

CALIFORNIA LICENSED CONTRACTOR

GAIL W. JESSWEIN, REGISTRAR

FALL 1995 -- CONSUMER INFORMATION

PETE WILSON, GOVERNOR

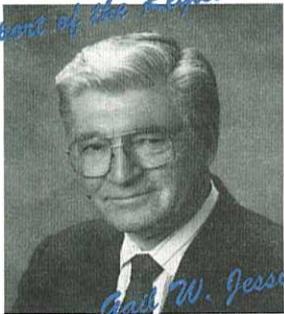
"Information is the oxygen of the modern age."

Ronald Reagan

Information is as necessary to a business's health as air is to an individual's. That's why this issue's theme is Consumer Information, in honor of the fact that October is Consumer Information Month.

As a licensed contractor, you are a kind of consumer of CSLB products and services — and an important customer, even though our mission is ultimately consumer protection. However, we know that consumers are better served when they use licensed contractors. I strongly believe that consumer protection doesn't smother construction productivity, but rather promotes an atmosphere of confidence that ultimately increases business. By taking the time to read this newsletter, thereby updating yourself on the latest

Report of the Registrar



Gail W. Jesswein

information regarding license-related matters, you are breathing the oxygen needed to run a healthy business.

To make sure our products and services are both useful and accessible to you, we've been revamping the newsletter to make it more reader-friendly and useful. For example, the January issue will include a special four-page legislative insert.

Besides revamping the newsletter, CSLB has done much to improve consumer information services in the last year. We've added staff to our telephone center, merged onto the information highway and launched a statewide public awareness program — all so that the public can make informed choices. It is to everyone's benefit when consumers are aware of the advantages of hiring only licensed contractors and of the services CSLB

(Continued on page 7)

Lucchetti New CSLB Chair; Tate New Vice-Chair

Sacramento specialty contractor David Lucchetti was a unanimous choice to succeed Robert Laurie as chair of the Contractors State License Board during its July meeting in Irvine. Mr. Lucchetti, whose appointment runs through June 1997, was Board vice-chair during 1994-95.

Upon his election, Mr. Lucchetti said, "The Board will continue to focus on providing the general public with information and assistance while not damaging the ability of licensed contractors to perform their jobs."

Elected unanimously as Board vice-chair was Paramount contractor Nina Tate. Ms. Tate is a general building B contractor, whose appointment was recently extended to June 1999 (see story on page two). Mr.



From left: New Member Minerva Lopez-Baffo joins reappointed members Sharon Kowertz and Nina Tate and new Board chair David Lucchetti at the August meeting in Irvine. Ms. Tate is also the new Board vice-chair.

Lucchetti thanked Mr. Laurie on behalf of the Board and presented a plaque commemorating his tenure as Board chair during 1994-95.

Under Mr. Laurie's incumbency the Board established a new standing committee, the Executive Committee, and three task forces: a Contractor Education Task Force, a Regulations Review Task Force to weed out redundant and inconsistent regulations and a Classification and Regulation Task Force to research the need for a separate classification for home improvement contractors. During that period the Board also launched a new facility, the Earthquake Response Center in Van Nuys, in response to a major increase in complaints generated by earthquake repairs. "I am proud of the Board's efforts to cut red tape while at the same time overseeing a dramatic increase in service to consumers and contractors," said Mr. Laurie.

Advertising Do's and Don'ts for Contractors

The Contractors License Law and accompanying Board rules contain several references to advertising, which means there are several ways you as a contractor could end up in conflict with those references — and thus in violation of a law — if you don't know what the rules are. This article is intended to make you more aware of what the Contractors License Law says about advertising.

"Advertising is the best and quickest way to get your message directly to potential customers," said CSLB Registrar Gail Jesswein. "But it can also be a quick way to get into trouble if you don't know or follow the laws and rules, or if your advertising deceives or misleads your customers."

"Most ads are a written record, and what's on the record can be used to document problems in investigations."

"Properly used, ads can increase your business. And properly used means following the rules."

Advertising: What Is It?

You already know about advertising in newspapers and

radio and television and in the newspapers.

But for licensed contractors advertising is more than that. It's also:

- your business card
- any contract proposal
- the lettering on your trucks and other vehicles
- any sign or billboard identifying you or your company as a contractor
- any soliciting brochure, pamphlet or circular you or anyone else posts or distributes
- any directory or listing that states or implies you are a contractor requesting or looking for the kind of work that requires a contractor's license under the Contractors License Law

These specifications are in Rule 861 of the CSLB Rules and Regulations. They define what Business and Professions Code section 7030.5 means when it says that licensed contractors are required to include their license numbers in "(a) all construction contracts; (b) subcontracts and calls for bid; and (c)

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Things to Remember When You Advertise

DO include your license number in anything that might be construed as advertising — and remember that, for contractors, advertising covers more than TV, radio and newspaper spots.

DON'T use false or misleading advertising or advertise a price you don't intend to contract for.

DON'T advertise to do work you're not licensed for.

DON'T say anything about bonding.

DO include your certification and registration numbers and the correct name of your business when you advertise asbestos removal services.

DO notify the nearest CSLB office whenever you see any kind of ad that you think might be by or about an unlicensed contractor.

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California Licensed Contractor



Official Publication of the
Contractors State License Board

Fall 1995

State of California

Pete Wilson
Governor

Marjorie M. Berte
Director, Department of
Consumer Affairs

Gail W. Jesswein
Registrar of Contractors

Members of the
Contractors State License Board

David Lucchetti	Specialty Contractor, Chair
Nina S. Tate	B-Contractor, Vice Chair
Robert H. Alvarado	Public Member, Labor
Douglas E. Barnhart	A-Contractor
John Chalker	Public Member
Marilyn J. Dailey	Public Member
Sharon J. Kowitz	Specialty Contractor
Robert A. Laurie	Public Member
Minerva Lopez-Baffo	Public Member
Mrs. Phil Moore	Public Member
Timothy Strader	Public Member
Sun G. Wong	Public Member

Karen McGagin
Chief Deputy Registrar

Kim Hunter Canevari
Managing Editor

Sam Haynes, Editor

CSLB Headquarters

:9835 Goethe Road,
P.O. Box 26000
Sacramento, California 95826

Information: (800) 321-CSLB

in the Sacramento area:

(916) 327-9707
Fax: (916) 364-0130

Internet Address:
<http://www.ca.gov/csib/home.html>

Minerva Lopez-Baffo Appointed to Board

The Senate Rules Committee has appointed Minerva Lopez-Baffo, a Los Angeles corporate manager, to be one of seven public members on the Contractors State License Board.

