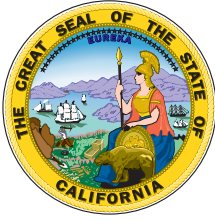




CONTRACTORS STATE LICENSE BOARD

Strategic Plan 2016-18





MEMBERS OF THE BOARD

KEVIN J. ALBANESE, (B) GENERAL CONTRACTOR MEMBER

AGUSTIN "AUGIE" BELTRAN, PUBLIC MEMBER

LINDA CLIFFORD, (A) ENGINEERING CONTRACTOR MEMBER

DAVID DE LA TORRE, PUBLIC MEMBER

DAVID DIAS, LABOR ORGANIZATION MEMBER

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FRANK SCHETTER, (C) SPECIALTY CONTRACTOR MEMBER

JOHNNY SIMPSON, PUBLIC MEMBER

NANCY SPRINGER, BUILDING OFFICIAL MEMBER

☒ _____

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Governor

ALEXIS PODESTA
Acting Secretary, Business, Consumer Services and Housing Agency

AWET KIDANE
Director, Department of Consumer Affairs

CINDI A. CHRISTENSON
Registrar, Contractors State License Board

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OVERVIEW / CSLB HISTORY

California's construction industry is unique from other states in terms of its breadth, magnitude, and complexity. California has one of the top 10 world economies, and construction continues to be one of the state's largest industries. California's physical size, large and diverse population, varied landscape and climate, frequent seismic activity, distinctive legal framework, and massive economy create an unusually demanding context for contractor licensing.

The responsibility for licensing and regulating California's construction industry belongs to the Contractors State License Board (CSLB).

CSLB was established by the Legislature in 1929 as the Contractors License Bureau, under the Department of Professional and Vocational Standards, to protect the public from irresponsible contractors. In 1935, the mission and duties were placed under the auspices of a seven-member Board. CSLB's Board increased to 15 members in 1960, and since 1970, CSLB has been under the umbrella of the Department of Consumer Affairs.

CSLB's legal and regulatory role has changed since its creation. Initially, applicants were not issued licenses in specific classifications; they simply indicated the type of construction work that would be performed under the license, and the license was issued without examination or experience requirements.

In 1938, the Legislature made it mandatory for contractor license applicants to be examined for competence in their designated field. By 1947, CSLB was given the authority to establish experience standards and to adopt rules and regulations, including the classification of contractors "in a manner consistent with established usage and procedure as found in the construction business, and... limiting the field and scope of operations of a licensed contractor to those in which he or she is classified and qualified to engage..."

Today, CSLB licenses more than 280,000 contractors with a staff of more than 400 at its headquarters in Sacramento and field offices/test centers around California, and is considered one of the top consumer protection agencies in the country. In 2015, Senate Bill 467 (Hill) extended CSLB's sunset date until January 1, 2020.



CSLB'S MISSION, VISION AND VALUES

MISSION

CSLB protects consumers by regulating the construction industry through policies that promote the health, safety, and general welfare of the public in matters relating to construction.

The Board accomplishes this by:

- Ensuring that construction is performed in a safe, competent, and professional manner;
- Licensing contractors and enforcing licensing laws;
- Requiring licensure for any person practicing or offering to practice construction contracting;
- Enforcing the laws, regulations, and standards governing construction contracting in a fair and uniform manner;
- Providing resolution to disputes that arise from construction activities; and
- Educating consumers so they can make informed choices.

VISION

CSLB is a model consumer protection agency, integrating regulatory oversight of the construction industry as necessary for the protection of consumers and licensed contractors.

VALUES

CSLB provides the highest quality throughout its programs by:

- Being responsive and treating all consumers and contractors fairly;
- Focusing on prevention and providing educational information to consumers and contractors;
- Embracing technology and innovative methods to provide services; and
- Supporting a team concept and the professional development of staff.

BOARD STRUCTURE AND FUNCTIONS

CSLB's 15-member Board is comprised of 10 public members and five contractor members. Public members include one representative of a statewide senior citizen organization, one local building official, and one labor representative. The governor and state Legislature makes these appointments.

