



THE CALIFORNIA LICENSED CONTRACTOR

EDMUND G. BROWN JR., Governor

SUMMER 1975

TAKETSUGU TAKEI, Director

LEGISLATIVE REPORT

It seems the California Legislature has gone all out in producing legislation during this 1975 portion of the 1975-76 Session. At the time this bulletin is submitted for publication (about the middle of May) there are in excess of two thousand, three hundred Assembly Bills and one thousand, two hundred Senate Bills. A very large percentage of these bills affects operations of the contractors, both directly and indirectly. It would be an impossible task to report on every one of these bills. There are several housing bills designed to spur the construction industry. There are employee bills which affect the contractor in his relationship with his employees. There are bills which affect governmental agencies which regulate all phases of the construction industry. And, there are bills which directly affect the contractor by imposing additional restrictions or requirements upon his everyday operations.

ASSEMBLY BILL 246 by Chappie amends Section 7044, the owner-builder law. Under this bill an owner-builder who hires employees to build a residential structure and who would be exempt under present law, would not be exempt unless in addition to present law provisions, he obtained an employer's identification number from the Department of Employment Development (should be the Department of Benefit Payments) and included such number on the building permit obtained for such structure. The owner-builder needs to obtain the employer's identification number for this exemption only if the number is required under the California Unemployment Insurance Code. This bill has been amended twice since it was introduced and reported on in the last issue of this bulletin.

ASSEMBLY BILL 370 by Bill Greene. This bill was reported in the Spring 1975 bulletin. It provides for the licensing of journeymen plumbers by the Contractors' State License Board. If passed, it would become operative on January 1, 1977 and would make it unlawful for any person to engage in plumbing for compensation without having a license to

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THE QUALIFYING PERSON and his RESPONSIBILITY

One often hears the comment among contractors that John Doe is working under the license of Richard Roe. If this was true, a violation of the Contractors License Law would exist. Usually the facts would reveal that in reality Roe is the qualifying person for a license issued to Doe. Frequently an individual or firm will apply for a license and request that the license of the qualifying person be transferred. This, of course, is not permissible. A license is nontransferable and must not be used to cover the contracting activities of another entity.

From the number of inquiries received and the known incidents of non compliance or evasion of the law, it is evident that many applicants and licensees do not understand the manner in which an applicant may qualify for a license. Further, they are not aware of the responsibilities imposed by the Contractors License Law upon the qualifying person.

Section 7068 of the Contractors License Law provides that an applicant who is an individual may qualify through his own qualifications or the qualifications of a responsible managing employee. If the applicant is a copartnership, the license may be qualified by one of the general partners or a responsible managing employee. If the applicant is a corporation, it may be qualified by a responsible managing employee or a responsible managing officer. If the person who is to qualify a license is already licensed in the same classification, no examination is necessary. The license may be issued in any or all of the classifications held by the qualifying person.

A person qualifying on behalf of a licensee as a responsible managing employee cannot act as a qualifying person for an additional individual or firm unless the additional firm is a subsidiary of or a joint venture with the first; or if the firm is a partnership or corporation, the majority of

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INDUSTRIAL SAFETY

A topic which appeared in one of the past issues of this bulletin bears repeating at this time, because of its importance. This is the subject of Industrial Safety.

The increase in accidents on construction projects which result in serious injury or death to employees is a matter of grave concern to contractors, employees and governmental officials.

Deep concern was shown by Assemblyman Jack Fenton and the Assembly Select Committee on Industrial Safety while holding hearings throughout the State since early 1972. Hearings are still being held throughout the State by the Permanent Subcommittee of the Assembly on Labor Relations, chaired by Assemblyman Jack Fenton, who also chaired the earlier Select Committee on Industrial Safety.

While the Division of Industrial Safety is the regulatory agency concerning safety, it is the Registrar of Contractors of the Contractors' State License Board who has the authority under the Contractor License Law to suspend or revoke a contractor's license for the violation of any Safety and Labor Laws.

The two sections within the Contractors License Law encompassing the disciplinary provisions for violations of Safety and Labor Laws are Section 7109.5 and 7110.

These sections are quoted below because of their importance to contractors relative to industrial safety.

7109.5. Violation of any safety provision in, or authorized by, Division 5 (commencing with Section 6300) of the Labor Code resulting in death or serious injury to an employee constitutes a cause for disciplinary action.

7110. Willful or deliberate disregard and violation of the building laws of the State, or of any political subdivision thereof, or of the minimum painting standards adopted pursuant to Section 37040 of the Health and Safety Code, or of Sections 8505 or 8556 of this code, or of Sections 1689.5 to 1689.7, inclusive, Sections 1689.10 to 1689.13, inclusive,

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STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor
TAKETSUGU TAKEI, Director

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APRIL 24, 25, 1975

**BOARD MEETING
HIGHLIGHTS**

On April 24 and 25, 1975 the Anaheim Convention Center, Anaheim was the site of the regular quarterly meeting of the Contractors' State License Board. Public hearings were scheduled on those days to hear testimony pro and con on the petitions by the National Automatic Sprinkler and Fire Control Association to amend Section 734, Class C-36 Plumbing Contractors; and 759, Waiver of Reclassification Examinations, of Chapter 8, Title 16, of the California Administrative Code. Hearings on motions of the Board to amend Section 754.9, Class C-16 Fire Protection Engineering Contractors; and 732, Specialty Contractors Classified, were also scheduled.

