



# CONTRACTORS STATE LICENSE BOARD

## BOARD MEETING MINUTES

### MEETING MINUTES December 11, 2012

#### A. CALL TO ORDER

Board Chair Paul Schifino called the meeting of the Contractors State License Board (CSLB) to order at 1:30 p.m. on Tuesday, December 11, 2012, in the Cabernet Room at the Doubletree by Hilton, 13111 Sycamore Dr., Norwalk, CA 90650. A quorum was established.

Board Secretary Mark Thurman led the Board in the Pledge of Allegiance.

#### Board Members Present

Paul Schifino, Chair	Frank Schetter
Joan Hancock, Vice Chair	Robert Lamb
Mark Thurman, Secretary	Ed Lang
David Dias	James Miller
Matthew Kelly	Lisa Miller-Strunk
Pastor Herrera Jr.	

#### Board Members Excused

John O'Rourke  
Bruce Rust

#### Staff Present

Stephen Sands, Registrar	Erin Echard, Executive Office
Cindi Christenson, Chief Deputy Registrar	Karen Robinson, Licensing Chief
Don Chang, Legal Counsel	Mike Brown, Retired Annuitant
Rick Lopes, Public Affairs Chief	
David Fogt, Enforcement Chief	

#### Public Visitors

Alex Beltran	Joe Upchurch
Matt Levesque	Dave Arthurs
Bill Quisenberry	Soledad Gutierrez
Ken Grossbart	

#### B. CHAIR'S REMARKS AND BOARD MEMBER COMMENTS

Board Chair Paul Schifino opened the meeting by welcoming back Retired Annuitant Mike Brown temporarily to CSLB, as well as congratulating Karen Robinson on her marriage, noting a last name change from Ollinger. Mr. Schifino also wanted to clarify that each Committee Chair will need to present his or her own committee's motions. Mr. Schifino then asked if there were additional comments to be made by any Board members. Pastor Herrera Jr. wished to acknowledge a Los Angeles Times article concerning a real estate development company laundering money.



**C. PUBLIC COMMENT**

Dave Arthurs of Re-pipe California spoke to the Board about being displeased with his experience when renewing a qualifier for a contractor's license.

**D. REVIEW AND APPROVAL OF THE SEPTEMBER 11, 2012 BOARD MEETING MINUTES**

Motion to Approve the September 11, 2012, Board Meeting Minutes

**MOTION: A motion was made by Board Member Matthew Kelly and seconded by Board Member Robert Lamb to approve the September 11, 2012, Board Meeting Minutes. The motion carried unanimously, 11-0.**

**E. ENFORCEMENT COMMITTEE REPORT**

Enforcement Committee Chair David Dias provided the Enforcement Committee Report.

**1. Review and Approval of October 24, 2012, Enforcement Committee Meeting Report.**

Motion to Approve the October 24, 2012 Enforcement Committee Meeting Report

**MOTION: A motion was made by Board Member Matthew Kelly and seconded by Board Member Ed Lang to approve the October 24, 2012, Enforcement Committee Meeting Report. The motion carried unanimously, 11-0.**

**2. Enforcement Program Update**

Enforcement Committee Chair David Dias presented an award of recognition to the Southern SWIFT unit for its accomplishments this year. Enforcement Chief Dave Fogt updated the Board on division vacancies, Intake and Mediation Centers, Investigative Centers, SWIFT statistics, and proposed training updates in relation to PC 832 and telemarketing issues. He also noted that the goals for staff are to finish 2012 with fewer than 100 aged cases. Mr. Fogt noted the new peace officers will complete training in February, and encouraged Board members to attend their graduation. Nora Urias, an investigator in the West Covina office, was called to the podium to tell of her experience with the aged fleet and shortage of vehicles. Nora drives a 2004 Ford Taurus with approximately 89,000 miles on it. Her vehicle has many issues and she said she sometimes fears for her safety driving it. A discussion among the Board members began with ideas on addressing the problem.

**MOTION: A motion was made by Board Member James Miller and seconded by Board Vice Chair Joan Hancock to research the issue of state vehicles and report back to the Board. The motion carried unanimously, 11-0.**



**3. Review and Approval of Minimum Peace Officer Training Requirements**

California peace officers are required to complete training established by the California Commission on Peace Officer Standards and Training (POST). CSLB peace officers must go to a Specialized Investigator Basic Course Academy, which is only given at one institution. This course will be closed in 2013, and the closure may become permanent. While this course is unavailable, CSLB must find alternative training for newly hired peace officer candidates.

