

Department Of Consumer Protection
 Commissioner William M. Rubenstein



Director, Trade Practices	Richard Maloney
Supervising Special Investigator	Robert Nakano
Supervising Inspector	Janita M. Hamel

DCP Overview

- Mission
 - Protect Connecticut’s Marketplace
- Overview
 - \$13,000,000 Budget; 150 Employees
- Programs
 - Drug Control, Food & Standards, Liquor Control, Trade Practices, Licensing, Occupational & Professional
- Operations
 - Licensing, Inspections, Investigations, Enforcement, Referrals and Public Education

Topics

- The Home Improvement Act
 - Hiring a Contractor
 - Contract Requirements
- Occupational & Professional Licensing Enforcement
- Website

Home Improvement Act Chapter 400

- Includes the repair, replacement, or addition to any land or building designed to be used as a private residence
- Requires all Home Improvement Contractors and Salespersons obtain a certificate of registration
- Defines Contract Requirements
- Establishes Home Improvement Guaranty Fund
- Notice of cancellation (72 hrs/3days)

Registration Required

- Contracts > \$200
- Contractors > \$1,000 any 12 month period
- Contractors
 - individual, partnership, LLC, Corporation
- Salespersons

Sec. 20-427. (a)

- Each person engaged in making home improvements shall
 - exhibit his certificate upon request
 - state in any advertisement the fact that he is registered,
 - include his registration number in any advertisement.
 - shall obtain all required permits prior to commencing work

Sec. 20-427.(b)

- No person shall:
 - (1) use the certificate of another
 - (2) give false evidence to the commissioner
 - (3) impersonate a registered home improvement contractor or salesman

Sec. 20-427 (b)

- (4) use or attempt to use an expired, suspended or revoked (registration),
- (5) offer or make any home improvement without having a current certificate of registration
- (6) claim the registration is an endorsement by the commissioner

Sec. 20-427 (b)

- (7) employ an unregistered salesman,
- (8) fail to refund the amount paid for a home improvement
 - if no substantial portion of work
 - written request

Criminal Penalties

- Home Improvement
 - Class A Misdemeanor SOL 1 year
 - up to 1 year in prison and or \$2,000
 - (b)(8) contract > \$10,000
 - Class B Misdemeanor SOL 1 year
 - up to 1 year prison and or \$1,000

Criminal Penalties

- Exploitation of the Elderly
- Larceny 2/nd
- Class C Felony
- In REM Proceedings
 - Seize Vehicles & Equipment used in commission of a felony
- Class C Felony SOL 5 years
 - victim disabled or > 60 yoa
 - 1 - 10 years prison
- Unclassified Misdemeanor HSSA 90 days or \$500.00

Civil Penalties

- \$500 First offense
- \$750 Second offense
- \$1,500 Third offense

- Revoke; suspend; refuse to issue or renew

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Finding a Contractor

- Look For Registration in Advertisements
 - Six digits HIC.5##### or HIC.6#####

- Verify Registration
 - Online www.ct.gov/dcp
 - HIC/NHC/OCC/PRO/CUTPA (860) 713-6110
 - DCP Hotline 1-800-842-2649
- Check Complaint History

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Finding a Contractor

- Get at least three estimates
- Ask to see their Home Improvement Registration
- Discuss payment schedule
- No more than 10% to 1/3 down
- NO CASH Ever, Never, No Way

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Contract Requirements Sec. 20-429.

- Entered into by a registered contractor
- Is in writing
- Date of the transaction
- Name and address of the contractor

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Contract Requirements

- Contains the entire agreement
- Starting date and completion dates
- Signed by owner and contractor
- Notice of the owner's cancellation rights

Home Solicitation Sales Act Chapter 740

- Sec. 42-135a(1)
- Provides owner three day right to cancel
- 1st Notice in area reserved for owner's signature
- Sec.42-135a(2)
- Two completed copies of Owner's Rights
- Sec.42-135a(5)
- Must orally notify owner of 3 day right to cancel

Typical Practices

- Scare Tactics
- Aggressive Marketing
- High Pressure sales
- False, Misleading or Misrepresentation

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Trade Names Chapter 620

- Sec. 35-1(a): No person, except as provided in this subsection, shall conduct or transact business in this state, under any assumed name, or under any designation, name or style, corporate or otherwise, other than the real name or names of the person or persons conducting or transacting such business, unless there has been filed, in the office of the town clerk in the town in which such business is or is to be conducted or transacted, a certificate stating the name under which such business is or is to be conducted or transacted and the full name and post-office address of each person conducting or transacting such business or, in the case of a corporation or limited liability company using such an assumed name, its full name and principal post office address. Such certificate shall be executed by all of such persons or, in the case of a corporation or limited liability company, by an authorized officer thereof, and acknowledged before an authority qualified to administer oaths.