Ms. Lopez-Baffo is public affairs manager for Pacific Enterprises, the parent company of Southern California Gas Company. Since starting with the company in 1972, she has also served as local government affairs coordinator and community involvement manager. Before joining Pacific Enterprises, she worked in various capacities for Pacific Bell.

Ms. Lopez-Baffo has served on the Los Angeles County Human Relations Commission, the LA County Commission on the Status of Women, the Small Business Administration Advisory Council for Region 9 and many other commissions and councils. She is a founding member of HOPE — Hispanics Organized for Political Equality — and has extensive volunteer experience.

"It will be a privilege to be a voice for consumers during the critical deliberations of this board," she said.

Ms. Lopez-Baffo fills the Board position previously occupied by James Frayne. Her appointment is through June 1999. Her degree is in Business Administration.

Sharon Kowitz Reappointed to Contractors Board

Sharon Kowitz, the first woman to represent specialty contractors on the Contractors State License Board, was reappointed by Governor Pete Wilson. She is also licensed as a general contractor.

"As a contractor, I believe our work must reflect both care and quality while maintaining competitive prices," said Ms. Kowitz. "I apply these same principles to my oversight responsibilities on the Contractors State License Board."

Ms. Kowitz is president of Kennison, Inc., a construction firm she founded in the early 1980s, headquartered in Huntington Beach. The firm installs, services and retrofits HVAC, electrical, controls and energy management systems for commercial and industrial market in southern California. The company also does tenant improvements.

Besides being a state-certified energy auditor, Ms. Kowitz holds an EPA Universal Certification in

Updates on CSLB Task Forces

The following task force updates are as of the July committee meetings. There were no meetings in August.

Education

The Contractor Education Task Force will forward recommendations to the Licensing Committee at the September meeting that provide support for voluntary continuing education to contractors without mandating any new programs or specific educational requirements.

Classification and Regulation Task Force

The Board has accepted the recommendations of the Classification and Regulation Task Force. As reported in the Summer 1995 issue of the California Licensed Contractor, the recommendations include:

- A proposal to study a new certification for home improvement work
- Developing a pamphlet specifying what contractors must provide to homeowners in home improvement notices and contracts
- Preparing an issue paper to clarify how framing or carpentry experience would be considered in qualifying for a "B" license once the new C-5 carpentry classification goes into effect in early 1996.

The Board accepted the Task Force's proposal to raise the dollar limit to \$1,500 on the three-day waiting period to allow consumers to reconsider a home solicitation contract and to specify that it applies only to a duly licensed contractor responding to a call. They also accepted the proposal to raise the dollar threshold for home improvement contracts above the current \$500 but voted to seek legislation to set the threshold at \$1,500 rather than at the \$2,500 proposed by the Task Force.

Structural Defect

The Enforcement Committee held a public hearing on the definition for structural defect in Irvine on July 19. The definition will receive final consideration by the full Board in October.

Refrigerant Transition and Recovery. She is a member of the American Society of Heating, Refrigeration and Air Conditioning Engineers and the Association of Energy Engineers. In addition, Ms. Kowitz is a director for the National Association of Women in Construction, and a past state president of the California Chapter of Women Construction Owners and Executives. Her appointment ends June 1, 1999

Chair Appoints New Committees

Board Chair David Lucchetti has made the following committee appointments:

Executive: Robert Laurie (chair), David Lucchetti (vice-chair), Douglas Barnhart, John Chalker, Marilyn Dailey, Phil Moore and Nina Tate

Legislation: Phil Moore (chair), Tim Strader (vice-chair), Douglas Barnhart, Sharon Kowitz and Minerva Lopez-Baffo

Administration/Consumer Education: Douglas Barnhart (chair), Sun Wong (vice chair), John Chalker, Marilyn Dailey and Robert Laurie

Enforcement: John Chalker (chair), Robert Alvarado (vice chair), Minerva Lopez-Baffo, Timothy Strader and Sun Wong

Licensing: Marilyn Dailey (chair), Sharon Kowitz (vice chair), Robert Alvarado, Phil Moore and Nina Tate

The Board Chair is an ex-officio member of all committees. In his absence, the Vice Chair becomes an ex-officio member.

Nina Tate Reappointed to Contractors Board

Nina Tate, the first woman general contractor to serve on the Contractors State License Board, was reappointed by Governor Pete Wilson. She is licensed in general engineering and as a specialty contractor.

"I have always said you must be willing to work hard and take advantage of your opportunities," noted Ms. Tate. "The Board has allowed me to do both, providing an opportunity to work toward ensuring a pragmatic approach to contractor licensing that benefits both consumers and contractors."

Ms. Tate's construction career began in 1961 and culminated in her position as president of Nationwide Construction Company, a company she founded in 1983. The firm's general building and reinforcing steel divisions operate throughout California and Arizona.

Ms. Tate is a founding member and charter national president of the Women Construction Owners & Executives in the USA and a member of the Associated General Contractors of California, the National Association of Women in Construction and the National Association of Woman Business Owners. She majored in education at California State University, Long Beach and holds a California teaching credential. Her appointment is through June 1999.

Southern California Landscaper Went from Water to Winner

Mythologist Joseph Campbell says to find your life work by following your passion. Landscape contractor Mike Forsberg found his by following his water route.

"I started out 18 years ago as a route salesperson for Sparklets Water in Gardena," said Mr. Forsberg. "Many of my clients were nurseries in Torrance. One year I decided to fix up my own back yard. One of the nurseries I delivered to drew up the plans, and I did the installation. I loved it.



"Not long after that I started working on weekends for the Cal Coast Nursery in Torrance. They soon asked me to become a manager for them, overseeing their nursery and landscaping operations. About a year later I moved to Rolling Hills Landscaping, also in Torrance.

"I actually lasted there for about six weeks, because by then I knew I wanted to be my own boss."