GUBERNATORIAL APPOINTMENTS

- Three Public Members
- One Public Member – Senior Citizen Organization
- One Public Member – Building Official
- One Public Member – Labor Representative
- One (A) Engineering Contractor Member
- Two (B) General Contractor Members
- Two (C) Specialty Contractor Members

SENATE APPOINTMENTS

- Two Public Members

ASSEMBLY APPOINTMENTS

- Two Public Members

The Board appoints, with the approval of the Department of Consumer Affairs Director, the Registrar of Contractors. The Registrar directs administrative policy for CSLB's statewide operations.

CSLB currently has five standing Board Committees that perform various functions.

- **Licensing Committee**
Ensures that all applicants and licensees are qualified to provide construction services



- **Enforcement Committee**
Helps reduce, eliminate, or prevent unlicensed activity and unprofessional conduct that pose a threat to public health, safety, and welfare
- **Public Affairs Committee**
Educates consumers about making informed choices related to construction services, and provides information to licensed contractors so they can improve their awareness of contracting laws, and technical, management, and service skills
- **Legislative Committee**
Ensures that statutes, regulations, policies, and procedures strengthen and support CSLB operations
- **Executive Committee**
Enhances organizational effectiveness and improves the quality of service in all programs

LICENSING CONTRACTORS

CSLB regulates contractors in 44 license classifications and two certifications under which members of the construction industry practice their trades and crafts. As of June 1, 2016, there were 283,444 contractor licenses in California; 223,788 active and 59,656 inactive.

Licenses are categorized into three basic branches of contracting business, as defined by statute and by CSLB rules and regulations:

- **Class “A” General Engineering**
Infrastructure and similar projects requiring specialized engineering knowledge and skill
- **Class “B” General Building**
Buildings – housing, commercial, office, etc.
- **Class “C” Specialty**
Specific trades, such as painters, plumbers, electricians, etc.

CSLB may issue a license to a sole owner, partnership, corporation, limited liability company, or joint venture. All licenses must have a qualifying individual (also referred to as a “qualifier”). A qualifying individual is the person listed in CSLB records who satisfies the experience and examination requirements for a license.

Depending on the type of license, the qualifying individual must be designated as an owner, responsible managing employee, responsible managing officer, responsible managing manager, responsible managing member, or qualifying partner in the license records. A qualifying individual is required for every classification and on each license issued by CSLB; the same person may serve as the qualifier for more than one classification.

CSLB also registers home improvement salespersons (HIS) who are engaged in the sale of home improvement goods and services. As of June 1, 2016, there were 14,995 active HIS registrants.

ENFORCING CONTRACTORS' STATE LICENSE LAW

CSLB's responsibility to enforce California's Contractors' State License Law includes investigating complaints against licensed and unlicensed contractors; issuing citations and suspending or revoking licenses; seeking administrative, criminal, and civil sanctions against violators; and informing consumers, contractors, and the industry about CSLB actions. In fiscal year 2014-15, CSLB helped recover nearly \$68 million in ordered restitution for consumers.

CSLB receives complaints from members of the public, licensees, professional groups, governmental agencies, and others concerning all phases of the construction industry. However, the majority of complaints come from owners of residential property involved in remodeling or repair work. During the 2015 calendar year, CSLB opened more than 19,000 complaints.





CSLB'S COMPLAINT PROCESS

CSLB's enforcement process consists of a number of steps through which complaints and/or cases may pass:

- **Complaint Initiation**
Complaint receipt, screening, and mediation to establish jurisdiction and attempt resolution when disciplinary action is not necessary;
- **Complaint Investigation**
Field investigations performed by CSLB Enforcement Representatives;
- **Arbitration**
Resolution of disputes for complaint cases meeting defined criteria;
- **Minor Cases**
Issuance of a warning letter for technical violations of law;
- **Citation**
Official notice containing allegations of violations and usually ordering a fine and order of correction or abatement; citations may be issued for unlicensed activity cases or for other violations of Contractors' State License Law;
- **Accusation**
A legal document formally charging a licensed contractor with serious violations that warrant suspension or revocation of a license and providing notice that a disciplinary action may be imposed;
- **Criminal Referral**
Cases involving alleged criminal violations are referred to local prosecutors for the possible filing of criminal charges;
- **Appeal Hearing**
After a citation or accusation is issued, evidentiary hearings are held before an administrative law judge (ALJ) from the Office of Administrative Hearings to hear a licensee's appeal;
- **Proposed Decision**
Submission of the ALJ's proposed decision to the Registrar of Contractors for final agency decision;
- **Reconsideration**
Requests to the Registrar or the Board to reconsider the decision; and
- **Judicial Review**
Licensee may file a petition for Writ of Mandate in superior court, seeking to overturn the Registrar's or the Board's decision.