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Criminal Violations

- Sec. 29-254a: Penalty for violation of State Building Codes
 - Any person who violates any provision of the State Building Code shall be fined not less than \$200.00 nor more than \$1000.00 or imprisoned more than 6 months or both
- Sec. 53a-63: Reckless Endangerment in the 1/st degree
 - Class A Misdemeanor
- Sec. 53a-63: Reckless Endangerment in the 2/nd degree
 - Class B Misdemeanor
- Sec. 35-1(a): Trade Name Violations
 - Any person who violates this provision shall be fined not more than \$500.00 or imprisoned not more than one year.

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www.ct.gov/dcp

- Verify Home Improvement Registrations
- Verify Occupational & Professional Licenses
- Home Improvement Guaranty Fund
 - “NO” Guaranty Fund for Occupational Trades (NONE)
- File a Complaint
- Press Releases
- Consumer Alerts
- NCIC, SPRC, criminal histories
- NESPIN,RISSNET

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Occupational and Professional Enforcement Unit

- Inspections: Random, Dodge Report, other
- State, Federal, Municipal Projects
- Investigations: Complaints
- Consumer, Third Party, Anonymous, Building Official, Police
- Education and Compliance
- Continuing Education (electricians & plumbers)
- Chapter 393 and the Regulations
- Additional Chapters 394 & 482

Occupational Licenses Available

UNLIMITED & LIMITED

- Contractor licenses odd #s 1,3,5,7,9
- Journeyman licenses even #s 2,4,6,8,10
- Heating, Cooling, Sheet metal, duct work
- Plumbing, Lawn Irrigation, Gasoline Dispensing
- Well Drilling
- Well Pumps & Water Conditioning
- Welding – steam/gas piping
- Electrical: high voltage; low voltage fire alarms & security
- Fire Protection – sprinkler systems water, foam, chemical
- Elevators, chair & stair lifts



Additional Licenses Available

- Data and Network
- Telecommunication
- T-1, T-2; C-5, C-6
- Antennas; Satellite Dishes and Cell Phone Towers
- V-7, V-6; V-5, V-4
- TV and Radio Electronics
- V-1, V-2;
- Car: alarms, stereos, remote starters
- Neon Signs
- Spa & Pool Repair & Maintenance SP-1, SP-2
- Conveyor
- Glaziers – flat glass FG-1, FG-2 & automotive glass AG-1, AG-2
- Public Service Technicians
- Telephone and Gas = PST



Professional Licenses



- Architects
- Landscape Architects
- Land Surveyors
- Engineers
- Civil, Mechanical, Electrical
- Fire Sprinkler Layout Technicians
- Home Inspectors
- Major Contractors
- Interior Designers

Electrical Sign and Outline Lighting Licenses

- **C-7 LIMITED ELECTRICAL SIGN CONTRACTOR**
- **SCOPE OF WORK:**
- The holder of this license may perform only work limited to installing, servicing, maintaining and testing electric signs where such work commences at a dedicated outlet receptacle or connection directly adjacent to such sign. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyman or equivalent experience and training.

Electrical Sign and Outline Lighting Licenses

- **C-8 LIMITED ELECTRICAL SIGN JOURNEYPERSON**
- **SCOPE OF WORK:**
- The holder of this license may perform only work limited to installing, servicing, maintaining and testing electric signs where such work commences at a dedicated outlet receptacle or connection directly adjacent to such sign and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.
- E-1 Unlimited Electrical Contractor and E-2 Unlimited Electrical Journeyman

Radon Water Mitigation
Plumbing Licenses Required

- **J-1 LIMITED WELL PUMPS CONTRACTOR**
- **SCOPE OF WORK:**
- The holder of this license may perform only work limited to domestic water pumps and water conditioning. The requirements to qualify for this license examination shall be two (2) years as a journeyman or equivalent experience and training.