The proposed amendment to Section 734 would have changed the definition of a plumbing contractor to prohibit the plumbing contractor from performing fire sprinkler work unless he possessed a C-16 Fire Protection Engineering Classification.

The proposed amendment of Section 759 would have eliminated the possibility for waiver of supplemental classification examinations for the C-16 classification.

Amendments to Section 754.9 and 732 would have removed the word "engineering" from the title and definition of the C-16 classification.

Testimony from the proponents and opponents of the petition to amend Section 734 was heard on both days of the scheduled hearings. No action was taken by the Board on April 24 and 25, 1975. A Special Meeting of the Board for further hearing and

The Registrar's Corner



There are several subjects of importance appearing in this issue of "The California Licensed Contractor" which I hope every licensed contractor will read. Safety in construction

is most important for the well being of the employee and is of utmost concern to the successful contractor. Being aware of the responsibilities of the qualifying person on a license can help to eliminate possible problems. A great deal of pending legislation of vital importance to the contractor is reported, although space has limited the number of bills which could be included. We have included a notice from the Department of Transportation which may be of benefit to minority and women contractors.

Taking time to read this material will be of benefit to each and every one of you.

LEO B. HOSCHLER
Registrar of Contractors

consideration was scheduled on May 15, 1975 in Sacramento.

After due consideration at the Sacramento meeting the Board denied the petition to amend Section 734.

Hearings were then held on each of the other matters and in turn the petitions were denied by the Board.

The next regular meeting of the Board was scheduled for July 25, 1975 in Santa Maria.

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Legislative Report

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so engage as a journeyman plumber. The Board would issue a journeyman plumber's license, without examination, to anyone who meets the experience requirements and who makes application to the Board within 90 days from the effective date of the bill. The fee for a license without examination, for those eligible, is set at \$25. Failure to apply within 90 days would require examination. The fee for those persons required to take an examination will be set by the Board at not less than \$10 and not more than \$30.

ASSEMBLY BILL 726 by Vincent Thomas. This bill amends Section 7159, Home Improvement Contract Form. It adds a payment schedule or an alternative to the payment schedule as well as simplifying the language relative to the requirement for a written contract.

The primary purpose of the bill is to limit the amount of money which can be required to be paid by the owner to the contractor through a schedule of payments to be included in the contract.

Any down payment would be limited to 1% of the contract price or \$100, whichever is greater. Additional payments required by the contract prior to completion of the home improvement project would be limited to the actual amount of work completed at the time the payment is made. This means that, except for the initial down payment, the owner would only be paying for work which has been completed by the contractor. The contractor would not be able to collect payment ahead of the work completed unless he furnished a performance and payment bond, a lien and completion bond, or, an equivalent type of bond which would first have to be approved by the Registrar. This bond must cover the full value of the contract. If the contract provides for one of these bonds and it is furnished by the contractor, the payment schedule would not be required nor would a payment schedule be required if the contract provided simply for a lump sum payment at the conclusion of the project.

The contractor who fails to comply with the payment schedule requirement or one of the alternatives would be liable to a misdemeanor charge being brought against him.

The bill further clarifies the condi-

tions under which a written contract is required for a home improvement contract. Under present law the written contract is conditioned upon whether there is a security agreement other than a mechanic's lien, the amount of the contract when some consideration is payable prior to completion of the contract, and the amount of the contract when no consideration is payable prior to completion of the contract. This bill requires a written contract for all home improvement contracts which exceed \$500.

A violation of any provision of the home improvement contract form in Section 7159 by a licensed contractor is grounds for disciplinary action. A violation of the payment schedule provisions is also a misdemeanor and is punishable as such.

ASSEMBLY BILL 727 by Vincent Thomas would amend Section 484b of the Penal Code to reduce the amount of money diverted from \$5,000 to \$1,000 wherein a person can be charged with a felony rather than a misdemeanor. In 1974 the division between a felony charge and a misdemeanor charge for diversion of money received by a contractor for a particular project to a use other than for which the money was received was reduced from \$10,000 to \$5,000. This bill would reduce the \$5,000 division to \$1,000.

ASSEMBLY BILL 1081 by Knox amends the definition of a contractor under Section 7026 to include within the definition of a contractor any person, other than an owner of property, who undertakes by contract to manage or supervise a construction project for such owner whether or not the compensation for such services consists of wages or other form of remuneration. Section 7053 is amended to eliminate the person who contracts to manage or supervise a construction project for an owner of property from the exemption. Section 7053 presently exempts any person from the licensing requirement if he is an employee receiving wages as his sole compensation.