Mr. Forsberg started his landscape maintenance business in 1977. For the next nine years business grew fairly steadily, and so did the number of requests he kept receiving to do landscaping — until in 1986 he

became licensed as a landscape contractor (C-27).

Today Mike's Landscape and Maintenance is a thriving young Torrance-based business specializing in the landscaping and maintenance of large properties. The company has 12 employees, a list of more than 80 custom estates it provides maintenance for in the Palos Verdes area and a trophy case containing six statewide and 28 local awards for landscaping excellence.

"Mike's a real go-getter whose energy and positive approach to things have had a tremendous effect on his business," said Larry Rohlfs, director of governmental affairs for the California Landscape Contractors Association (CLCA). "He's been president of our Los Angeles-San Gabriel Valley chapter for the past two years [his current term expires at the end of this year], and he's been very involved in several important local issues, such as the use of leaf blowers. He has testified very effectively against their being banned before several local boards and committees."

Mr. Forsberg's position on leaf blowers is that their use should be controlled by local ordinances but that banning them completely would be very inconsistent with the need to conserve water.

"Before leaf blowers," he said, "most people used hoses to remove leaves from their lawns, driveways and sidewalks. The result was a

tremendous waste of a vital resource. Leaf blowers can help cut way down on water use.

"People need to use common sense and courtesy when they run their blowers. We support such approaches as limiting the use of blowers during certain hours, controlling their use in certain locations, requiring that they only be run on low throttle. But we don't think banning them completely is the right answer."

One of his supervisors — John Marinovich — recently completed a rigorous landscape construction certification program developed by the CLCA. Certification in landscape construction, according to CLCA program coordinator Kim Heckes, requires applicants to pass a 15-hour series of tests over a two-day period. More than 13 hours of the test involve timed problems on 25 field testing stations. The competition is stiff (there were 134 applicants at the last statewide test in April), the standards rigorous (there is a 30 percent pass rate).

"We're very proud of John's accomplishment," said Mr. Forsberg. "I feel his certification is one more validation of the effectiveness of our own practices. The CLCA certification test is now in use in four states, and by next year they'll be using it in Canada and several other states."

Asked to identify the biggest problem facing landscape contractors in California today, Mr. Forsberg immediately cited unlicensed



The Price residence in Rolling Hills, Mike Forsberg's winning entry of the 1994 CLCA Ben Slade Memorial Award.

contractors. "It's a horrible problem," he said. He expressed appreciation for the efforts of the Board's Unlicensed Activity Units to help get rid of the problem, but added that city halls also have an important role to play. "All cities need to make sure that people applying for business permits as gardeners and landscapers have their contractors licenses and proper insurance. More local vigilance could make a big difference."

He tells young people just starting out in this field to expect hard work, long hours and lots of time in the outdoors. But, he added, the rewards are worth it.

"The satisfaction from completing a project and seeing the face of a satisfied client, together with the feeling of having taken something from nature and made it better, is hard to beat."

CSLB Maintains Information Services for Contractors as well as Consumers

A major responsibility of the Contractors State License Board is to provide information to three primary audiences: the public, licensed contractors and those interested in becoming licensed contractors. The Board embraces that responsibility by aggressively reaching out through public awareness campaigns, publications and a wide variety of other information services. What follows is a listing and brief description of these publications and information services.

The APRS

There are two new "high-tech" information sources available to contractors and the public for information and publications. One is the automated toll-free number — 1-800-321-2752 — that connects callers to the Board's Automated Phone Response System (APRS). This system contains a broad array of recorded information (see "What You Can Get Calling 1-800-321-2752" on

page 7). More than 95 percent of APRS users are able to get onto the system with their first call.

Last month (September) a new category of information was added to the APRS to enable applicants to find out the status of their applications. Having this information on the APRS should reduce the number of calls on the public information line by up to 25 percent.

One can also request a call-back through this number. Dial the number after hours (that is, before 7 a.m. and after 5:30 p.m.), listen to the message, make the menu choice to get further assistance, then, when offered the opportunity, request a call-back (be

sure to leave your name and number), and someone will call the next business day.

The Internet

The other high-tech information source is the Internet. Since March the Board has offered choices on the Internet in the following categories:

- License and application status information
- Licensing and exam information
- How to file a complaint
- Information for disaster victims
- Order forms and applications
- CSLB office locations



- CSLB publications and pamphlets
- New topics, new laws, pending legislation

This month the Board expects to start a pilot project that will allow Internet clients to inquire into the status of up to five contractor license numbers (whether they are active, inactive, suspended, revoked, etc.). Replies to these inquiries will be sent to each requestor via E-mail. Access us through our Internet address: <http://www.ca.gov/csib/home.html>

The Public Line

The Board's public information number — 916-255-3900 — provides access to an information technician in the headquarters office. These technicians can answer questions on virtually any area pertaining to the board (how to apply for a license, how to renew a license, how to get publications, etc.). This line can be

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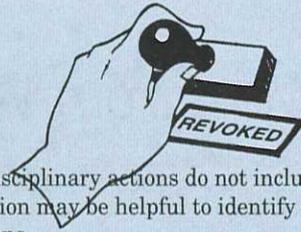
Governor Signs Four New Laws Affecting Industry

The Governor has signed four new laws expected to have an impact on contractors. Two laws — AB 901 and AB 1610 — were emergency statutes and are now in effect. The other two -- SB 320 and SB 639 -- become effective Jan. 1, 1996.

The new laws:

- AB 901 repeals the requirement that a preliminary 20-day notice (private work) must be given (prior to the recording of a mechanic's lien and prior to the filing of a stop notice) to every subcontractor with whom the claimant has contracted; repeals the requirement that notice regarding withholding payment be given to the subcontractors with whom claimant has contracted; provides that if a surety or sureties on any payment bond given pursuant to provisions of law regarding private works, record the bond before the work of improvement is completed, any action for recovery on the payment bond against the surety or sureties shall be commenced not later than six months after completion of the work of improvement; specifies that existing law, which provides that if a 20-day preliminary notice is not given, a claimant may enforce a claim upon a payment bond given in connection with a private or public work by giving written notice to the surety and the bond principal (as specified) only applies to contracts entered into on or before Jan. 1, 1995.
- AB 1610 revised the definition of disaster as it relates to disaster-related home solicitation contracts to mean a sudden or catastrophic occurrence for which a state of emergency has been declared by the President of the United States or Governor or for which a local emergency has been declared by the executive officer or governing body of any city, county, or city and county.
- SB 320 prohibits the home solicitation of a consumer who is a senior citizen where a loan is made encumbering the primary residence of that consumer for purposes of paying for home improvements and where the transaction is part of a pattern or practice in violation of specified provisions of federal law governing consumer loans. It also specifies that a third party is not liable under these provisions unless (1) there was an agency relationship between the party who engaged in home solicitation and the third party or (2) the third party had actual knowledge of, or participated in, the unfair or deceptive transaction. A third party who is a holder in due course under a home solicitation transaction is not liable under the provisions of the bill.