Radon Water Mitigation
Plumbing Licenses Required

- **J-2 LIMITED WELL PUMPS AND PIPING JOURNEYPERSON**
- **SCOPE OF WORK:**
- The holder of this license may perform only work limited to domestic water pumps and water conditioning and only while in the employ of a contractor licensed for such work. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.
- P-1 Unlimited Plumbing Contractor and P-2 Unlimited Plumbing Journeyman

Stair-lift and Chair-lift Installations

- **R-5 ACCESSIBILITY CONTRACTOR**
- **SCOPE OF WORK:**
- This license shall be known as an accessibility contractor's license. The holder of this license may perform, except as hereinafter stated, installation, repair and maintenance work on all equipment as defined in section 20-332-3a of these regulations. A person must have served at least two years as an R-2 or R-6 journeyman or have equivalent experience to qualify for the R-5 examination. Accessibility contractors who have practiced their craft in the state of Connecticut for at least two (2) years or more prior to the adoption of these regulations shall be considered to have equivalent experience. The holder of this license may not perform any work on equipment as defined in section 20-332-3a of these regulations if the platform of said equipment is to penetrate more than one floor of the building in which the equipment is to be installed.

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Stair-lift and Chair-lift Installations

- **R-6 ACCESSIBILITY JOURNEYPEPERSON**
- **SCOPE OF WORK:**

- This license shall be known as an accessibility journeyperson's license. The holder of this license may perform, except as hereinafter stated, installation, repair and maintenance work on all equipment as defined in section 20-332-3a of these regulations and only while in the employ of a duly licensed elevator contractor. A person must have completed an elevator accessibility apprenticeship program or have equivalent experience to qualify for the R-6 examination. Pursuant to Section 31-51d of the Connecticut General Statutes the labor commissioner will formulate work training standards for apprentices in the craft of installing accessibility equipment. Journeypersons who have practiced their craft in the state of Connecticut for at least one (1) year or more prior to the adoption of these regulations shall be considered to have equivalent experience. The holder of this license may not perform any work on equipment as defined in section 20-332-3a of these regulations if the platform of said equipment is to penetrate more than one floor of the building in which the equipment is to be installed.

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Conveyor Equipment Installations

- **R-7 LIMITED CONVEYOR CONTRACTOR**
- **SCOPE OF WORK:**

- The holder of this license may perform only work limited to installation, maintenance, alteration or repair of equipment, apparatus or machines used to convey materials. Such conveyors shall be permanently or temporarily placed and of a fixed nature. The holder of this license may not perform work on any freight elevator. The requirements to qualify for this license examination shall be two (2) years as a properly licensed journeyperson or equivalent experience and training.

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Conveyor Equipment Installations

- **R-8 LIMITED CONVEYOR JOURNEYPEPERSON**
- **SCOPE OF WORK:**

- The holder of this license may perform only work limited to installation, maintenance, alteration or repair of equipment, apparatus or machines used to convey materials and only while in the employ of a contractor licensed for such work. Such conveyors shall be permanently or temporarily placed and of a fixed nature. The holder of this license may not perform work on any freight elevator. The requirements to qualify for this license examination shall be the completion of a registered apprenticeship program or equivalent experience and training.
- R-1 Unlimited Elevator Contractor and R-2 Unlimited Elevator Journeyperson

Site Inspections

- Heating and Cooling
- Plumbing
- Welding
- Electrical
- Fire Protection
- Elevator
- Flat Glass – Glaziers
- Major Contractors



Inspector on site

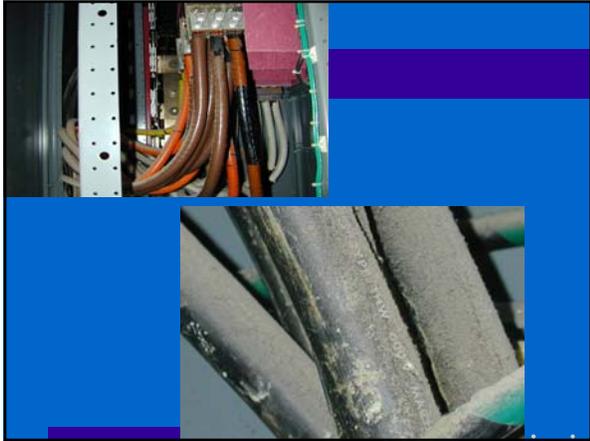
- Checks for licenses of all occupational trades & professional trades
- Checks company vehicles & business cards for contractor of record license number
- Checks for DOL apprenticeship cards
- Checks for proper “JOBSITE” ratio
 - One to One = one licensee to one DOL registered apprentice