ASSEMBLY BILL 1643 by Hart adds Section 7030.7 to the Contractors License Law. This bill provides that a contractor must post his name and license number on any construction site wherein he is the prime contractor within three days of commencement of work on the site. In addition he must include on the notice which

he posted, the name and license number of each subcontractor within three days after entering into the subcontract and must indicate the approximate dates the subcontractor's work is to be performed.

SENATE BILL 214 by Alquist. Under the provisions of this bill on and after January 1, 1977, attic spaces in residential dwellings which are to be sold would be required to meet or exceed energy insulation standards before the close of escrow. The standards are those which are adopted first by the Commission of Housing and Community Development and then after one year by the State Energy Resources Conservation and Development Committee. Inspections are to be made by a contractor licensed pursuant to the Contractors License Law. The contractor must issue a "statement of adequate energy insulation" if the attic meets the standards. This statement must be filed with the escrow agent. The Contractors' State License Board shall issue regulations for the inspecting and reporting of statement of adequate energy insulation in attic spaces of residential dwellings. The Commissioner of Corporations must notify every escrow agent licensee, the Superintendent of Banks must notify every state bank and every national bank headquartered in California, the Insurance Commissioner, the Savings and Loan Commissioner, the Real Estate Commissioner and the Registrar of Contractors shall notify every licensee of the attic energy insulation standards. Any licensed contractor who knowingly makes a false representation as to the adequacy of energy insulation in the statement shall be liable for a civil penalty of not less than \$500 nor more than \$5,000.

SENATE BILL 287 by Song would add two members to the Contractors' State License Board, making 13 members in all. One of the two additional board members would be a member of a labor organization representing the building trades. The second member would be an additional public member. Both new members would be appointed on or before January 15, 1976 and their terms would expire on January 15, 1980. If successful, this bill will constitute the board with eight contractor members, four public members and one labor member.

SENATE BILL 296 by Cusanovich. This bill adds one section and amends three sections of the Contractors Li-

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License Law and was introduced upon request of the Registrar of Contractors. Section 7076.1 which is added provides for the cancellation of a license by the Registrar upon the voluntary surrender of the license by the licensee. This is an addition to clarify authority the Registrar presently possesses. Section 7114 and 7118 are amended to remove the word "knowingly" from each section. Section 7114 presently provides grounds for disciplinary action against a licensee who knowingly combines or conspires with an unlicensed person or allows his license to be used by an unlicensed person. By removing the word "knowingly", the burden is placed upon the licensee to determine before entering into any contracting business arrangement, the legality of such arrangement. Section 7118 presently provides grounds for disciplinary action against a licensee who knowingly enters into a contract with an unlicensed contractor. Removing the word "knowingly" in this instance also puts the burden upon the licensee to be certain he is contracting with a licensed contractor. If contractors would take the time to make very certain they are dealing with licensees under conditions where a license is required, it would be a big help in eliminating some of the non-licensee problem. Section 7141.5 is amended under this bill to limit the period of time in which a licensee may be retroactively renewed when he has failed to renew his license by the due date, because of inadvertence, neglect or mistake. The period of time the contractor would be able to request retroactive renewal is up to six months after the due date.

SENATE BILL 297 by Cusanovich. The introduction of this bill was upon request of the Registrar in an attempt to eliminate some possible future problems which might arise because Section 7113.5, the bankruptcy law, was declared unconstitutional by the California Supreme Court. This bill amends Section 7102 which presently provides that before a revoked license can be reinstated, full satisfaction of any loss which was a ground for the revocation of the license, must be made. This bill would remove from this requirement the satisfaction of any loss which is subsequently discharged in bankruptcy.

SENATE BILL 354 by Zenovich would amend Section 7029.6 of the Contractors License Law to require every licensed contractor to display on each side of each motor vehicle

which is used exclusively in his contracting business, his name, permanent business address and his contractor's license number in letters of a size which is legible. This section presently makes this requirement only of licensed plumbing contractors, except that the letters required must be at least one and one half inches high.

SENATE BILL 993 by Robbins. This bill amends the provisions of Section 7090 of the Contractors License Law which was added by the Legislature in 1974. The 1974 bill makes it mandatory for the Registrar to suspend or revoke a contractor's license of a licensee who fails to take out a building permit when a building permit is required. SB 993 eliminates the mandatory requirement for the Registrar to suspend or revoke a license for failure to obtain a building permit for the repair, maintenance and adjustment of equipment where the repair, maintenance and adjustment is valued at less than five hundred dollars or where repair consists of the replacement of a component part of mechanical equipment with the identical part. This bill does not eliminate local requirements for building permits to do this work, nor does it eliminate the authority of the Registrar to take disciplinary action against a contractor who fails to take out a building permit. It simply removes the mandatory requirement that the license be suspended or revoked.