THE UNDERGROUND ECONOMY

California's underground economy drastically affects law-abiding businesses, consumers, and workers. The problem is particularly prevalent in the construction industry, where businesses that cheat are able to underbid law-abiding businesses by:

- Failing to obtain required licenses and building permits;
- Failing to pay payroll or other taxes;
- Failing to obtain required workers' compensation insurance;
- Failing to report worker injuries to keep insurance premiums artificially low; and
- Lying on workers' compensation insurance applications to obtain a lower rate.

CSLB estimates that on any given day, tens of thousands of licensed contractors and unlicensed operators are breaking the law and contributing to the state's underground economy.

Since no one state agency has the resources or the information to tackle this enforcement problem alone, state agencies with overlapping jurisdiction in the areas of labor law enforcement have joined forces to make a concerted and consistent dent in California's underground economy. CSLB is a member of multiple task forces.

JOINT ENFORCEMENT TASK FORCE (JESF)

The JESF, which was created by an executive order signed by Governor Pete Wilson in October 1993, is responsible for enhancing the development and sharing of information necessary to combat the underground economy, to improve the coordination of enforcement activities, and to develop methods to pool, focus, and target enforcement resources. The JESF is empowered and authorized to form joint enforcement teams when appropriate to utilize the collective investigative and enforcement capabilities of JESF members.



LABOR ENFORCEMENT TASK FORCE (LETF)

The LETF, which was launched in January 2012, is comprised of investigators from CSLB, the Department of Industrial Relations, Employment Development Department, and Board of Equalization, in collaboration with the Insurance Commissioner and Attorney General's Office. Partners have broadened information-sharing and the use of new enforcement technology to improve the way they target businesses that operate in the underground economy.

UNLICENSED ACTIVITY

CSLB's Statewide Investigative Fraud Team (SWIFT) proactively combats illegal contractors that operate in the underground economy. SWIFT routinely partners with other state and local regulatory and law enforcement agencies to conduct undercover sting and sweep operations, targeting egregious offenders who pose a threat to consumers, employees, businesses, and legitimate licensed contractors.

SIGNIFICANT ACCOMPLISHMENTS OF 2015

Board members developed CSLB's 2016-18 strategic plan in part by reviewing the previous year's accomplishments. A complete review of accomplishments can be seen in the CSLB publication, 2015 Accomplishments and Activities Report, available to download from CSLB's website (www.cslb.ca.gov).

Licensing/Testing

- Issued 1,000,000th license
- Began testing and issuing licenses for the new C-22 Asbestos Abatement classification
- Received 25,731 license applications, an increase of nearly 6 percent from 2014
- Helped address state's ongoing and severe drought by expediting 239 Well Drilling (C-57) applications, issuing 165 licenses; and expediting 95 Machinery and Pumps Limited Specialty (C-61/D-21) applications, issuing 60 licenses
- Licensing Information Center answered 153,258 calls, a 5 percent increase from 2014, with an average wait time of just over two minutes

- Exam Development Unit completed 13 occupational analyses and updated 10 licensing examinations
- Testing Unit scheduled 31,892 examinations

Enforcement

- Opened 19,654 complaints, an increase of 985 from 2014
- Completed 19,906 investigations, an increase of 880 from 2014
- Revoked 393 licenses via accusation process
- Referred 1,333 cases for criminal action
- Statewide Investigative Fraud Team increased number of undercover sting operations by 23 percent
- Newly created Special Investigations Unit completed 430 investigations, with 57 percent referred for legal action
- Newly created Waiver Task Force took action against 77 licensees, including four revocations, where responsible managing officers exercised little or no control over the company's operations
- Public Works Unit closed 255 cases, 20 more than in 2014, with 68 complaints referred for administrative disciplinary action and 13 to local prosecutors for possible criminal charges.
- Fully staffed Subsequent Arrest and Conviction Unit investigated 1,358 licensee criminal convictions
- Created first-ever handbook for unlicensed contracting prosecution, and sponsored in-person and online training session for district attorney staffs from around California

Legislative

- Sponsored SB 560 (Monning, 2015), authorizing CSLB Enforcement Representatives to issue a written Notice to Appear (NTA) to individuals who fail to secure workers' compensation insurance (An NTA is a court order mandating an individual's presence at a hearing, on a specified date, to answer to a misdemeanor charge.)