Important Information

- Sec. 20-338c. *Work not to commence until permit obtained*
- Service Changes – Cut and Reconnect
- *Contact CL&P for Request for Electric Service Form*
- Code Disputes with Local Building Departments
- Contact State Building Official
- *The State Building Official is the only authority to make code interpretations or modifications*

Violations

- Unlicensed and or unregistered
- Incompetent and or negligent
- Contractor “Selling License”
- No permits
- Unethical Conduct
- Misrepresentation
- Beyond the scope
- Failure to complete continuing ed



Enforcement Actions Available

- Incident Report is written of investigation or inspection
- Submitted for Director/Supervisory Review
- Forwarded to DCP Legal
- Compliance Meeting
- Administrative Hearing – repeaters, code violations, unlicensed
 - Final Decisions and Orders
 - Civil Penalties - \$1000, \$1500, \$3000
 - Action on Licensees License – probation, suspension, revocation
- Final decisions are forwarded to the States Attorney’s Office for review and possible prosecution

Enforcement Actions Available

- **Assurance of Voluntary Compliance** –
- Voluntarily signs agreement
 - Assures DCP now knows and will follow all statutes and regulations
 - Submits civil penalty with signed AVC
 - Accepted and Signed by Commissioner of DCP

New CRIMINAL Sanctions

- On 10/01/07 – NEW LAW TOOK EFFECT – IMMEDIATELY
 - From PA 07-188 to Chapter 393 Sec. 20-341
- Any person who willfully employs or supplies for employment or who willfully engages in any occupational trade work without a license or apprenticeship card shall be guilty of a class B misdemeanor
 - YOU CAN BE ARRESTED



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 - Class A Misdemeanor
- Sec. 53a-63: Reckless Endangerment in the 2/nd degree
 - Class B Misdemeanor
- Sec. 35-1(a): Trade Name Violations
 - Any person who violates this provision shall be fined not more than \$500.00 or imprisoned not more than one year.

Criminal Penalties

- Exploitation of the Elderly
- Larceny 2/nd degree 53-123(5)
- Class C Felony
- In REM Proceedings
 - Seize Vehicles & Equipment used in commission of a felony
- Class C Felony SOL 5 years
 - victim disabled or > 60 yoa
 - 1 - 10 years prison
- Unclassified Misdemeanor HSSA 90 days or \$500.00

Engineers

- Chapter 391, C. G. S. Sec.20-302 Requirements for licensure-No person shall practice or offer to practice the profession of engineering in any of its branches, including land surveying, or use any title or description tending to convey the impression that such person is a professional engineer or land surveyor, unless such person has been licensed or is exempt under the provisions of this chapter.

Architects

- Chapter 390, C.G.S. Sec. 20-290 Use of the title "architect"-In order to safe guard life, health and property, no person shall practice architecture in this state, except as provided in this chapter, or use the title "architect", or display or use any words, letters, figures, title, sign, seal, advertisement or other device to indicate that such person practices or offers to practice architecture unless such person has obtained a license as provided in this chapter.

Engineers - Architects

- Chapter 391 Engineers, C. G. S. Sec. 20-310
Penalty-Any person who knowingly or willfully violates any provision of this chapter shall be fined not more than \$500 or be imprisoned not more than 3 months or both.
- Chapter 390 Architects, C. G. S. Sec. 20-297
Penalty-Any person who knowingly, willfully or intentionally violates any provision of this chapter shall be fined not more than \$500 or imprisoned not more than one year or both be fined and imprisoned.

Websites and Telephone Numbers

- Department of Consumer Protection
- www.ct.gov/dcp
- Occ/Pro Enforcement Unit (860) 713-6110
- Applications & Licensing Unit (860) 713-6135
- Department of Labor – Apprenticeship
- www.ct.gov/dol
- Testing Service
- www.psiexams.com or (800) 733-9267
- Department of Public Safety - Office of State Building Official
- www.ct.gov/dps or (860) 685-8310