Motion to Approve the Minimum Peace Officer Training Requirements

**MOTION: A motion was made by Board Member Robert Lamb and seconded by Board Member Ed Lang to approve the Minimum Peace Officer Training requirements. The motion carried unanimously, 11-0.**

**4. Review and Approval of Letter to Consumers Warning of Potential Employer Status**

Approval would allow CSLB to send a letter to educate consumers who have complained about an unlicensed operator to provide a disposition of their case and warn about their potential employer status when hiring unlicensed individuals.

Motion to Approve the Letter to Consumers Warning of Potential Employer Status

**MOTION: A motion was made by Board Vice Chair Joan Hancock and seconded by Board Member James Miller to approve the Letter to Consumers Warning of Potential Employer Status. The motion carried unanimously, 11-0.**

**F. PUBLIC AFFAIRS PROGRAM UPDATE**

Public Affairs Committee Chair Pastor Herrera Jr. provided the Public Affairs Committee Report.

**1. Review and Approval of October 24, 2012, Public Affairs Committee Meeting Report**

Motion to Approve the October 24, 2012, Public Affairs Committee Meeting Report

**MOTION: A motion was made by Board Vice Chair Joan Hancock and seconded by Board Member Robert Lamb to approve the October 24, 2012, Public Affairs Committee Meeting Report. The motion carried unanimously, 11-0.**

**2. Public Affairs Program Update**

Mr. Lopes told the Board that the Public Affairs Office (PAO) has hired two new Information Officers and is now fully staffed. Mr. Lopes also informed the Board that



several CSLB brochures have been updated, one of which has been translated into Spanish. Mr. Lopes mentioned an impromptu visit from a Singapore delegation, the success of the Veterans Assistance Program, and that CSLB's instructional YouTube video is now being tracked. Mr. Lopes also reported on a scam by at least one unscrupulous company targeting licensees and applicants, leading them to believe they are being contacted by CSLB and that money is needed for a new license exam or for continuing education to renew a license. Finally, Mr. Lopes updated Board members on the Contractors Outreach Program and the Senior Scam Stopper<sup>SM</sup> program.

### G. LEGISLATIVE COMMITTEE REPORT

Legislative Committee Chair Lisa Miller-Strunk gave the Legislative Committee Report.

#### 1. Review and Approval of November 19, 2012, Legislative Committee Meeting Report

Motion to Approve the November 19, 2012, Legislative Committee Meeting Report

**MOTION: A motion was made by Board Member Ed Lang and seconded by Board Member Robert Lamb to approve the November 19, 2012, Legislative Committee Meeting Report. The motion carried unanimously, 11-0.**

#### 2. Proposals to Amend the Business and Professions Code

##### a. Section 7027.3 – (Illegal Use of License Information).

Approval would allow CSLB to take administrative actions for violations of specified provisions in Section 119.

Motion to Approve the Recommended Position on B&P Code Section 7027.3

**MOTION: A motion was made by Board Member Matthew Kelly and seconded by Board Vice Chair Joan Hancock to approve the recommended position on B&P Code section 7027.3. The motion carried unanimously, 11-0.**

##### b. Section 7031 and Others (Definition of Unlicensed Activity)

Approval would allow CSLB staff to develop a proposal with language to address problems with licensed contractors entering into a contract with an entity that is not duly licensed.

Motion to Approve the Recommended Position on B&P Code Section 7031

**MOTION: A motion was made by Board Member Robert Lamb and seconded by Board Member Matthew Kelly to approve the recommended position on B&P Code section 7031. The motion carried unanimously, 11-0.**

##### c. Section 7068.1 – (License Qualifiers)



Approval would amend law to discipline qualifiers on licenses who fail to comply with supervision and control requirements.

Motion to Approve the Recommended Position on B&P Code Section 7068.1

**MOTION: A motion was made by Board Member Mark Thurman and seconded by Board Member James Miller to approve the recommended position on B&P Code section 7068.1. The motion carried unanimously, 11-0.**

**d. Section 7085.5 – (Arbitration)**

Approval would increase the clarity of the process for both homeowners and contractors and would be more in line with current case law and best practices.