(Continued on page 5)



Disciplinary Actions from June 1, 1995, to August 31, 1995

Note: Disciplinary actions do not include licenses suspended for failure to maintain required bonds. The following explanation may be helpful to identify causes of disciplinary action indicated by sections referenced in the table of Disciplinary Actions.

Business and Professions Codes

490	Relationship of conviction of a crime to licensed activity	7101.1	Violation of Section 206.5 of the Labor Code
7018.5	Failure to provide notice to owner regarding lien provisions	7111	Failure to keep records and to make them available to a representative of the Registrar
7026.7	Advertising as a contractor without a license	7111.1	Refusal to or failure to cooperate with deputy in investigation
7028	Acting in the capacity of a contractor without license	7112	Misrepresentation of a material fact on an application
7029	Contracting as a joint venture without the required license	7113	Failure to complete a project for the price stated in the contract
7029.5	Failing, as a plumbing, electrical sign or well drilling 7029.6, 7029.7	7113.5	Avoiding or settling for less than lawful obligations as a contractor through the various bankruptcy proceedings
7030	Failing to include in a contract the notice that contractors are licensed by the Contractors State License Board	7114	Aiding and abetting an unlicensed person
7030.5	Failing to fulfill the requirement that the contractor's license number be placed on all contracts, subcontracts, calls for bid, and other forms of advertising	7115	Failure to comply with the Contractors' Law
7071.11	Judgment or admitted claim against bond	7116	Committing a willful or fraudulent act as a contractor
7083	Failing to report a change of address, namestyle, or personnel within 90 days	7117	Acting as a contractor out of namestyle
7085.6	Failure to comply with an arbitration award	7117.5	Contracting with inactive license
7090.1	Failure to comply with civil penalty or "order to correct" in Registrar's citation	7118	Contracting with unlicensed person
7097	Suspension of additional licenses	7119	Failure to prosecute a job with diligence
7098	Revocation of additional licenses	7120	Failure to pay for materials or services
7099.6	Non-compliance with a final citation	7121	Prohibition against associating with suspended or revoked license
7107	Abandonment of a project without legal excuse	7122	Participation of license in violating Contractors Law
7108	Diverted funds or property received for a specific job to other purposes	7122.5	Responsibility of Qualifying Person for acts committed by his/her principal
7109	Willfully disregarded plans and specifications, or has failed to complete the job in a good and workmanlike manner	7123	Conviction of a Felony in connection with construction activities
7109.5	Violation of Safety Laws resulting in death or serious injury	7124	A plea of nolo contendere is considered a conviction
7110	Willful disregard and violation of building laws	7154	Employment of unregistered home improvement salesman
		7155	Participation in violation by a home improvement salesman
		7157	Model Home kickback prohibition
		7159	Failure to comply with contract requirements
		7161(b)	False advertising

Licenses Revoked

NAME AND CITY	LIC #	SECTIONS VIOLATED
A L SOTO CONSTRUCTION CO, VISTA	517134	7090.1
AARDVARK ASPHALT REPAIR, PITTSBURG	426385	7090.1
ACOSTA RUDY MASONRY, WATERFORD	638142	7090.1
ADAMS & WHITE CONSTRUCTION, PICO RIVERA	405833	7098
AIR TEC, ETIWANDA	581419	7090.1
ALLANTE CONSTRUCTION SERVICES INC., SACRAMENTO	480988	7090.1
ALPHA PLUMBING, HEMET	576620	7090.1
ALTERNATIVE TILE SEALING, INDIO	679669	7090.1
AM CONCRETE, NORTH HIGHLANDS	598761	7090.1
AMERICAN EXTERIORS, LOS ANGELES	381497	7090.1
ANDEN GROUP THE, SHERMAN OAKS	574081	7090.1
ANDERSEN PLASTERING, VISTA	603164	7090.1
ANGELO TILE, HUNTINGTON BEACH	548876	7090.1
ARCHITECTURAL MILLWORK & FURNISHINGS INC. DBA A M F INC, WALNUT	623380	7090.1
AVILA ROBERT D, ROSEVILLE	504600	7090.1
AVON HOME REMODEL AND BUILDERS INC., SAN DIEGO	587583	7090.1
B J CONSTRUCTION, PLACERVILLE	336471	7090.1
BARTON CONSTRUCTION CO., OCEANSIDE	555441	7090.1
BAYER MYRON IRA, BEVERLY HILLS	393640	7090.1
BEAUTIFUL LANDSCAPES BY TOM, MISSION VIEJO	621482	7090.1
BECK RICHARD L MASONRY, WATERFORD	432605	7090.1

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Revocations (cont. from page 4)