ASSEMBLY BILL 390 by Bannai would amend provisions of the Mechanic's Lien Law relating to the twenty-day preliminary lien notice. Service of the notice on persons living within the State is revised by taking advantage of a new requirement of this bill. Under this bill the prime contractor must furnish a contract form which has space provided for the owner's name, residence address or business address, if any, and to make a copy of the contract available to any person seeking to serve the notice. Provisions are also made for service of the lien notice to persons who reside outside of the State. An "Acknowledgement of Receipt of Preliminary 20-day Notice" form is also provided in this bill. Failure of a person to return the acknowledgement form within a certain number of days allows the sender to make an affidavit of such service for use as proof of service. This bill has been passed by both houses of the Legislature and has been signed by the Governor. It will become law on January 1, 1976.

ASSEMBLY BILL 583 by Ingalls would add Section 3093.5 to the Mechanic's Lien Law. The bill pro-

vides that an owner of property or his agent must send a copy of a notice of completion or notice of cessation within 10 days of recordation, to each

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The Qualifying Person

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the partners or officers in the additional firm are the same as the partners or officers in the first firm.

Except in the situation as described in the preceding paragraph, a person is limited in the number of licenses he can qualify as a *responsible managing employee* as follows:

1. A person who is licensed as an individual can qualify, in addition to his own license, only one license as a responsible managing employee.

2. A person who is a responsible managing employee on a license is deprived from being either a responsible managing officer or a qualifying partner on any other license.

3. A person who is either a qualifying partner or a responsible managing officer on a license cannot be a responsible managing employee on any other license.

4. A person can act in a qualifying capacity only once, if the qualifications as a responsible managing employee are involved.

These same limitations do not exist for the person who qualifies or seeks to qualify only as responsible managing officers or qualifying partners or a combination of both. A person who is a responsible managing officer may qualify additional licenses either as a responsible managing officer or as a qualifying partner. A person who is a qualifying partner may qualify additional licenses either as a qualifying partner or a responsible managing officer.

There are certain conditions which also must be met by a person who contemplates becoming a qualifying person on a license for an individual or firm. A responsible managing employee must be regularly employed in the classification of work for which he qualifies a license for an individual or firm. All qualifying people whether they are responsible managing employees, responsible managing officers or qualifying partners are responsible for exercising sufficient supervision and control over their employer's or

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principal's contracting operation as is necessary to secure full compliance with the Contractors License Law and the Rules and Regulations of the Contractors' State License Board. This does not mean that a qualifying person meets the requirements simply by affixing his signature to an application and thereafter taking no responsibility in the conduct of the business of contracting for which he qualifies. This situation unfortunately occurs, however.

Persons who qualify licenses for others may be subjecting themselves to disciplinary action under one or more sections of the Contractors License Law. Some conduct by qualifying people may at times constitute aiding or abetting an unlicensed person to evade provisions of the law.

Whenever a licensee for which a person is acting as a qualifying person becomes subject to disciplinary action the qualifying person who holds an individual license may likewise be disciplined along with any other licenses for which he is the qualifying person.

Pleading lack of knowledge of or participation in the acts or omissions for which disciplinary action is charged against the licensee will not absolve the qualifying person of responsibility whether he is a copartner, officer, or responsible managing employee. The law provides that he may be disciplined whether or not he had knowledge of or had participated in the prohibited acts. He may also be charged with having failed to exercise the required supervision and control.

When any license has been suspended or revoked, any additional license on which the qualifying person appears may also be suspended or revoked by the Registrar of Contractors without further hearing.

It is the responsibility of both the licensee and the responsible managing officer or employee to notify the Registrar, in writing, within 30 days of any disassociation of the RME or RMO. Failure to make such notification within 30 days will result in the suspension of the license and is likewise a cause for disciplinary action.

Anyone contemplating an association as a responsible managing employee or responsible managing officer should carefully consider the duties and responsibilities involved, and the possible jeopardy to his own license or his right to serve on a license should his employer or his principal be found to be in violation of the Contractors License Law.

ATTENTION MINORITY AND WOMEN CONTRACTORS

The California Department of Transportation is trying to identify minority and women contractors doing work in California. CALTRANS wants to make the minority contractor aware of the availability of work as contractors and subcontractors on construction projects. Many CALTRANS contracts encourage the prime contractors to seek out proposals from minority contractors. CALTRANS is compiling a list of minority and women contractors that will be made available to CALTRANS prime contractors as an assistance to them.

CALTRANS also has available instructional information to guide contractors in prequalification and bidding procedures. The instructional data will be sent to contractors wishing to bid with CALTRANS. Minority and women contractors are especially encouraged to register by return of the form below. The completed form should be sent to: CALTRANS, Mr. C. R. Giroux, Civil Rights Coordinator, P.O. Box 1499, Sacramento, California, 95814. If you have any questions please contact Mr. Giroux at (916) 445-4595.

CONTRACTORS QUESTIONNAIRE

Name of Company: _____

Name of Owner/Owners: _____

Type of State Contractors License: _____

Minority Company: Yes No Woman owned Yes No

(To qualify as Minority or Woman Company, 50% or more ownership must be minority or female.)