Motion to Approve the Recommended Position on B&P Code Section 7085.5

**MOTION: A motion was made by Board Member Matthew Kelly and seconded by Board Member Pastor Herrera Jr. to approve the recommended position on B&P Code section 7085.5. The motion carried unanimously, 11-0.**

**e. Section 7114 – (Aiding and Abetting Unlicensed Activity)**

Approval would delete the reference to section 7099 (Citation – subdivision (b) ).

Motion to Approve the Recommended Position on B&P Code Section 7114

**MOTION: A motion was made by Board Vice Chair Joan Hancock and seconded by Board Member David Dias to approve the recommended position on B&P Code section 7114. The motion carried unanimously, 11-0.**

**3. Review and Approval of Language to Amend Business and Professions Code Section 7141 (Delinquency Renewal Fee)**

Motion to Approve the Language to Amend B&P Code Section 7141

**MOTION: A motion was made by Board Member Robert Lamb and seconded by Board Member Ed Lang to approve the Language to Amend B&P Code section 7141. The motion carried, 10-0. Board Vice Chair Joan Hancock abstained.**

**H. LICENSING COMMITTEE REPORT**

Licensing Committee Chair Ed Lang provided the Licensing Committee Report.

**1. Licensing Program Update**



Licensing Chief Karen Robinson provided updates on the Criminal Background and Judgments Units. Call volumes and wait times in the call center are down from last year and recruitment for five more positions continues. New applications received continues to decline. Ms. Robinson also mentioned the success of the LLC program, which has been in place for nearly a year.

**2. Testing Division Update**

Licensing Chief Robinson informed the Board that CSLB's testing centers also will be used for other projects involving DCA, such as BreEZe, for the first time. Employees in the Examination Administration unit are assisting with occupational analysis since DCA is short staffed.

**3. Review and Approval of Board Policy on Asbestos:**

DCA Legal Counsel Don Chang prepared a legal summary on whether a licensed contractor that holds an asbestos certification can perform asbestos removal work in a classification that is not held by the contractor. Approval would mean a licensed contractor may perform asbestos-related work only in the license classification(s) for which it is licensed.

Motion to Approve the Board Policy on Asbestos

**MOTION: A motion was made by Board Vice Chair Joan Hancock and seconded by Board Member Pastor Herrera Jr. to approve the Board Policy on Asbestos. The motion carried unanimously, 11-0.**

**4. Review and Approval of Construction Management Education Account Committee Proposal regarding Grants to Qualifying Programs**

Licensing Chief Robinson summarized the notice of intent to award grants.

Motion to Approve the Recommended Position on Construction Management Education Account Committee Proposal regarding Grants to Qualifying Programs

**MOTION: A motion was made by Board Member Pastor Herrera Jr. and seconded by Board Member David Dias to approve the recommended position on Construction Management Education Account Committee Proposal regarding Grants to Qualifying Programs. The motion carried unanimously, 11-0.**

**I. EXECUTIVE COMMITTEE REPORT**

Chief Deputy Registrar Cindi Christenson presented the Executive Committee Report.

**1. Administration and Information Technology Update**

Ms. Christenson welcomed new Information Technology Chief Raju Sah, who replaced Jason Piccione. She informed the Board that the Personnel Department is stepping up to help the onboarding process for hiring new employees. She also noted that a top priority is to hire a deputy chief in Enforcement. Ms.



Christenson gave an update on the delay of Phase I in BreEZe, the request to purchase 11 new vehicles, and the issues with getting travel advances approved. DCA also is looking to improve processing times for travel reimbursement claims.

**2. Budget Update**

Ms. Christenson provided information on revenue and funds.

**3. 2012-2013 Strategic Plan Update**

Registrar Steve Sands gave an update on the status of each objective the Board established, whether completed, on track or delayed.

**J. REVIEW OF TENTATIVE SCHEDULE**

Registrar Steve Sands advised the Board of the future scheduled meetings. The next Board Meeting will be held Tuesday, February 26, 2012, in San Jose. The time has not yet been determined.

**K. ADJOURNMENT**

Board Chair Paul Schifino adjourned the meeting at 3:54 p.m.

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Paul Schifino, Chair

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Date

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Stephen P. Sands, Registrar

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Date