BOSTON MASONRY, FALLBROOK	615542	7090.1
BRYANT BOB CONSTRUCTION, COPPEROPOLIS	409381	7107, 7113, 7108.5, 7115 (7164), 7097, 7098, 7121.5
BU'S A-D DEVELOPMENT, WESTMINSTER	619520	7085.6
C & M SERVICES, RIVERSIDE	640748	7090.1
C & P MARBLE COMPANY, SUISUN	603206	7090.1
CALIFORNIA ASPHALT & GRADING CO., CORONA	506976	7090.1
CALLIHANS CUSTOM HOME, CHESTER	560495	7109, 7113, 7115(7030, 7083), 7117
CANNING WILLIAM L., RAMONA	121644	7090.1
CASTLE CONCRETE, THOUSAND PALMS	340505	7090.1
CASTONA CONST, SPARKS, NV	589323	7090.1
CENTRAL REFRIGERATION COMPANY, RANCHO CORDOVA	455506	7090.1
CENTURY AMERICAN CORPORATION, ORANGE	356720	7090.1
CHENZE CHARLES H., GARDENA	388254	7107, 7109, 7113, 7115 (7164), 7097, 7098, 7121.5
CHURCH GERALD DONALD, FREMONT	378172	7090.1
COAST KITCHENS INC., REDLANDS	652478	7090.1
CONSTRUCTION TELESIS, SANTA ROSA	495364	7085.6
CURTIS KENNETH R INC., FULLERTON	259915	7113, 7115(7159B, D, F, G, J, L), 7120, 7097, 7098, 7121.5
D & Y CONSTRUCTION INCORPORATED, RIVERSIDE	595746	7090.1
D AND S ELECTRICAL SYSTEMS, RIVERSIDE	629521	7090.1
D H COOK CO, LOS OLIVOS	361391	7090.1
DAKOTA FENCE, PERRIS	609424	7090.1
DIABLO VALLEY LANDSCAPING, CONCORD	314286	7085.6
DORE MICHAEL WOLIN, LONG BEACH	575939	7090.1
DURBIN FRANK J., LOS ANGELES	382975	7090.1
E & B AWNING, REDLANDS	466727	7090.1
ELISHA DAVID, ENCINO	581845	7090.1
ENGINEERED PRODUCTION CONCRETE INC dba MEID WEST STATES, CARLSBAD	604573	7090.1
ENNIS MONTGOMERY, PALMDALE	326835	7090.1
EVIAN CONSTRUCTION INC., NUEVO	608987	7090.1
FAMILY MOBILE HOME SERVICE, SAN JACINTO	612605	7090.1
FENCE'S BY BRADLEY AND MC GINNIS, SACRAMENTO	619928	7090.1
FITZPATRICK JOHN, CARLSBAD	495306	7090.1
FLOOR STORE THE, SACRAMENTO	624404	7090.1
FOTI DOMINICK, IRVINE	280939	7109, 7113, 7117.6, 7121
FOUNDATION CONTRACTORS, CARSON	400999	7090.1
FUTURE CONSTRUCTION, VALLEY CENTER	547669	7090.1
G L A D CONSTRUCTION, TWAIN HARTE	655731	7090.1
GARCIA'S MASONRY, SOULSBYVILLE	526770	7090.1
GARY HICKS CONSTRUCTION, LAKESIDE	486909	7090.1
GARZA ALFONSO JR., ESCONDIDO	480405	7090.1
GAUGHAN JERRY D., ESCONDIDO	644849	7090.1
GAUS GERALD L., EL CAJON	176252	7090.1
GEODAK GROUP LTD., TEMECULA	586835	7090.1
GIEBRICH CONSTRUCTION, UPLAND	529908	7090.1
GRAZIANO CONSTRUCTION INC., SAN JOSE	574885	7107, 7109, 7120, 7108.5, 7113, 7116, 7115(7159 7068.1), 7097, 7098, 7121.5
GREEN DESERT LANDSCAPING, QUARTZ HILL	621906	7090.1
HALEY CARL CONCRETE, WESTMINSTER	533847	7090.1
HIGH NOON CONSTRUCTION, SAN JOSE	605023	7107, 7109, 7113, 7115(7159), 7121, 7121.5
HOFFMAN CLYDE dba CAL-HOFFCO, MISSION VIEJO	507684	7090.1
HOFFMAN DEVELOPMENT CO., SIMI VALLEY	519605	7090.1
HEMOCRAFT MASTER THE, LONG BEACH	496309	7085.6
HOWARD SHARP ROOFING, FONTANA	558490	7090.1
HUNTINGTON HARDWOODS, HUNTINGTON BEACH	560026	7090.1
INCREDIBLE KITCHENS, DIAMOND BAR	655346	7090.1
ISOM MICHAEL P CONSTRUCTION, CARMICHAEL	589348	7090.1
J & M HEATING AND AIR CONDITIONING, CRESTLINE	567893	7090.1
J C & DENNIS CONSTRUCTION, HEMET	325030	7090.1
J R WOOD CONSTRUCTION, CORONA	518379	7090.1
J W SIMONSON CONSTRUCTION, VISTA	503439	7090.1
JANKE TODD POOLS & EXCAVATING, FULLERTON	622550	7090.1
JOUBERT CONSTRUCTION CORPORATION, PASADENA	502425	7107, 7108, 7109(a), 7113, 7115(7159), 7116, 7117.5(b0, 7119, 7161(b), 7097, 7098, 7121.5
KEEN REMODELING, RIVERSIDE	453086	7090.1
KEHRLI CONSTRUCTION, ALPINE	406262	7090.1
KIRKPATRICK DRYWALL & CONSTRUCTION, BIG BEAR LAKE	535538	7090.1
KOSTOFF PHILIP INC DBA ENVIRONMENTAL ENGINEERING CO., ORANGE	475226	7090.1
KRABBENHOFT ASPHALT MAINTENANCE, SAN JACINTO	502610	7090.1
LA CANADA MOULDING SASH & DOOR dba WESTERVELT EDWARD J., LA CANADA	535870	7090.1
LAGUNA LANDSCAPE, SACRAMENTO	526055	7107, 7109, 7113, 7115 (7159), 7097, 7098, 7121.5
LAUDADIO JAMES, WILDOMAR	367873	7090.1
LINCOLN JOHN CONSTRUCTION, VACAVILLE	559354	7090.1
LOZANO CONCRETE, COLTON	317950	7090.1
LUKE'S CONSTRUCTION, ANNONA, TX	630241	7090.1
LUMPKIN CONSTRUCTION, PHELAN	583072	7090.1
M CONSTRUCTION, LOS ANGELES	484038	7090.1
MAC BEANS ALL AMERICAN PROFESSIONAL PAINTING, BEN LOMOND	660719	7090.1
MACIEJEWSKI CHARLES WILLIAM II dba C AND L ELECTRIC, SAN BERNARDINO	427604	7090.1

[continued on page 6]

NEW LAWS (Cont. from page 4)

• SB 639 makes it unlawful for any contractor to offer to any insurance agent, broker or adjuster any fee, commission, profit sharing or other form of direct or indirect consideration for referring an insured to a contractor or its employees or agents for repairs to or replacement of a structure covered by a residential or commercial insurance policy. It also makes it unlawful for any contractor, or employees or agents thereof, to knowingly offer or give any discount intended to offset a deductible required by an insurance policy covering repairs to or replacement of a residential or commercial structure.

