practices class for licensed contractors. The class will be posted to the CCB website at <https://www.oregon.gov/CCB/Pages/ccbclasses.aspx> as soon as details are finalized. For more information about the event, visit the Treasure Valley Community College website at [https://www.tvcc.cc/cbwcl/construction\\_combine.cfm](https://www.tvcc.cc/cbwcl/construction_combine.cfm)