- Sponsored Senate Bill 561 (Monning, 2015) which eliminated the requirement that a home improvement salesperson (HIS) separately register to work for each contractor and, instead, allows a properly registered HIS to utilize his or her individual registration with one or more licensed contractors

Public Affairs

- Fielded more than 230 media inquiries
- Distributed 44 news releases and 16 industry bulletins
- Organized, conducted, or participated in six media events
- Produced 19 webcasts
- Organized and conducted 91 Senior Scam StopperSM, Consumer Scam StopperSM, and other seminars, speeches and presentations
- Coordinated disaster response to wildfires and flooding across state, with more than 50 Public Affairs and Enforcement staff working local, state and federal agencies to assist homeowners and victims
- Posted online every edition of *California Licensed Contractor* newsletter produced since 1937
- Began posting historical Board meeting minutes, starting with meetings from 1935-39

Information Technology/Administration

- Implemented new Home Improvement Salesperson registration process, including the update and conversion of records for more than 14,000 current registrants
- Upgraded systems to accommodate increase of contractors' surety bond from \$12,500 to \$15,000
- Updated Imaging and Workflow Automated System to new fully supported platform



- Implemented ePayment expansion to most field offices, allowing applicants and licensees to pay some fees via credit/debit card
- Upgraded computer security by installing next generation firewall
- Information Technology Service Help Desk processed more than 3,100 employee requests
- Hiring of CSLB's first female Registrar of Contractors
- Renewing of leases for CSLB's Norwalk and San Bernardino offices
- Creation of comprehensive career consultation program to help employees advance their careers

PROGRAM PRIORITIES

The Board has established the following priorities to direct program activities:

1. License applicants by reviewing qualifications and criminal background, and administering legal and effective examinations;
2. Help keep licensees compliant with licensing requirements and maintain the collection of revenue by keeping renewals and license maintenance current;
3. Provide services through the Licensing Information Center (call center) and the public counter;
4. Educate consumers about their rights and responsibilities, and empower consumers with ways they can protect themselves;
5. Focus on early enforcement intervention and high priority (health and safety) complaints;
6. Stress early intervention and resolution of reactive complaints, and refer minor complaints to small claims court; and
7. Ensure that Administrative Services and Information Technology divisions provide the support necessary to maintain unit operations.



CURRENT PROGRAM OBJECTIVES

CSLB has identified the following program objectives to help meet its priorities. These objectives are assigned with a priority status of (E) Essential, (I) Important, or (B) Beneficial.

LICENSING & TESTING

Licensing & Testing Objectives	Target	Description
1.1 Revise Application Package and Related Outreach Materials (E)	September 2016	In conjunction with Public Affairs Office, update package of application materials to decrease confusion, increase compliance, and reduce the time it takes to issue new licenses
1.2 Create Exam Development Presentation for Future Board Meetings (I)	September 2016	Help current and future Board members, as well as the public, better understand CSLB's computerized license testing process
1.3 Identify Specific Criteria for Examination Waiver Application Review (B)	September 2016	In conjunction with Enforcement division, develop criteria to review waiver applications that better identifies potentially fraudulent submissions <i>(See Legislative Objective 3.4)</i>
1.4 Research and Implement Measures to Reduce Initial Application Processing Times (E)	December 2016	In connection to Objective 1.1, examine current processes, procedures, staffing levels, and other issues to identify ways to speed up the time it takes to issue new licenses
1.5 Conduct Comparative Study of Pass/Fail Rates of Contractor License Exams in Other States (I)	December 2016	Educate and inform Board members and public about how California pass/fail rates compare with other states
1.6 Develop Online Smart Application Content to Reduce Application Return for Correction Rates (E)	January 2017	In conjunction with Information Technology Unit, develop and implement online application to ensure applicants provide accurate and complete information
1.7 Research Handyperson Exemption (B)	January 2018	Determine if current handyperson exemption should be modified, or if a new license type should be developed to better protect consumers

