

DID YOU KNOW?

Enforced by Federal law all states must have a transparent website that clearly shows all contractors licenses. If they've ever paid taxes in VA, they're in there. Easily validate your contractor by going to <http://www.dpor.virginia.gov/LicenseLookup/>

Contractors are validated through their Class License and Specialty Licenses. Class C contractors can only perform jobs of a monetary value up to \$10,000.00 and ONLY \$150,000 yr. Class B contractors up to \$120,000.00, and no more than \$750,000 per yr. Class A there is no monetary limit.

For *Bathroom* or *Kitchen* remodels a number of different Specialty Licenses are required. BLD License covers framing, drywall, tile work. PLB covers all plumbing such as the replacement of shower and kitchen faucets. ELE covers electrical work such as the replacement of lighting. HVA covers the replacement of ventilation fans and range hoods.

How do I submit a complaint about my Unlicensed Contractor?

Due to code limitations in the Virginia Uniform Statewide Building Code, complaints regarding construction activity more than two years old cannot be accepted.

- If a person identifies him/herself as a licensed contractor and it is discovered the person is not licensed, it is a violation of State and County Code. Complaints/violations may be reported using the [online complaint form](#); or
- Call the Department of Code Compliance at **703-324-1300, TTY 711**, to start the complaint process and an investigator from the Code Enforcement Branch will contact you; or
- Call the [Virginia State Department of Professional and Occupational Regulation](#) at **804-367-8500, TTY 711**.

What are the risks of Unlicensed Contractors?

In most circumstances, unlicensed contractors offer lower quotes because they do not pay a licensing fee, or obtain a bond to protect their work, and in many cases, don't purchase liability or workers compensation insurance. Without these expenses, the unlicensed contractor can offer a lower rate.

Many things can go wrong on a construction site, from injuries to shoddy workmanship to destruction of power, sewer or water lines. Ultimately, all issues are the responsibility of the general contractor. The general contractor and their insurance carriers are the primary payers in the event something goes awry on the job.

What most people don't know is that if you don't hire a licensed and insured contractor to handle your project, **you're the general contractor!** If your unlicensed contractor breaks a sewer line, **you're responsible**. If a worker gets hurt and can't work for two years, and there's no workers compensation coverage in place, **you are on the hook** for that workers' medical bills and lost wages.

The implications of using an unlicensed contractor go beyond the risks associated with the property worked on and injury to the workers. A homeowner or association that hires an unlicensed contractor can also be liable for the negligence of the contractor.

A neighboring property, a passerby or other property that is negligently damaged by the contractor can lead to liability to the person that hired the contractor. As the contractor's employer the hiring party is responsible for the contractor's actions during the course of that employment.

When a general contractor takes on a job they have overall responsibility for legal compliance, safety, quality of workmanship and just about everything else that happens on the job site. What's more, your homeowners insurance or landlord liability insurance isn't going to cover you for these events.

All policies exempt damage caused by the use of illegal or unlicensed contractors. Fire and water damage can be... expensive. If an unlicensed contractor improperly installs an appliance, such as a water heater that leaks and in rare instances explodes, your insurance will not cover it. If an unlicensed contractor installs an appliance, such as a dishwasher, and so on, the product warranty will be voided.

If you knowingly enter into a contract with an unlicensed contractor, you are not allowed to use the fact that the contractor is unlicensed as a defense for non-payment. Note that an unlicensed contractor can still file suit for fraud and deceit.

Those who are caught contracting without a license likely will have to appear before a District Court Judge and DPOR investigator to answer to misdemeanor charges that can carry a potential sentence of up to six months in jail and/or a \$5,000 fine, as well as an administrative fine of \$200 to \$15,000.

If illegal contracting continues, the penalties become more severe. A second offense results in a mandatory 90-day jail sentence and a fine of 20 percent of the contract price or \$5,000. <https://vacode.org/54.1-1115/>

Felony charges are filed against anyone who illegally uses another person's contractor license or who tries to mislead consumers into believing that he or she is a licensed contractor. Anyone who contracts for work in a state or federal natural disaster area without an active state contractor license also could face felony charges. If convicted of a felony, a person may have to serve time in state prison.

Furthermore, your state contractor board will not "typically" help you to make a warranty claim "Contractor Recovery Fund" against an unlicensed contractor. So if you are trying to recover at all, you will need to go to civil court. Even if you win in civil court, without a bond, there's a good chance the unlicensed contractor will not be able to pay your damages.

Recently, Fairfax County has been using sites like Zillow and Realtor.com to see if improvements have been done when selling ones home! AGAIN, the days of hiring an unlicensed "Friend", or "Neighbor" to work for monetary purposes is strictly prohibited and is easily verified through <http://www.dpor.virginia.gov/LicenseLookup/>.

All in all, it's not worth it! Always protect yourself by hiring a licensed contractor for your remodeling project.