Ethnic characteristics of Company ownership:

Spanish Surname

Oriental

American Indian

Negro

Filipino

Caucasian

Other: Specify _____

Address of Company: _____

Phone number: (include Area Code) _____

Type of work performed: _____

Remarks: _____

REVOKED 1ST QUARTER 1974-1975

Namestyle	Address	Date	Sections violated
A A A Plumbing & Heating Co.	13271 Fletcher St., Garden Grove	8/30/74	7098, 7122.5
Alameda Painting Co.	985 Gumview Rd., Windsor	9/14/74	7098, 7107, 7109, 7110, 7122.5
Allen, W. B. Inc. General Contractor	704 El Camino Real, Tustin	8/ 7/74	7107, 7113, 7120, 7159
Allen, William B.	12711 Elizabeth Way, Tustin	8/ 7/74	7122.5
Amerest Company	P.O. Box 387, West Covina	8/21/74	7109, 7110, 7111, 7113, 7115, 7120, 7159
American Holiday Pools Incorporated	3545 Camino Del Rio, San Diego	8/ 6/74	7107, 7108, 7113, 7117, 7120, 7159
American Plb. Co.	5279 Camden Ave., Apt. 236, San Jose	8/30/74	7071.11
Anscot Construction	P.O. Box 1407, Bullhead City, Ariz.	8/23/74	7122.5
Associated Mechanical	1065 Via Escondida, Novato	8/31/74	7071.11, 7120
BCW Contractors Inc.	2518 Lee Ave., South El Monte	9/ 7/74	7107, 7113, 7114, 7115
Blue Sky Electric Inc.	P.O. Box 346, Covina	9/12/74	7121
California Resort Homes Inc.	P.O. Box 383, Lake Arrowhead	8/ 5/74	7107, 7108, 7113, 7120, 7121
Campbell, Bill General Contractor	1302 Emden St., Wilmington	8/29/74	7107, 7110, 7113, 7119
Carney Heating & Cooling dba Cooler Man	18440 Hart St., Reseda	8/ 5/74	7115, 7120
Carrillo, John I. dba Custom Construction Co.	14419 1/2 Van Nuys Blvd., Arleta	8/31/74	7121
Cool Air Company	1218 McClellan Dr., Los Angeles	7/23/74	7110, 7113.5
Crawford Construction Co.	2518 Lee St., South El Monte	9/ 7/74	7122.5
Custom Concrete	9507 Marilla Dr., Lakeside	9/17/74	7109, 7113
D J & N Inc.	P.O. Box 4105, Hayward	9/14/74	7112
DBF Construction Co.	1019 W. San Carlos St., San Jose	9/19/74	7122
De Forest, A.	150 Canedo Pl, Pasadena	7/ 9/74	7109, 7111, 7113, 7114, 7115, 7117, 7159
De Lucas, John T.	3456 Monticello, Santa Susana	8/31/74	7109, 7110, 7113, 7115, 7159
Dreyer, Phil Builder	P.O. Box 2937, San Bernardino	9/ 3/74	7107, 7113, 7115, 7120
Evans, J. P. Construction Co.	4635 Wolfe Way, Woodland Hills	8/14/74	7108, 7109, 7111, 7113, 7114, 7115, 7116, 7117 (a & b), 7120, 7159
Felice Construction Co.	1019 W. San Carlos St., San Jose	9/19/74	7071.11, 7108, 7110, 7112, 7120
Gough, James F.	120 Manor Dr., Pacifica	9/ 4/74	7071.11, 7107, 7116
Gutsch, Peter J.	10935 Tuxford St., Sun Valley	8/31/74	7122.5
H & H Plumbing & Heating Co. dba Roberts Beryl's Plumbing Co.	4535 Van Nuys Blvd., Sherman Oaks	8/ 5/74	7113.5, 7115
H & H Plumbing & Heating Co. dba Tate Plumbing Co.	4535 Van Nuys Blvd., Sherman Oaks	8/ 5/74	7113.5, 7115
H & H Plumbing & Heating Co.	4535 Van Nuys Blvd., Sherman Oaks	8/ 5/74	7113.5, 7115
Handyman Remodeling Division Inc.	4010 Hicock St., San Diego	8/16/74	7107, 7108, 7110, 7113, 7116, 7117, 7119, 7157a, 7158, 7159, 7161a,b,d
Hatch, Bob Crane & Rigging Inc.	2240 Burroughs St., San Diego	8/22/74	7107, 7113, 7115, 7116, 7120
Hegg Company	12300 Monticito Rd., #27, Seal Beach	7/17/74	7110, 7120
Heritage Builders Inc.	921 West Covina Pkwy., West Covina	8/12/74	7107, 7113, 7120, 7159
House Doc Enterprises	2484 S. Cherokee St., Denver, Colorado	8/21/74	7115, 7116, 7159
J H & L Contractors Inc.	1770 46th Ave., San Francisco	8/31/74	7071.11, 7110
Jeffries, J. C. & Sons	4651 Heyer Ave., Castro Valley	9/14/74	7098, 7109, 7111, 7113, 7114, 7115, 7117, 7118, 7122.5
Johnson, Charles F. Construction Company Inc.	P.O. Box 1478, Ventura	8/23/74	7113.5, 7120
Johnson, Robert E. Contractor	9226 Noble, Sepulveda	8/ 6/74	7107, 7113, 7115, 7120
Kanawyer, Donald S.	2603 Elliot St., Santa Clara	9/ 3/74	7098