ENFORCEMENT

Enforcement Objectives	Target	Description
2.1 Implement Memorandum of Understanding with Labor Commissioner’s Office (B)	July 2016	Create partnership to engage and inform Labor Commissioner’s Office staff about provisions and process for directing referrals to CSLB
2.2 Update Civil Penalties Assessments (E)	September 2016	Review penalty guidelines to determine if they have kept up with inflation and consumer protection requirements
2.3 Develop Strategies to Reduce Solar Industry Fraud (E)	December 2016	In conjunction with Public Affairs Office, develop outreach, education, and enforcement tactics to address deceptive tactics in solar industry <i>(See Public Affairs Objective 4.4)</i>
2.4 Formalize Strategy to Identify Licensee Misuse of Workers’ Compensation Insurance Requirement Exemption (E)	March 2017	In conjunction with Public Affairs Office, develop education and enforcement program targeted at licensees who employ workers despite having workers’ compensation exemption on-file with CSLB
2.5 Reduce Legal Action Expenditures While Not Compromising Consumer Protection (E)	July 2017	Develop partnerships with prosecutors and other government agencies to leverage resources, as well as a strike force to achieve greater legal action settlements
2.6 Expand Proactive Enforcement Targets (B)	July 2017	Develop strategies and partnerships to include public work projects and larger contractors in proactive enforcement efforts



LEGISLATIVE

Legislative Objectives	Target	Description
3.1 Present Draft Proposal to Reorganize Contractors' State License Law (I)	December 2016	Closely examine and reorganize current law to create a more logical flow and be more user-friendly; cleaning up and clarifying language as needed
3.2 Research Increased Penalties for Predatory Business Practices, Misrepresentation of Services, or Need of Services (I)	March 2017	In conjunction with Enforcement division, examine appropriateness of existing penalties in statute and regulation and if there is a need for changes
3.3 Develop and Implement Regulatory Proposal to Formalize Experience Requirement Criteria (E)	January 2018	In conjunction with Licensing division, clarify the accepted verifiable experience requirements necessary for licensure to help ensure that qualified applicants are able to test for a license
3.4 Further Define Examination Waiver Criteria (I)	January 2018	In conjunction with Licensing division, thoroughly review statutory waiver authority and develop regulations to clarify examination waiver criteria, possibly including methods to prevent fraudulent submissions (<i>See Licensing & Testing Objective 1.3</i>)
3.5 Research Alternative Fee Structures (B)	January 2018	In conjunction with Enforcement division, conduct cost/benefit analyses of Enforcement activities and Enforcement-based fees, including citations; consider need for statutory and/or regulatory revisions
3.6 Review Home Improvement Contract Provisions (I)	June 2018	Identify ways to simplify and improve clarity of provisions in Business and Professions Code section 7159
3.7 Increase Fees (E)	July 2018	Increase statutory authority and limits; follow up with regulations for future increases within statutory limits
3.8 Track and Update Board on Any Legislation Seeking to Modify Business and Professions Code section 7031 (B)	Ongoing	Keep Board members and interested stakeholders updated on potential changes to code section relating to court actions for recovery of compensation in relation to unlicensed contractors

PUBLIC AFFAIRS

Public Affairs Objectives	Target	Description
4.1 Complete Flagship Consumer Publication (E)	September 2016	Update of <i>What You Should Know Before You Hire a Licensed Contractor</i> booklet
4.2 Complete Flagship Contractor Publication (E)	November 2016	Creation of new publication targeted toward journeymen, applicants, and licensees
4.3 Update Communications Plan for 2017-2020 (E)	December 2016	Formal guideline that provides overview of Public Affairs objectives, goals, audiences, tools, and timetables to reach those audiences, and plans to evaluate results
4.4 Develop Solar Outreach Materials (I)	March 2017	In conjunction with Enforcement and Information Technology divisions, create portal on CSLB website to link consumers to most reliable solar-related information, supplemented by newly created CSLB material <i>(See Enforcement Objective 2.3)</i>
4.5 Develop Orientation Videos for New Staff/Board Members (I)	December 2017	Produce series of videos to be used as part of efforts to introduce staff and Board members to CSLB <i>(See Administrative Objective 6.5)</i>
4.6 Develop Schedule for Opt-In, "Find a Contractor" Website Feature (E)	June 2018	Web-based feature that enables consumers to get a list of available licensed contractors in specific license classifications for specific geographic locations (May be affected by Assembly Bill 2486)
4.7 Expand Consumer Scam Stopper Outreach Program (B)	June 2018	Look for opportunities to expand CSLB's face-to-face outreach to groups other than seniors



