



Complaint jurisdiction

Complaints within CSLB's jurisdiction involve alleged violations of the Contractors License Law. CSLB has jurisdiction over licensed and

unlicensed contractors for up to four years from the date of an illegal act.

The term "contractor" includes those individuals or firms that offer services to improve real property, including, but not limited to, home building, remodeling, room additions, swimming pools, painting, roofing, landscaping, plumbing, electrical, heating and air conditioning, and installation and repair of mobile homes.

CSLB's complaint investigation procedures are designed to protect the public in matters pertaining to construction and to assist in the resolution of construction related complaints.

CSLB's intent is to achieve timely and efficient complaint resolution through early intervention and mediation to resolve disputes.

CSLB may provide help to consumers through mediation, arbitration, referral to other agencies, or providing information on other avenues for individual redress. These may include referring consumers to small claims court or referring consumers with private arbitration clauses in their contracts to the applicable arbitration process. Where appropriate, CSLB will take legal action against a contractor for violations of the Business & Professions Code.



How complaints are handled

Complaints involving a threat to public health and safety, and cases where consumers have suffered a significant financial injury are given the highest priority.

CSLB also prioritizes complaints based on:

- The order of receipt;
- The nature and seriousness of the allegations;
- Available CSLB resources, including budget and staffing

Every written complaint is reviewed to determine if it falls within CSLB's jurisdiction. CSLB's Intake and Mediation representatives will send you a written confirmation that your complaint has been received. A notice is also sent to the contractor to encourage resolution of the complaint without further intervention by CSLB.

MEDIATION

If the complaint is not resolved at this point, CSLB may ask you to provide additional information and/or documentation. You may also be contacted by a CSLB Consumer Services Representative (CSR). If mediation is appropriate, the CSR will contact you and the contractor and attempt to mediate the dispute.

If mediation is unsuccessful, the CSR may refer the complaint to the appropriate settlement option. These options could include referral to a CSLB arbitration program, assignment to an enforcement representative for investigation, or referral to alternative civil or dispute resolution methods. CSLB will determine the appropriate option, based on the facts of the case.

If the contractor's actions were not egregious and the contractor's history does not reflect a pattern of violations, the complaint may be closed with a warning letter to the contractor. A warning letter remains a matter of record and could support further action against the contractor if future violations occur.

INVESTIGATION

If the CSR determines that the complaint requires further investigation, it will be assigned to an Enforcement Representative (ER). The ER's investigation will determine if there is clear and convincing evidence to support a violation of the Contractors License Law. The investigation may include interviews with you, the contractor, other parties to the contract and any other parties who can furnish relevant information.

DISCIPLINARY ACTION

Violations of the law by a licensed contractor may result in a citation or charges against the contractor that could lead to suspension or revocation of the contractor's license. Citations may contain civil

penalties of up to \$5,000 and/or orders of correction requiring the contractor to make repairs to your project or pay you to hire others to do so. (If a disciplinary action is undertaken, the state Attorney General represents the CSLB to prosecute the case. The Attorney General is not counsel for the complainant, but counsel for the CSLB.)



SMALL CLAIMS COURT

Investigation by CSLB does not guarantee restitution to complainants. If your primary interest is to gain restitution, you should pursue the matter in small claims court or consult with an attorney. If you are considering legal action to recover damages of \$5,000 or less, CSLB can provide you with information about filing a small claims court action, or you can consult the clerk of the small claims court for information and assistance. Additional "self help" information can be found online at www.courtinfo.ca.gov. If your damages are more than \$5,000, you should consult with an attorney.

If you prevail in a civil or arbitration case against a licensed contractor, send CSLB documentation of the disposition of the case. CSLB will notify the contractor that the license will be suspended if the judgment or award is not satisfied.

UNLICENSED ACTIVITY

It is illegal for an unlicensed person to perform contracting work on any project for which the combined price of labor and materials is \$500 or more. CSLB works to curtail underground economy contracting activities and reduce unlicensed activity through stings, sweeps and other enforcement actions.

In a complaint involving an unlicensed contractor, CSLB may issue a warning letter, a citation, or refer the complaint to the local district attorney for review and possible prosecution. CSLB has limited jurisdiction over unlicensed persons and cannot require an unlicensed person to make repairs to your project or pay restitution.

A Consumer Guide to Filing

Construction Complaints



How to file a complaint

You may file a complaint by mail after obtaining a complaint form:

- Log onto the CSLB Web site at www.cslb.ca.gov. You can print out a complaint form to fill in and mail or complete the form online to print and mail; or
- Call 1-800-321-CSLB (2752) to request that a complaint form be mailed to you.

When you mail your complaint form, be sure to attach copies of all relevant documentation; for example, all contracts (all pages, front and back), change orders, cancelled checks (front and back), and any other pertinent information, and mail it to the appropriate office below. Failure to enclose all documentation could result in a delay in the review and processing of your complaint. CSLB cannot process incomplete or unsigned complaint forms; incomplete forms will be returned.

For complaints on work performed in Imperial, Los Angeles, Orange, Riverside, San Bernardino and San Diego counties, send complaint forms to:

Norwalk Intake & Mediation Center
12501 East Imperial Highway, Suite 620
Norwalk, CA 90650

For complaints on work performed in any California county not mentioned above, send complaint forms to:

Sacramento Intake & Mediation Center
P.O. Box 269116
Sacramento, CA 95826-9116

CSLB Arbitration Programs

CSLB administers two arbitration programs: a mandatory program for disputes involving alleged damages of \$7,500 or less, and a voluntary program for disputes involving allegations of damage between \$7,500 and \$50,000.

Complaints must meet stringent criteria to qualify for referral to a CSLB arbitration program. CSLB staff will determine whether the dispute meets these criteria.

For more information on these programs, review CSLB's Mandatory Arbitration Program or Voluntary Arbitration Program guides. Both are available on the CSLB Web site at www.cslb.ca.gov, or by request by calling 1-800-321-CSLB (2752).

Information Disclosure

Upon request, CSLB provides information about the status of a licensed contractor's license and bond, as well as pending and prior legal actions.

If you want basic information about the status of a contractor's license or complaint disclosure, consult the CSLB Web site at www.cslb.ca.gov, or call the CSLB's automated phone response system at 1-800-321-CSLB (2752).

If you would like information about pending or prior legal actions against a contractor, visit the CSLB Web site at www.cslb.ca.gov and click on "Check a Licensed Contractor" or call the legal action disclosure unit at the appropriate CSLB office listed below:

Northern California (916) 255-4041

Southern California (562) 345-7656

Contractors State License Board
P.O. Box 26000, Sacramento, CA 95826-0026
www.cslb.ca.gov 1-800-321-CSLB (2752)

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CONTRACTORS STATE LICENSE BOARD
*The primary purpose of the CSLB is to license
and regulate contractors for the
protection of the public*