

RBC-9.1. Department of Professional and Occupational Regulation.

STATEMENT OF CONSUMER PROTECTIONS

THIS CONSUMER PROTECTION SHEET IS PROVIDED THROUGH THE BOARD
FOR CONTRACTORS AND MAY BE REPRODUCED BUT NOT ALTERED

If you are about to engage the services of a contractor in the state of Virginia, you should be aware of the state's program for the regulation of this occupation by licensing or certifying these businesses.

Any contractor who undertakes a project the total value of which is \$70,000 or more is required to have a valid Class A license issued by the Board for Contractors. Any contractor who undertakes a project the total value of which is over \$7,500 but less than \$70,000 must have a valid Class B license. A licensed contractor has met standards established by the Board for Contractors to ensure that the licensee possesses the character, knowledge, and skills necessary to practice without harm to the public.

Any contractor who undertakes a project the total value of which is more than \$1,000 but no more than \$7,500 is required to have a valid Class C certificate. Class C certification requires that the contractor submit information to the Board for Contractors concerning the location, nature, and operation of the business, as well as evidence of experience and information on the applicant's credit history. Contractors who work in the plumbing, electrical or heating/ventilation/air-conditioning trades must have either a Class A or Class B license, according to project amount.

Before signing any contract, you should ask to see the license/certificate or the pocket card issued with the license/certificate and check to be sure that it has not expired and that the contractor is working within the limits of his licensure or certification.

The authority of the Board for Contractors to discipline these licensed or certified contractors is limited to specific violations of the law and/or regulations of the board,

such as written citations from the local building inspectors for violations of the Virginia Uniform Statewide Building Code or practices which constitute abandonment, gross negligence, continued incompetence, or misconduct in the practice of the profession. In such cases disciplinary action by the board is limited to fines and/or revocation or suspension of the contractor's license or certification, and such action can only be taken after a hearing or with the consent of the licensee/certificate holder and his agreement to waive his right to a hearing.

The board does not have the authority to order a licensee/certificate holder to make restitution to you for losses you may have incurred due to the contractor's poor performance; efforts to recover such funds must be made through the civil courts. If you are planning to take such action against the contractor, you should contact the Board for Contractors at (804) 367-8561 in order to receive information about the Virginia Contractors Transaction Recovery Fund and the procedures for applying to recover from the fund if you are unable to collect after judgment is awarded in court.

Issues involving cosmetic defects in workmanship must be resolved by negotiation between you and your contractor or civil action to enforce the terms of your contract if necessary. You should be careful in reviewing the contract before signing it in order to be sure that the terms of the agreement are clear and acceptable to you. You should know that, customarily, the initial down payment is no more than 30% of the total value of the contract and that, if you are dissatisfied with the work performed by the sub-contractors, you may hold the general contractor responsible. Finally, remember that, in accordance with the Virginia Home Solicitation Sales Act (§ 59.1-21.1 et seq. of the Code of Virginia), you have a three-day right to cancel a contract which you have negotiated in your home. (For more precise information about the application of this law, see the Code of Virginia or seek legal advice.)

Should you have reason to believe that your contractor may not have complied with the rules and regulations of the Board for Contractors, you should notify the Department of Professional and Occupational Regulation by calling (804) 367-8504 or write to the following address:

Department of Professional and Occupational Regulation Enforcement Division
3600 West Broad Street Richmond, Virginia 23230-4917

The aforementioned information is not intended to be an exhaustive list of the remedies available to you through your local government or other agencies. If you need additional assistance, call the Virginia Department of Agriculture and Consumer Services, Citizens Assistance number at (804) 786-2042, or write to the following address:

Department of Agriculture and Consumer Services Washington Building - Capitol
Square 1100 Bank Street, Room 101 Richmond, Virginia 23219