INFORMATION TECHNOLOGY

Information Technology Objectives	Target	Description
5.1 Implement Internal Group to Prioritize and Execute IT Projects (E)	August 2016	Develop executive team to review and prioritize all IT Project requests, ensuring that resources are directed to meet the business needs and priorities of CSLB Division Chiefs
5.2 Conduct Needs Assessment to Determine Requirements for New Licensing/ Enforcement Computer System	September 2016	Work with various CSLB units, including Cashiering, Testing, Licensing, and Enforcement, to ensure current and future computer needs are met (May be affected by Department of Consumer Affairs' BreEZe Project)
5.3 Upgrade Investigator Cell Phones and Acquire Tablets (I)	Cell Phones: December 2016 Tablets: December 2017	Provide investigators working in field with equipment that improves usability, increases their use of electronic documentation, and offers more effective access to information (May be affected by cell phone refresh date)
5.4 Implement Online Application for Home Improvement Salespersons (I)	February 2017	Applicants would be able to submit applications online, association-disassociation, and could submit online registration renewals (May be affected by Teale)
5.5 Implement ePayment Expansion to San Bernardino Office (E)	June 2017	Will take place after completion of building improvements
5.6 Research Options to Replace Current Imaging and Workflow Automated System (IWAS) (I)	October 2017	Examine available solutions to replace system currently used to scan all incoming license-related paperwork into CSLB's computer system (May integrate into Objective 5.2)
5.7 Implement Online ePayment System (E)	December 2017	Expand ePayment system currently only available in CSLB offices, by allowing 16 payment types to be made by credit card online
5.8 Implement SCORE 2.0 Programming (E)	December 2018	Allow exam development and administration to be more effective and efficient

ADMINISTRATION

Administration Objectives	Target	Description
6.1 Partner with DCA to Implement Live Captioning Contract (E)	December 2016	Increase accessibility to public meetings and compliance with the Americans with Disabilities Act
6.2 Develop Succession Planning, Mentoring and Upward Mobility Program for Staff (E)	June 2017	Assess job requirements and skills of existing employees and seek to fill the gaps between needs and skills with targeted training and development activities
6.3 Assess/Enhance Security and Safety Procedures for All CSLB Facilities (I)	June 2017	Examine the security and safety of all CSLB facilities to identify and enhance areas that require improvements
6.4 Evaluate Enforcement Division Staffing Levels (B)	September 2017	Determine if additional personnel are needed to meet CSLB Enforcement division goals
6.5 Enhance Onboarding and Orientation Program for New Staff, Managers and Board Members (I)	December 2017	In conjunction with Public Affairs Office, increase communication and foster cohesive mission-oriented working culture <i>(See Public Affairs Objective 4.5)</i>
6.6 Research and Implement a Special Investigator Classification Series (E)	June 2018	Examine feasibility of establishing new classification to improve recruitment and retention of Enforcement staff
6.7 Pursue Salary Differentials in Regions with Higher Living Costs (E)	June 2018	Define and pursue opportunities to pay competitive wages in high cost of living sections of the state to improve recruitment and reduce employee vacancies in these areas



6.8 Determine Requirements and Procure Equipment for Full Service Broadcast Studio (I)	June 2018	In conjunction with Public Affairs Office, identify and purchase necessary equipment needed for video/audio production (Timing is dependent on CSLB Headquarters building lease negotiations)
6.9 Review Consumer Service Representative Job Classification (B)	June 2018	Expand the qualifying degrees and required courses to increase the applicant pool for recruitment (May have to be coordinated with CalHR modernization project)



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