Kanawyer, Raymond Lyle	1616 Pomeroy Ave., Santa Clara	9/ 3/74	7107, 7108, 7113, 7116, 7118, 7120
Kelly, F. R. General Building Contractor	7949 Mariposa, Citrus Heights	9/12/74	7107, 7109, 7113, 7119
L E G Plumbing & Heating	1514 1/2 10th St., Santa Monica	7/ 9/74	7109, 7110, 7112, 7114, 7116, 7122.5, 7161b
Lakenor Enterprises Inc. dba Trans United Enterprises	11200 Golf Links Rd., Oakland	9/ 7/74	7112
Mac Farlane Landscaping	2231 Braeburn Ave., Fullerton	9/ 5/74	7111, 7120
Magnana, P. T.	618 E. Mill St., Santa Monica	7/17/74	7098, 7122.5
Magnana Painting Co.	1403 Forrestal Ave., San Jose	7/17/74	7107, 7109, 7113
Mark Pools, Inc.	Rt. 1, Box 540, Shingle Springs	7/23/74	7107, 7108, 7117, 7120
Mid-Valley Builders Co. Inc.	720 Laurelwood Rd., Santa Clara	8/30/74	7121
Miller Construction Company	P.O. Box 1007, Campbell	7/23/74	7107, 7110, 7113, 7114, 7117b, 1721
Monarch Homes Inc.	2335 Whitmore Ave., Ceres	9/10/74	7109, 7113, 7120
Nottingham, M. C. Co. of L.A.	10935 Tuxford St., Sun Valley	8/31/74	7107, 7113, 7115
Owens, Thomas W. dba California Resort Homes	P.O. Box 383, Lake Arrowhead	8/ 5/74	7098, 7107, 7113, 7120, 7121, 7122.5
Pacific Remodeling Corp.	4010 Hicock St., San Diego	8/16/74	7107, 7108, 7110, 7113, 7116, 7117, 7119, 7157a, 7158, 7159, 7161a,b,d
Phelands Plumbing	649 Steward St., Fort Bragg	8/30/74	7108, 7111, 7113, 7115, 7120
Precision Painting Company	905 Maplewood Way, Port Hueneme	7/ 3/74	7098, 7121
R & S Construction Co. Inc.	4258 Elton St., Baldwin Park	9/12/74	7120
Reeves Roofing Co.	19101 Lanark St., Reseda	9/ 3/74	7122.5
Roberts, W. R. Excavating & Paving	491 Bailey Rd., Pittsburg	9/ 7/74	7071.11
Roi Builders and General Contractors	5504 W. Pico Blvd., Los Angeles	9/ 5/74	7107, 7113, 7119
Roper Mobile Home Service	15732 Alwood St., La Puente	7/25/74	7107, 7108, 7109, 7110, 7120
Rosner, Jan A.	P.O. Box 5772, Orange	8/22/74	7107, 7113, 7114, 7117
Ruthern Company, The	4th and Harrison St., Berkeley	8/31/74	7071.11
Santa Monica Plumbing Inc.	1514 1/2 10th St., Santa Monica	7/ 9/74	7110, 7111, 7113, 7115, 7116, 7117a, 7121, 7159
Shannon, James W.	P.O. Box 645 Lotus Rd., Lotus	9/12/74	7109, 7113, 7115
Simons, Richard R.	P.O. Box 1065, Santa Maria	7/31/74	7120, 7121
Slatton, James R.	5199 Saratoga, Cypress	9/ 4/74	7122.5
Sleeth, Earnest C.	P.O. Box 8568, Station B, San Jose	8/30/74	7071.11, 7110, 7115
Smith and Sons Cement Contractors	1237 Tuckaway Lane, Duarte	8/21/74	7098
Smith and Sons Cement Contractors	1237 Tuckaway Lane, Duarte	8/21/74	7115, 7120
Smith, L. R. Construction Co.	3830 Twin Oaks Way, Oakland	9/ 7/74	7098, 7122.5
Smith, William A.	1421 Grand View, Ceres	9/10/74	7109, 7113, 7120, 7122.5
Strong, D. S.	4923 Corbin Dr., San Jose	9/14/74	7098, 7111, 7122.5
TCI of Nevada Inc.	1301 E. Burnett St., Long Beach	9/ 4/74	7098, 7121
Tag Construction Company	10935 Tuxford St., Sun Valley	8/31/74	7098, 7121
Tarzana Roofing Co.	19101 Lanark St., Reseda	9/ 3/74	7109, 7113, 7115, 7121, 7159
Toyo Landscape and Erosion Control Co.	1402 W. Beverly Dr., Oxnard	8/27/74	7107, 7113, 7120
Tri Cor and Associates	1301 E. Burnett St., Long Beach	9/ 4/74	7111, 7113, 7120
Tri Cor Inc.	1301 E. Burnett St., Long Beach	9/ 4/74	7122
Tri Mark Construction Inc.	7531 Madison Ave., Citrus Heights	7/23/74	7109, 7110, 7113
Triple J Construction Co.	921 W. Covina Pkwy., West Covina	8/12/74	7122.5
Ulrich, D. G. Paving Company	25140 Calaroga Ave., Hayward	9/25/74	7071.11, 7113, 7113.5, 7115
Val Verde Enterprises Inc.	153 W. Cuyama Lane, Nipomo	7/31/74	7098
Van Order, James	905 Maplewood Way, Port Hueneme	7/ 3/74	7115, 7117a
Warren, Earl P.	5189 Mt. Helix Dr., La Mesa	8/ 6/74	7122.5
Watts Construction	757 E. 43rd St., Los Angeles	8/14/74	7071.13, 7109, 7113

