As Seen In
Florida Trend
June 2014

TRUST but Verify

As Florida enters hurricane season, it's a good time to be reminded about the importance of working only with licensed contractors and construction professionals on all commercial and residential projects. Whether building new office space or replacing a roof, the Florida Department of Business and Professional Regulation (DBPR) encourages Floridians to verify the professional license of anyone you hire to work on your property.

Verifying the state license of a construction professional is the first step to a successful project.

Too many Florida residents over the years have been convinced by fast-talking contractors that they are fully qualified to perform the work and can even offer a discounted price for their services. The simple truth is that no matter what it says on a business card or how nice their work truck looks, the only way to ensure you are dealing with a licensed construction professional is to verify their license with the DBPR.

Hiring a licensed professional is not just a good idea because it protects you as a consumer, it is also the law. There are many facets of a construction project that require that the work be done by someone who has proven to the state of Florida that they have the necessary expertise and experience.

When a person in the construction industry is not willing to play by the rules and obtain a Florida license, it should raise a red flag for several reasons.

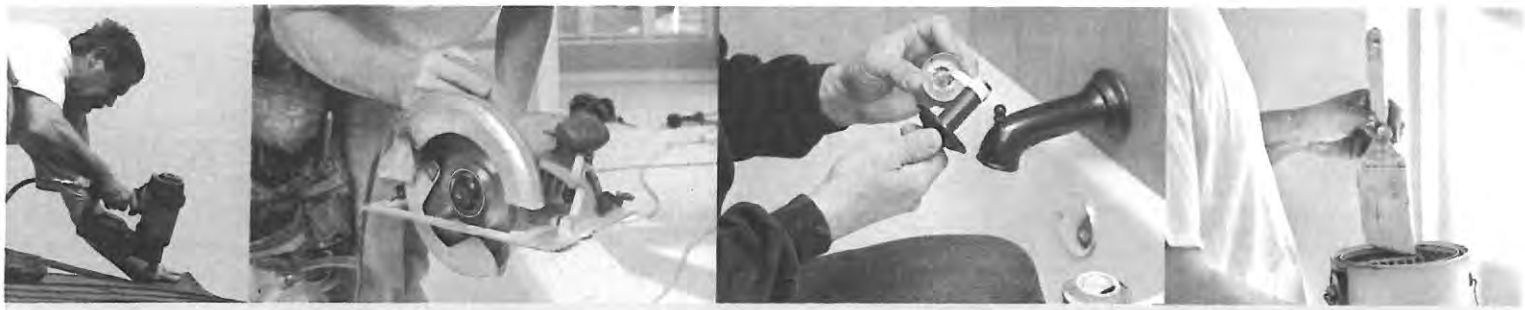
An unlicensed individual typically does not have the education, insurance or qualifications required of a licensee and therefore presents a higher risk to you. They might also have a criminal background that may include fraud, theft, violent crime, sexual offenses and substance abuse, which would prevent them from doing the work legally.

When using a licensed contractor, there are avenues for resolving conflicts over unfulfilled or disputed contracts through the DBPR, which has the authority to discipline and even revoke the license. This gives the licensee more incentive to play fair. However, this type of action is not available against unlicensed contractors, and homeowners often find the only solution is an expensive, and generally futile, civil suit.

If you use an unlicensed contractor, you may end up being liable for personal or financial injuries to others, because an unlicensed contractor typically is uninsured and may have no way to pay you back for any property damage. And do not count on your homeowner's policy to pick up the slack; most homeowner policies require that work be done by a licensed contractor and provide no coverage for work that is not.

Another all-too-common risk is that unlicensed persons often disappear after taking your money, and the DBPR cannot discipline an unlicensed person, help get your money back or require the person to finish or improve the work done. Unfortunately, scams in the construction industry, especially home improvement, are widespread. Con artists pose as contractors, often target vulnerable people and take advantage of homeowners' need for urgent post-hurricane property damage repairs.

The Department of Business and Professional Regulation's mission is to license efficiently and regulate fairly. The Department licenses and regulates more than one million businesses and professionals ranging from hotels and restaurants, real estate agents and certified public accountants to veterinarians, contractors and cosmetologists. For more information, please visit **www.myfloridalicense.com**.



