

## LEGISLATIVE CHANGES

2006

- (1). Re-defines Structure: This will require multi-dwelling units to be subject to the Board's dispute resolution process;
- (2) Any changes in partnership or corporation is required to be in writing;
- (3) Each applicant for a permit requires a written affidavit subject to penalties of perjury as a condition to issuing a permit;
- (4) No subcontractor licensed by another in-state agency pursuant to RIGL 5-65-2 shall be required to register provided that said work is performed under purview of that license;
- (5) The Board will publish a revoked and suspended registration list quarterly;
- (6) Use of the work "license" in any form of advertising subject to \$100 fine for each offense, as a secondary offense in connection with a final order;
- (7) The Board may assess interest penalty at 12% annually;
- (8) On October 1, 2006, all work performed, labor and materials, in excess of \$1,000 shall be accompanied by a written contract. Contract will include, near the signature line, a line to initial, indicating receipt of certain consumer education material;
- (9) Set form established by the Board to notice consumers of possible mechanics lien; failure to provide will result in \$1,000 fine to contractor;
- (10) Copy of corporate papers filed with the RI Secretary of State's Office;
- (11) Signed affidavit subject to penalties of perjury regarding whether or not the applicant was previously registered;
- (12) Valid insurance for type of work being performed;
- (13) A person may be prohibited from registering or renewing a registration as a contractor under the provisions of this chapter or his/her registration may be revoked or suspended for any unsatisfied or outstanding judgments from arbitration, bankruptcy, courts and/or administrative action against them relating to their work and provided further that an affidavit subject to the penalties of perjury shall be provided to the Board attesting to the information herein;
- (14) Falsified information provided to the Board will subject the registrant to a fine up to \$10,000;
- (15) Applicant for registration must be at least 18 years of age;
- (16) Change of address is required in writing;
- (17) Insurance limit raised to \$500,000;
- (18) Insurance companies who fail to notify the Board of cancellations shall be responsible for any claims, fines or penalties from any party resulting from lack of notice;
- (19) Budget request shall be submitted to the legislatures as part of capital projects and property management;
- (20) New or renewal registrations may be filed on line or with a third-party approved by the Board, with the additional cost incurred to be borne by the registrant;

- (21) Grounds for discipline inclusive of substandard workmanship and any misuse of registration;
- (22) Deposits received by contractors and ordered returned are not considered monetary awards when no services or supplies have been received;
- (23) That a registrant has advertised with a license number instead of using a registration number subject to fines;
- (24) Registrant has failed to complete a project(s) for construction or a willful failure to comply with terms of the contract or written warranty; subject to fines;
- (25) Registrant has misrepresented his registration status as valid when said registration is suspended, revoked, invalidated, inactive or unregistered as required by law;
- (26) Registrant has failed to pay a fine or respond to an order issued by the Board, Disciplinary action can be taken against the registrant;
- (27) Fines may be assessed at a hearing by the Board up to the face value of the contract or actual damages caused whichever is greater;
- (28) Fines can be imposed on registered, or those required to be registered, by the Board;
- (29) For each subsequent violation a fine can be assessed, not to exceed \$10,000. Fines deposited as general revenues to be used to enforce the provision of this chapter;
- (30) Non registered contractor's first offense subject to fines up to \$5,000;
- (31) Non registered contractor's 2<sup>nd</sup> offense subject to fines up to \$10,000 for this offense and each subsequent offense;
- (32) Designated agent can now accept service of final order;
- (33) Contractors that are repeat offenders and have (3) or more final orders with respect to (3) separate contracts executed by (3) separate individuals within a (24) month period shall be prosecuted as a felony;
- (35) Allows Board to hear matters and fine contractors when jury waiver isn't signed by contractor. Also if plaintiff prevails the court may award treble damages and reasonable attorney fees;
- (36) Require the Board to post all final orders, proposed orders and hearing notices on its web-site. If claim adjudicated in favor of the contractor it shall be removed as soon as practicable;
- (37) The Board is authorized to assess a monetary fine up to \$1,000 for the cost of service for the process of final orders;
- (38) Building officials required to verify ID of registered contractors at time of issuance of permits and report non-registered contractors to the Board;
- (39) Owner/occupant must undertake work required without assistance of others who are compensated.
- (40) When fraudulent advertising entices an individual to hire an unregistered contractor subject to \$10,000 fine.

- (41) It shall be unlawful to retain a social security number or copy of the driver's license of a registrant by a building official as a condition to obtaining a permit.
- (42) Board may put lien on property held by a contractor.
- (43) When upon investigation of a complaint it reveals serious code infraction, unsatisfied mechanic's liens, abandonment of job for a substantial period of time without apparent cause, or any other conduct detrimental to the public, the board can double fines.
- (44) A petition to enforce a mechanic's lien does not necessarily constitute a civil action.