SUSPENDED 1ST QUARTER 1974-1975

Namestyle	Address	Date	Section violated and suspension time
Amador Construction	Rt. 1, Box 578, Carmichael	8/ 7/74	7107, 7109, 7113, 7115—75 days
Architectural Builders Inc.	1625 Centinela Ave., Inglewood	9/27/74	7107, 7109, 7110, 7113, 7119, 7120—45 days
Artistic Title & Coping	2117 S. Cucamonga, Ontario	8/30/74	7109, 7119, 7159—10 days
Barnett, Dale Electric	7654 Sedan, Canoga Park	8/20/74	7107, 7109, 7113, 7159—30 days
Bledsoe & Parker	195 Lilac Lane, Brea	8/29/74	7113, 7114—60 days
Clark, David L. Sr.	Rt. 1, Box 75-K, Brentwood	9/17/74	7108, 7116—90 days
Cunningham, Elbert L.	735 Nord Ave., Chico	8/12/74	7109, 7110, 7113, 7117—Indef.
Garsha-De Goes, A. & Assoc.	16161 Ventura Blvd., Suite 220, Encino	9/10/74	7107, 7113, 7115, 7117(a), 7120, 7159—6 months
Handyman of California Inc., The	8372 Center Dr., La Mesa	8/16/74	7110—6 months
Lorah, Jesse Sidney	516 N. Hoover St., Los Angeles	8/20/74	7122.5—30 days
Machado, Joseph P., Jr.	2200 Coffee Rd., Apt. 17, Modesto	8/30/74	7108, 7111, 7112, 7120—Indef.
Maio, Jose	580 Center St., Walnut Creek	7/23/74	7109, 7113, 7114, 7117—Indef.
Mobile Environment Inc.	1104 E. 17th St., Santa Ana	8/27/74	7097—150 days
Ragenia Company	P.O. Box 69, Grass Valley	8/27/74	7109, 7113—30 days
Robison, Bill	902 Fernrest Dr., Harbor City	9/27/74	7122—45 days
Robison, Oscar J.	311 W. Acacia Ave., El Segundo	9/27/74	7122.5—45 days
S & J Construction	16380 Monterey Hwy., Morgan Hill	7/ 3/74	7071.11, 7107, 7109, 7113, 7120—Indef.
Schado, Paul	15557 Hesby St., Encino	9/ 5/74	7113—30 days
Sopseto, Dominic Frank	P.O. Box 102, Glenhaven	7/31/74	7117.5—60 days
Steele, Milton F.	5805 Overhill Rd., Fair Oaks	7/23/74	7097, 7122.5—6 months
Steinke, Siegfried Construction	8563 Venice Blvd., Los Angeles	7/31/74	7109, 7113, 7159—Indef.
Strang, Richard W.	9418 Riverview Ave., Lakeside	7/31/74	7113.5—Indef.
Sullivan Painting	8853 Greenridge Ave., Spring Valley	7/31/74	7113.5—Indef.
Tanco Development Corporation	610 E. 17th St., Santa Ana	8/27/74	7109, 7113—150 days
Tancredi, Harry	610 E. 17th St., Santa Ana	8/27/74	7122.5—150 days
Weather Seal Co.	256 Pass Ave., Burbank	8/ 6/74	7107, 7111, 7113, 7115—120 days
Zajicek, Don R. dba Blue Star Builders	7540 Highwood Ave., La Mesa	8/16/74	7122.5—30 days

DENIED 1ST QUARTER 1974-1975

Namestyle	Address	Date	Sections violated
Clinton, R. H. General Contractor	3606 Coldwater Canyon, Studio City	9/ 5/74	7069, 7073
Mellow, Raymond E.	2010 E. Merced Ave., Merced	9/17/74	7069 (a & b), 7070, 7102, 7112

DISCIPLINARY ACTIONS DO NOT INCLUDE LICENSES SUSPENDED FOR FAILURE TO MAINTAIN REQUIRED BONDS

The following explanation may be helpful to those persons interested in the causes of disciplinary action indicated by sections violated in the table of Disciplinary Actions:

7071.11	Judgment or admitted claim against bond.	7112	Misrepresentation of a material fact on an application.	7122	Participation of licensee in violating Contractors Law.
7097	Suspension of additional licenses.	7113	Failure to complete a project for the price stated in the contract.	7122.5	Responsibility of Qualifying Person for acts committed by his principal.
7098	Revocation of additional licenses.				
7107	Abandonment of a project without legal excuse.	7113.5	Avoiding or settling for less than lawful obligations as a contractor through the various bankruptcy proceedings.	7123	Conviction of a Felony in connection with construction activities.
7108	Diverted funds or property received for a specific job to other purposes.	7114	Aiding and abetting an unlicensed person.	7124	A plea of nolo contendere is considered a conviction.
7109	Willfully disregarded plans and specifications, or has failed to complete the job in a good and workmanlike manner.	7115	Failure to comply with the Contractors Law.	7154	Employment of unregistered home improvement salesman.
7109.5	Violation of Safety Laws resulting in death or serious injury.	7116	Committing a willful or fraudulent act as a contractor.		
		7117	Acting as a contractor out of namestyle.	7155	Participation in violation by a home improvement salesman.
		7117.5	Contracting with inactive license.		
7110	Willful disregard and violation of building laws.	7118	Contracting with unlicensed person.	7157	Model Home, kickback prohibition.
7110.1	Violation of Section 206.5 of the Labor Code.	7119	Failure to prosecute a job with diligence.	7159	Failure to comply with contract requirements.
7111	Failure to keep records and to make them available to a representative of the registrar.	7120	Failure to pay for materials or services.	7161	False advertising.
		7121	Prohibition against associating with suspended or revoked licensees.		

RENEWALS IN PROCESS

By the time you read this, renewal of contractors' licenses should be well on its way. Renewal applications were mailed on Thursday May 15, 1975 and by Monday, May 19, 1975 several hundred applications had been returned and processing procedures were immediately commenced.

If any person or firm that was the holder of a contractors license as of June 30, 1975 has not received a renewal application, the person or someone from the firm should contact the

Sacramento Office of the Contractors' State License Board by letter or telephone for advice as to what to do to renew the license.

Every renewal period, applications are returned by the Post Office as being undeliverable for various reasons. Usually the application is returned for lack of a current address. If a proper address is received in time, the applications can be remailed. If nothing is done by the licensee and a properly completed renewal is not received before July 1, 1975, the li-

ensee will be required to file a delinquent renewal application and pay the delinquency fee as well as the standard renewal fee. These delinquent renewal applications can only be obtained from the Sacramento Headquarters Office.

If you returned your completed renewal application and have not yet received your 1975-77 pocket certificate, do not become concerned as it takes a few weeks to process the great number of renewal applications which are received in a comparatively short time.

Industrial Safety

(Continued from page 1, col. 3)

and Sections 1725 to 1736, inclusive, of the Civil Code, or of the safety laws or labor laws or compensation insurance laws or Unemployment Insurance Code of the state, or violation by any licensee of any provision of the Health and Safety Code or Water Code, relating to the digging, boring, or drilling of water wells constitutes a cause for disciplinary action.

Violation of building laws, safety laws, and labor laws which eventually became Section 7110 as it is now, was one of the original causes for disciplinary action when the law was first created in 1929.

Section 7109.5 was a later enactment, having been added to the Contractors License Law in 1963. The Registrar of Contractors, Leo B. Hoshler, being keenly concerned about serious injury and death among employees of licensed contractors, was instrumental in the drafting and plac-

ing before the legislature the legislation which became Section 7109.5.

With respect to death or serious injury incurred in violation of state law, the Registrar has restated his position that he will maintain his continuing policy of filing disciplinary actions for the suspension or revocation of contractor licenses.

Each licensee is reminded that in the event he incurs discipline as a contractor, he will be required, pursuant to Section 7071.8 of the Contractors License Law, to file a disciplinary bond ranging from \$7500 to \$25,000 as a prerequisite to the reinstatement of his license.

All disciplinary bonds must be maintained for a period of at least two years. The disciplinary bond is in addition to the regular \$2500 Contractor's Bond which every active contractor must keep on file.

It is the responsibility of all parties including employers, labor and regulatory agencies concerned with construction activities to be continually alert to the necessity of "job safety".

Legislative Report

(Continued from page 4, col. 3)

claimant who has filed a preliminary 20-day notice. Failure of an owner or his agent to give a copy of the notice to a claimant will continue the lien in force. If the owner thereafter gives a copy of the notice, the time period for recording a lien will commence on the date the claimant is given the notice.

ASSEMBLY BILL 816 by Vicencia, Z'berg, Gualco, Perino and Thurman would amend Section 37040 of the Health and Safety Code. Under present law the Commission of Housing and Community Development adopted minimum painting standards. This bill makes these minimum painting standards applicable only to single-family dwelling units of new construction, including condominiums, which are sold for occupancy by a person other than the builder. Under present law, violation of the minimum painting standards by a licensee is cause for disciplinary action.

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STATE OF CALIFORNIA
DEPARTMENT OF
**Consumer
Affairs**
CONTRACTORS' STATE LICENSE BOARD
1020 N Street
SACRAMENTO, CA 95814

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PERMIT No. 685