Copies of these laws are available by requesting them in writing from the State Legislature Bill Room, State Capitol, Room B-32, Sacramento, CA 95814, or by calling the Bill Room, (916) 445-2323.

**Notice to Subdividers
Cost Indexing for
Improvements on
Subdivisions**

Section 66452.6(a) of the state Government Code establishes that an approved or conditionally approved local subdivision map shall expire 24 months after its approval or conditional approval (local ordinances may add up to 12 months to this 24-month period). Within that law, however, there is provision for extending the life of the map for 36 months beyond the date of its expiration (or beyond the date of the previously filed final map, whichever is later), if the subdivider is required to spend \$125,000 or more for public improvements outside the property boundaries of the tentative map. ("Public improvements" here include traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities and lighting facilities.)

The Contractors State License Board registrar has authority to increase this \$125,000 expenditure limit annually based on an adjustment for inflation set forth in the statewide cost index for class B construction determined by the state Office of Local Assistance at its January meeting. The expenditure limit established under these guidelines for 1994 was \$204,621.

The cost index determined by the State Allocation Board at its last January meeting was 1.2. Therefore the limit for 1995 is \$245,545. Developers with questions concerning this subject should contact their local planning departments for assistance.

ADVERTISING (Cont. from page 1)

all forms of advertising, as prescribed by the registrar of contractors." The fine for not complying with this requirement is between \$50 and \$100 for a first offense. Plumbing, electrical sign and well-drilling contractors must display their permanent business addresses and contractor's license numbers on both sides of every business vehicle in letters at least 1 1/2 inches high (B&P section 7029.5). Contractors engaged in interstate contracting can ask the CSLB Registrar for exemption from the requirement to put their California contractor's license number on trucks and vehicles.

Ads that don't contain license numbers or that use numbers that are clearly not license numbers issued by the CSLB are frequently used by the Board's Unlicensed Activity Units to identify those they invite to stings, because most of these kinds of ads are done by unlicensed contractors.

False Advertising

It is a misdemeanor to use false, misleading or deceptive advertising to induce clients to enter into home improvement or other improvement contracts (B&P section 7161). It is also illegal to include in an ad for home or other improvements any false or misleading assertions or price representations you don't intend to accept contracts for. (Ads subject to and in compliance with Federal Trade Commission rules and regulations shall not be deemed false, deceptive or misleading.)

Legal Advertising by Unlicensed Contractors

Unlicensed contractors can legally advertise for construction work or work of improvement under B&P section 7027.2, but only if they state in the ad that they are not licensed under California law — and of course the cost of the work may not exceed \$300.

What Not to Include in Your Advertising

Contractors are forbidden by law (B&P section 7071.13) from putting in their "advertising, soliciting or other presentments to the public," the fact that they are bonded. Such a statement could lead the public to believe there is a higher level of protection provided to them by the bonding procedure than might be the case. This provision is designed to prevent such misunderstandings.

Advertising for Asbestos Removal

Ads soliciting to remove asbestos from buildings or structures have to include the name the contractor is registered under and two special numbers: (1) the certification number issued at the time of certification; and (2) the registration number required under Labor Code section 6501.5 for anyone doing asbestos work (B&P

(Continued on page 7)

Revocations (cont. from page 5)