When a License Is Required ... It Pays to Know

Before entering into a contract or working with a professional, ask to see their license or license number and verify it at www.myfloridalicense.com or on the free DBPR mobile app available on iTunes and Google Play. It is also a smart idea to ask friends and family for recommendations.

If you encounter unlicensed activity, you are encouraged to report it by calling the unlicensed activity hotline at 1-866-532-1440, using the mobile app or filing a complaint at www.myfloridalicense.com.

Requires a License *(for compensation)*	Does Not Require a License *(regardless of compensation)*
· Build a carport or sunroom	· Install a driveway or install pavers/tile walkways
· Construct a roof	· Install awnings that do not become a fixed part of the structure
· Install a dishwasher (requires connecting to drinking water) or replace a hot-water heater	· Add a water filter onto a faucet
· Install a central air-conditioning unit (requires structural work and wiring)	· Insert a plug-in A/C window unit
· Clean central air and heat ducts (requires partial disassembly of the system, such as removal of air grills)	· Change an A/C filter or cleaning ducts that do not require removal of the air grills
· Repair or replace swimming pool pumps	· Clean swimming pool
· Perform plumbing work or irrigation installation that requires the contractor to connect lines to potable (drinking) water	· Install an above-ground pool · Install or repair irrigation systems that have a backflow preventer connected to a potable (drinking) water supply
· Build a barn, metal building or detached garage	· Install prefabricated tool shed less than 250 sq. ft. in size The shed may be up to 400 sq. ft. if it bears the insignia of approval from the Department of Community Affairs.
· Remodel a home that requires alteration or replacement of a load-bearing wall	· Paint; install cabinets, wood or tile flooring and insulation
· Installation or replacement of drywall if the contract also includes work on the load bearing part of the wall, plumbing, electrical or air conditioning work	· Installation or replacement of drywall if the contract does not include other work on the load bearing part of the wall or any plumbing, electrical or air conditioning work

Construction industry services requiring a DBPR license:

Air conditioning contractor

Building contractor

Electrician

General contractor

Plumber

Pool contractor

Residential contractor

Roofer

Sheet metal contractor

Solar contractor

Florida Department of Business & Professional Regulation

LEAVE IT TO THE PROFESSIONALS

WHAT MAINTENANCE REPAIRS **REQUIRE A STATE-LICENSED CONTRACTOR?**

The Florida Department of Business and Professional Regulation licenses contractors to perform services that alter the structure of a building as well as affect public safety.

For a complete list of construction trades that are licensed and regulated by DBPR, contact the department at **850.487.1395** or online at **www.MyFloridaLicense.com**. You can also check with your local building department for any additional local licenses or permits that are required.

Unlicensed activity occurs when an individual who is not licensed by the state provides or offers to provide services that require a license in the state of Florida. Unlicensed activity is against the law. Unlicensed activity cases are referred to the State Attorney's Office.

Protect your property and residents' safety by only hiring licensed contractors. To report unlicensed activity, call the Unlicensed Activity Hotline at **1.866.532.1440**.

Florida Department of Business Professional Regulation

REQUIRES A LICENSE

- Build or replace a roof
- Install water heaters
- Install or repair A/C units
- Clean central air and heat ducts (requires partial disassembly of the system, such as removal of air grills)
- Repair or replace swimming pool pumps
- Perform plumbing work that requires the contractor to connect lines to drinking water
- Install ceiling fans and light fixtures
- Install or replace electric outlets and switches

