

Handymen, Contractors, & Construction... by Michael Watson

You wouldn't use an unlicensed Doctor . . . would you?

Would you go to a person posing as a micro biologist working out of his home, based on a plywood sign you saw in some vacant lot thinking this is an economical way to reconstruct your immune system? Especially once you found out his Son made the sign with a felt marker in Art class and he wrote up your contract on lined paper he tore out of his daughter's wire bound school folder that has glitter stickers of unicorns on it? Not that I have seen this in the medical field but I have had conversations with people as I was looking at their job who have told me they have experienced this with handymen and unlicensed contractors. Crazy, huh? Although there is a vast difference between a laborer in the biology department and a Micro Biologist; compared to the difference between a handyman to a contractor, there are still some basic laws that apply. It is also important to point out that most Contractors do work out of their home and there is nothing wrong with that.

Rule Number 1: There is no difference between a Handyman and an Unlicensed Contractor. A Handyman is allowed by law to do a total amount of work on any given project address up to a total dollar amount of \$500.00, period. I have heard where they will break up a project into categories such as \$500.00 for Plumbing, \$500.00 for Drywall, etc. This is an Urban Legend. The total amount that can be assigned to any given address is \$500.00.

To paraphrase the relative license law/penal code: *Any person or legal business entity who performs work in a construction- related field AND the total value of the work to be completed (INCLUDING TIME AND MATERIAL) is equal to or exceeds \$500.00, a valid license issued to that individual or entity is required in order to protect the consumer and the "handyman."* Penalties for contracting without a license can range from a warning to jail or prison time depending on the magnitude of the offense. Don't be mad at me, it's the law.

Rule Number 2: If anyone employs others they MUST have Workmans Compensation. In General, I have not found a Handyman to this day that has Liability Insurance or Workmans Compensation. I'm sure they are out there; I have just not met one. What does this mean to you? If for any bizarre reason your house or structure is damaged, or if their employee gets hurt, you have no recourse other than to sue them, or potentially get sued by their hurt employee!

"But this guy has an excellent reputation", you retort! Absolutely! I have met unlicensed contractors that did circles around licensed contractors in quality and reputation; but everyone has the potential to make mistakes and it does not make it right to be out there doing illegal work, especially uninsured.

Rule Number 3: Licensed Contractors are liable for the quality of their craftsmanship for a minimum of 1 Year according to the State of California. Is your handyman providing this guarantee? If he is, what is holding him to it? A licensed Contractor is obligated to provide this otherwise there is a License Board that can hold him accountable. He can actually lose his license or be financially penalized for not living up to the standards put before him. What holds an unlicensed handyman accountable other than his reputation?

The Story: Lastly, I like to always tell a story to make my point. I recently bid a project in Tehachapi where the client needed to have some alteration made to their home. He had become handicapped and wheelchair bound at least for the time being. They have an older home and it did not lend well to a wheelchair. Doors with high steps, narrow hallways, a bathroom and shower impossible to get around in, and since our company had been certified to design these things as a "Certified Aging in Place Specialist" through the "National Association of Home Builders", we were qualified and certified to do this project. They paid us to design plans

and create options for them, we did. We met several times and came to a conclusion on the scope of work. Once we priced it out and forwarded them the cost. We no longer heard from them. When I called to check on them a week or two later, I was informed that they had hired a handyman to do the work for less than half the price. No license, no Insurance, no Workmans Comp. Not even an Outhouse or a Dump Trailer to haul off the debris on the site. I know...I checked. We did what the State of California required of us to do, yet someone breaking the law got the benefit of our resources, our plans, and received the profit of our potential project and no, there was no permit pulled with the City of Tehachapi.

Wrong? Yes. Fair, hey, life is not fair. Another potential project we chock up to overhead that someone else is going to have to pay for.

But what if: What if something did go wrong? What if while soldering the copper plumbing a fire did start? What if the guy's helper cut off his hand with a Skill saw? What if the Client gave the Handyman a down payment for materials (which is illegal) and he disappeared? Or did not finish the job, or left a leak and it was found a year later now with serious mold issues, or it was discovered later that there was never a permit pulled and now the client is trying to sell their home and all the illegal re-work has to be brought up to code or reworked back to original?

I'm glad, if all went well for the client; I hope all goes well for everyone that has work done on their home.

Parting Shot: I ask you to put yourself in the place of the Contractors out doing their best to compete in an already tough world, with a tougher economy and doing it right. There is no way to compare apples to apples when the playing field is not level. There is no way to compete with an illegal Contractor or a Handyman that is doing work outside his allowable legal scope, and not participating within the State requirements. But there is no guarantee of the work he has done for you either. I pray that all goes well for You on Your next project.

Unlicensed Contractors are Reportable:

Unlicensed contractors are reportable. You can check to see if an individual has a contractor's license, if it is in good standing, if they have any formal complaints against them, and more information on how to report unlicensed individuals performing contractual construction above \$500 online at: <http://www.cslb.ca.gov>.

Anyone who contacts me by email at mike@watsonbci.com, I will be happy to forward you the exact link to the proper location to report Illegal work and unlicensed contractors.

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