MACK'S HOME REFURBISHING, BANNING	301077	7090.1
MAGIC PLUMBING AND DRAIN SERVICE, SANTA MONICA	505752	7090.1
MAI LANDSCAPING AND CONSTRUCTION, LAGUNA NIGUEL	516805	7090.1
MAJESTIC WATER TRENDS, BEAUMONT	560471	7090.1
MARKIS ROOFING CO., NORTH HOLLYWOOD	458348	7107, 7109(a), 7113, 7115(7083), 7097, 7098, 7121.5
MARTIN CONSTRUCTION, SAN DIEGO	494454	7090.1
MC DOLE RALPH C PAINTING, ESCONDIDO	527013	7090.1
METRO SPRINKLERS AND LANDSCAPING, BEAUMONT	580862	7090.1
MICHAEL BLISS & ASSOCIATES INC., ENCINITAS	517747	7090.1
MINOR S L COMPANY, MC CALL, ID	324841	7098, 7122.5
MISSION SASH & DOOR INC., SANTA ANA	570629	7090.1
MKE ROOFING, GARDEN GROVE	436436	7090.1
MOFFATT CONSTRUCTION CO., SPRING VALLEY	445565	7090.1
MONROE M L CONSTRUCTION, REDWOOD CITY	535390	7090.1
MOULE'S TOM PAINTING, GRASS VALLEY	295090	7090.1
MOUNTAIN VIEW CABINETRY, GRASS VALLEY	660679	7085.6
MRC PETROLEUM EQUIPMENT INC DBA MRC CONSTRUCTION CO., SCOTTSDALE, AZ	621044	7090.1
MUHOBERAC DAVID JOHN, PALO ALTO	651058	7085.6
MYERS J R CONSTRUCTION, REDDING	528113	7090.1
NELSON CONSTRUCTION, LA MESA	430109	7090.1
NOLIN-NOLIN PAINTING & CONSTRUCTION, SAN DIEGO	501606	7090.1
NSS CONSTRUCTION, RIVERSIDE	613214	7090.1
O'CONNOR CONSTRUCTION, CRESCENT CITY	345492	7090.1
ORCHARD LANSAPING, WILLOWS	563029	7071.11, 7097, 7098, 7121.5
ORR GORDON L DBA IMPERIAL DESIGN CONSTRUCTION, LA VERNE	428888	7090.1
ORR GREG CONSTRUCTION, SHERMAN OAKS	515106	7090.1
ORZULAK CONSTRUCTION CO., WILDOMAR	464274	7090.1
OVERHEAD DOOR OF SANTA BARBARA, OXNARD	595290	7090.1
P H CONSTRUCTION, SANTA CLARA	403780	7090.1
PACIFIC GREEN LANDSCAPE AND DESIGN, SANTA ANA	551324	7090.1
PACIFIC SUNRISE BUILDERS, LAKESIDE	590550	7090.1
PARAGON PAINTING, ONTARIO	589514	7090.1
PARAMOUNT DRYWALL, SAN FRANCISCO	582095	7090.1
PARODE BUILDERS INC., SAN RAFAEL	679337	7112, 7121.5, 7097, 7102
PERFORMANCE SERVICE CONTRACTORS, VENICE	646174	7090.1
POR-VAL CONSTRUCTION COMPANY, GRANADA HILLS	239325	7090.1
QUALITY MASONRY CONSTRUCTION COMPANY, CATHEDRAL CITY	620349	7090.1
R K D CONSTRUCTION, BIG BEAR LAKE	622916	7090.1
RADDER CONSTRUCTION COMPANY, ESCONDIDO	586475	7090.1
RANDOLPH'S RESTORATIONS, CARMICHAEL	573615	7090.1
RASMUSSEN B CONSTRUCTION, MURRIETA	629189	7090.1
RAYS ROOFING, WEAVERVILLE	616815	7090.1
RITE PRICE CONSTRUCTION, PHELAN	500934	7090.1
RIVERA AND BAKER ROOFING, LA PUENTE	616055	7090.1
RODENE ENTERPRISES INC DBA R C D CONSTRUCTION, ANAHEIM HILLS	539629	7109(A), 7113
RODRIGUEZ LANDSCAPE MAINTENANCE, CLAREMONT	560777	7090.1
ROLLIN THUNDER CONSTRUCTION, LOMPOC	628490	7090.1
ROYCE HESS INC., PALM SPRINGS	545663	7090.1
S & S CONSTRUCTION, LAKE ELSINORE	601475	7090.1
S C WATERPROOFING SYSTEMS, ANAHEIM	523096	7090.1
S L MINOR COMPANY, THE, ESCONDIDO	594634	7109, 7113, 7121
SHAKE DOCTOR INC THE, PLEASANTON	528602	7090.1
SHANGRI-LA CONSTRUCTION COMPANY, CITRUS HEIGHTS	485716	7122.5
SMITH DOUGLAS ARTHUR, HUNTINGTON BEACH	649811	7090.1
SOUTH COAST AIR, ORANGE	351855	7090.1
SPENCE RICHARD W GENERAL CONTR., SAN DIEGO	301930	7090.1
SPRINGER CONSTRUCTION, CORONA	618298	7090.1
STAFFORD JAMES E., BANNING	588118	7090.1
STANTON GREG, PHELAN, CA	923716	33715, 7090.1
STONECREEK CONSTRUCTION, IRVINE	679415	498, 7112, 7102
STROUSE CONSTRUCTION INC., LAWNSDALE	590657	7090.1
T N T ENTERPRISES, SACRAMENTO	665256	7107, 7109A, 7110, (1689.7), 7113, 7115(7057) (7068.1) (7159), 7117.6, 7154, 7116, 7097, 7098, 7121, 7121.5
TEAL CREEK CONTRACTORS, AUBURN	578038	7090.1
TIBS CONSTRUCTION, MISSION VIEJO	599719	7090.1
TRI-COUNTY CONSTRUCTION, MODESTO	503145	7090.1
TYCON, TAFT	429678	7090.1
VELA GENERAL CONTRACTOR, PATTERSON	408866	7090.1
VICTORY PLUMBING, PERRIS	543597	7090.1
W J GILMARTIN CONSTRUCTION, BURLINGAME	443137	7107, 7108.5, 7109(A,B), 7110, 7113, 7114, 7116, 7117(A), 7115(7159), 7120, 7097, 7098, 7121.5=
WAGNER CONSTRUCTION, EUREKA	651235	7090.1
WAUKAZO EDWARD A., HEMET	279874	7090.1
WHITE GARY CONSTRUCTION CO., MURRIETA	394282	7107, 7113
WHOLESALE CARPETS, BANNING	565086	7090.1
WOOD DARRELL GENERAL CONTRACTOR, MURRIETA	600479	7090.1
WRIGHT'S FLOOR COVERING, OAKHURST	563559	7090.1
YATES CONSTRUCTION, MANHATTAN BEACH	327377	7090.1
YOSEMITE HEATING AND AIR CONDITIONING CO., FRESNO	581986	7090.1
ZEMKE ROOFING, GARDEN GROVE	436436	7090.1

AVERTISING (Cont. from page 6)
 section 7099.11). Failure to include these numbers will result in a notice to comply with this requirement from the Registrar. Failure to comply with this notice to comply, or advertising to remove asbestos without being properly certified and registered, will result in a citation and potential fine of \$50 to \$100.

Illegal Advertising

Like legitimate contractors, unlicensed contractors sometimes use advertising to find new clients. The CSLB and other enforcement agencies use two sections of the law — B&P sections 7027.1 and 7099.10 — to take legal action against unlicensed contractors and, on occasion, against licensed contractors advertising illegally.

Suppose an unlicensed contractor distributes circulars in a

neighborhood offering to help with repairs or improvements. Circulars like this are advertising, and section 7027.1 makes it

a violation for anyone without a valid contractor's license to advertise for "construction or work of improvement"

A copy of that circular, once found in a neighborhood or other location where it can reasonably be construed as an offer to do

"construction or work of improvement," can be valuable evidence in making a case against an unlicensed contractor.

This provision applies even if the work performed by the unlicensed contractor costs less than \$300, because the

violation is in the act of advertising, not in the act of actually performing the work.

"Advertising is the best and quickest way to get your message directly to potential customers. But it can also be a quick way to get into trouble if you don't know or follow the laws and rules, or if your advertising deceives or misleads your customers."

Registrar Gail W. Jesswein

The Yellow Pages

If an unlicensed contractor advertises as a contractor in a directory such as the Yellow Pages, and if an investigation determines the entity doing the advertising is unlicensed, under B&P section 7099.10(a) the Registrar can issue a citation providing for a fine or other civil penalty assessment. The citation will also include an order of correction requiring the violator (1) to cease the unlawful advertising and (2) to tell the telephone company to disconnect service to any phone number in the unlawful ad and not to refer any subsequent calls to that number to any new number obtained by that person. If the order of correction isn't complied with, the Registrar can have the Public Utilities Commission disconnect the phone service.