DOES NOT REQUIRE A LICENSE

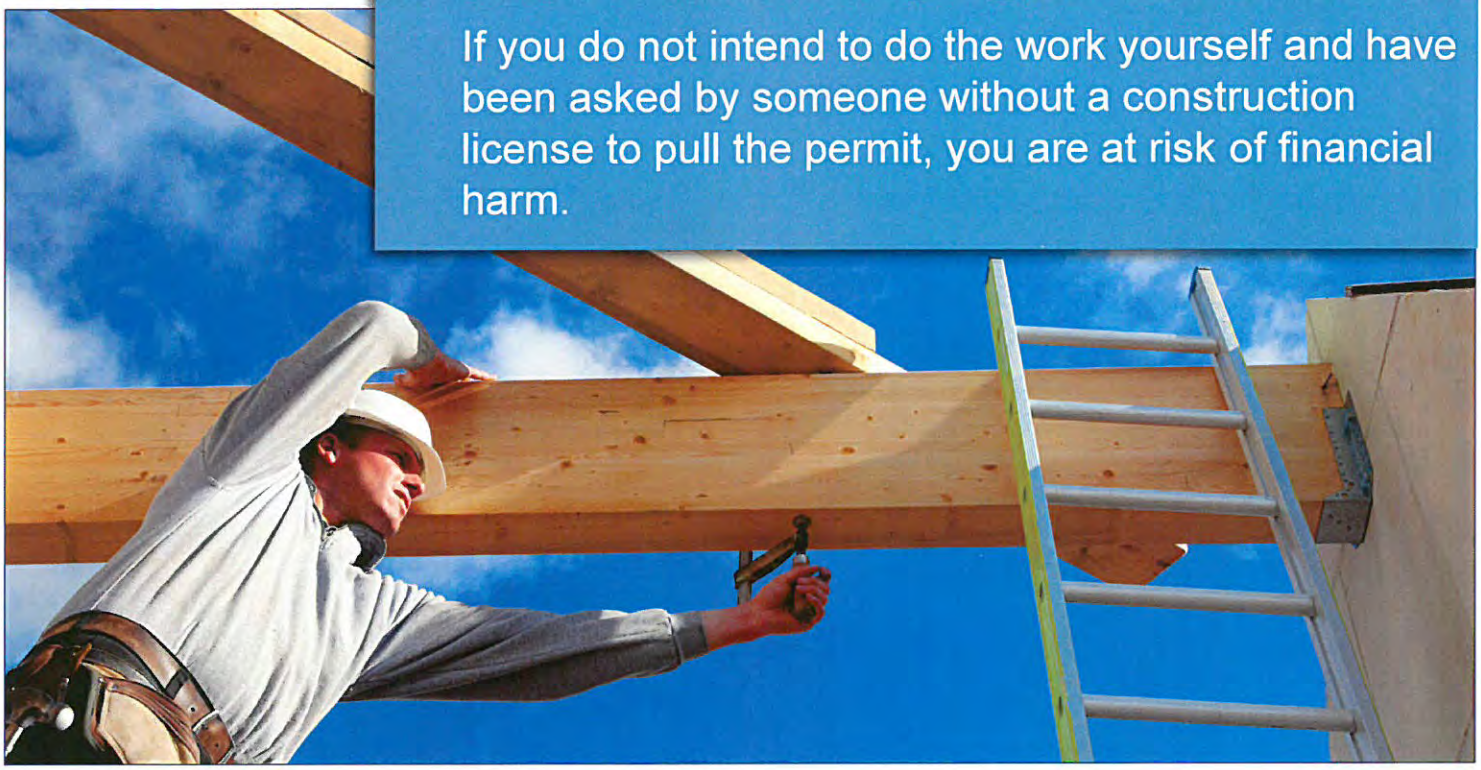
- Paint
- Install cabinets
- Install wood or tile floor
- Install insulation
- Clean swimming pools
- Change an A/C filter or clean ducts that do not require removal of the air grills
- Change light bulbs in fixtures
- Change the cover plates on outlets

Florida Department of Business & Professional Regulation

Customer Contact Center: 850.487.1395
Report Unlicensed Activity : 1.866.532.1440
www.**MyFloridaLicense**.com

The dangers of pulling an Owner/Builder Permit without verifying a license

If you do not intend to do the work yourself and have been asked by someone without a construction license to pull the permit, you are at risk of financial harm.



When property owners act as their own contractor, they must provide direct on-site supervision of the work being performed. If you pull an owner/builder permit for an unlicensed contractor to perform work on your property, you must deduct F.I.C.A., withholding tax and provide workers' compensation for them.

Individuals who aid unlicensed persons may face fines up to $5,000.

Without worker's compensation insurance, you could:

- Be held liable for injuries that occur on your property
- Not be covered under your homeowners' insurance policy
- Be responsible for thousands of dollars of medical bills

Dangers of Unlicensed Activity:

- Poor qualifications
- Poor quality work
- Possible criminal background
- Likely to be victim of a scam
- Limited resources for broken contracts