Section 7027.1 also prohibits licensed contractors from advertising for construction work outside of areas for which they are licensed. For example, a masonry contractor who advertises to do electrical work can be charged with a misdemeanor — unless he or she also has a C-10 license. (An exception to this provision permits licensed "A" and "B" contractors to advertise as general contractors.)

The fine for the advertising violations in section 7027.1 is between \$700 and \$1,000, plus any other punishment established by the Registrar or a court.

Finally, B&P section 7027 prevents owner-builders and others exempted from the licensing provisions of the Contractors License Law from advertising illegally. If they employ any sign, card, classified ad, directory or other device to specify or imply to the public that they are contractors or are looking to do "construction or work of improvement," such advertising will make them subject to the same legal provisions as licensed contractors.

REPORT (Cont. from page 1)

provides. So CSLB would like your help in getting the word out to your prospective customers.

To receive 100 copies of the flier, "What You Should Know Before You Hire a Contractor," write to the Public Affairs Office, Contractors State License Board, P.O. Box 26000, Sacramento, CA 95826. It gives information on why it's important to hire a licensed contractor and other valuable tips. You are welcome to staple your business card to it — which will, of course, include your license number per state law!

Consumer information is an important part of CSLB's enforcement effort to clear California's business climate of unscrupulous and/or unlicensed contractors. I encourage you to write for the fliers . . . today.

INFO SERVICES (Cont. from page 3)

very busy, especially between 9 a.m. and 3 p.m.

Twenty-five information technicians now answer that line (five were added this summer), but it will still be busy during midday.

How to Get Through

This line is open from 7 a.m. to 5:20 p.m. Calls placed before 8 a.m. and after 5 p.m. are more likely to get through than calls during midday. Mondays and Tuesdays are busiest because people call more after the weekend. Thursday and Friday afternoons are slowest. (Exception: Lines are busier than usual just before three-day weekends.)

"For quickest service, call late in the day, late in the week, late in the month," said Licensing Section Manager Linda Brooks.

Board Publications

The following publications are available from the Contractors State License Board, P. O. Box 26000, Sacramento, CA 95826:

"What You Should Know Before You Hire a Contractor" (English and Spanish)

"The 51 Most Commonly Asked Questions about Getting a California Contractors License"

"Mandatory Arbitration Program Guide"

"Voluntary Arbitration Program Guide"

"A Consumer Guide to Asbestos" Board Fliers

"What You Should Know Before You Hire a Contractor"

"A Consumer Guide to Filing Construction Complaints" Emergency fliers ("Earthquake Victims," "Flood Victims," "Wildfire Victims")

What You Can Get Calling 1-800-321-2752

Here is a list of the information available to contractors through the APRS (1-800-321-2752), together with the numbers you need to punch in after you get on the system:

• License Maintenance

License renewal, 2151

Adding a class, 21521

Asbestos certification, 21522

Hazardous substances removal, 21523

License structure, 2153

Changing a business name and address, 21541

Changing officers of the corporation, 21542

Disassociation of qualifying person, 21543

Replacing the qualifying person, 21544

Inactivating a license, 21551

Reactivating a license, 21552

Canceling a license, 2156

Contractors bonds, 2157

Workers' compensation, 2158

• Ordering Forms

Original application for contractors license, 241

License renewal form, 243

Inactivation form, 243

Reactivation form, 243

Add class/RME/O replacement application, 244

Joint venture application, 244

Asbestos certification application, 245

Hazardous waste application, 245

Name/address change form, 246

Change officers form, 246

Disassociation form, 246

Bond forms/cash alternative forms, 247

Qualifier bond exemption form, 247

Workers' compensation exemption form, 248

• Publications

"Asbestos: A Contractors Guide and Open Book Exam," 262

"The 51 Most Commonly Asked Questions about Getting a California Contractors License," 262

"California Contractors License Law and Reference Book" (ordering information only) 263



DHS Provides Interim Certification for Lead-Related Construction Work

The state Department of Health Services (DHS) now provides interim certification programs for qualified individuals involved in lead-related construction projects.

Lead-related construction work, as defined in Health and Safety Code regulations, is "any construction,

alteration, painting, demolition, salvage, renovation, repair or maintenance of any residential, public or commercial building, including preparation and cleanup, that, by using or disturbing lead-containing material or soil, may result in significant exposure of individuals to lead."

Interim certification means the person certified is eligible to perform lead-related construction work in residential, public and commercial buildings in California.

The U.S. Department of Housing and Urban Development requires interim certification of all construction

contract applicants. It's also necessary to do lead work on buildings and housing units owned or managed by the Resolution Trust Corporation. State law requires certification for all work in lead hazard remediation projects in public schools. Some county agencies also require interim certification for local public projects.

Interim certification is available in five classifications: inspector/assessor, supervisor, project monitor, project designer and worker. The one-year fee for each classification is \$75. All applicants must receive the training from a DHS-accredited trainer and submit proof of experience in a lead-related construction field and proof of a high school diploma or its equivalent. Inspector/assessor, project designer or project monitor applicants must have at least an AA degree or equivalent units in a biological, chemical, physical science or related field (experience may be substituted for education). A California contractor's license may satisfy the experience and some education requirements.

Information and certification application packages are available from the DHS Lead Accreditation and Certification Section's certification hotline, (510) 450-2447.

CHANGE OF ADDRESS FORM

Please type or print in ink. Forms completed in pencil are not acceptable.

Full Business Name (as it appears on CSLB records)

License No.

New Business Mailing Address: Number/Street or P. O. Box City State Zip Code
If mailing address is a P. O. Box, you must also provide the street address of the business.

Number/Street City State Zip Code

I certify under penalty of perjury under the laws of the State of California to the truth and accuracy of the above information.

Signature of Owner, Partner or Officer

Date

Mail to: CSLB, License Modification Unit, P. O. Box 26000, Sacramento, CA 95826

California Licensed Contractor



Contractors State License Board

P.O. Box 26000

Sacramento, California 95826

CSLB CALENDAR

October 26: Board Meeting, Red Lion Hotel, Ontario

December 6-7: Committee Meetings, San Jose

1996 Meetings

January 25: Board Meeting, Los Angeles

March 13-14: Committee Meetings, San Diego

April 24-25: Board Meeting, Sacramento

June 12-13: Committee Meetings, Burbank

July 24-25: Board Meeting, Oakland

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