

Letters

Good Business Practice

I disagree with Quenda Behler Story in the article “Keep Your License Current” (*Legal*, 9/06): I think the California Supreme Court decision is correct.

She writes that the contractor “discovered he had allowed his license to lapse.” If you discover that you forgot to file your income tax return, the IRS is going to assess a penalty and interest on any money owed; filing your return late won’t change its demand for payment. The contractor’s defense that he immediately filed the necessary papers to get relicensed doesn’t change the fact that he violated the law by starting a job without a valid license. Part of being a responsible business is complying with the necessary licensing requirements.

Despite efforts by the CSLB (Contractors State License Board) to require all contractors to be licensed, unlicensed contractors continue to be a problem in California. Field enforcement is nearly nonexistent, and a decision like this one is an important tool for the CSLB to use in its efforts to force licensing on all contractors. It may be a harsh penalty for the unlicensed contractor to be unable to use the courts to collect his money, but big problems require drastic solutions and unlicensed contractors are a big problem.

Unlicensed contractors typically do not possess the bond required for licensing or, if they have employees, a workers’ compensation policy. And they usually do not have general liability insurance (which is not required to maintain a license in California), further widening the gap between licensed and unlicensed contractors in the cost of doing business.

While I enjoyed reading the article, I think the CSLB needs to get tougher on unlicensed contractors. The kind of leniency Ms. Behler Story advocates would only undermine its efforts to do so.

Mike Mowry, CEO
Vista Pointe Homes
Seal Beach, Calif.

Another Zany Decision

Regarding the story “Keep Your License Current,” I wouldn’t think that the decision of the courts regarding nonpayment in the People’s Republic of Kalifornia (hereinafter referred to as the PRK) surprised anyone. After all, is not the PRK home to the Ninth Circuit Court of Appeals, that wonderful group that has continually amazed a large part of the civilized world with its zany decisions?

I lived in the PRK for some 17 years, but I bailed out some 29 years ago and came back to Texas, where I have had a reasonably successful career as a home builder and remodeler, probably without a lot of the headaches associated with building in the PRK.

I have also worked for the past 27 years as a part-time instructor in the building construction technology department at Austin Community College, sharing what little I do know with what has been a truly wonderful group of folks. It is still fun!

Merle Oxley
San Marcos, Texas

Raising the Bar

Jud Aley’s article, “Prevent Errors With a Quality-Control Checklist” (*Business*, 8/06), was truly insightful.

My husband and I own and operate a remodeling firm in Norwalk, Conn., not far from Westport, where Mr. Aley’s company is located. Consistently, the biggest challenges that we face on any of our projects — whether they be large kitchen renovations or small powder-room remodels — are the lack of communication between our project manager and our subcontractors and the resulting lack of attention to detail. The bottom line is the same: We end up behind on the production schedule and on getting paid.

Thanks to Mr. Aley for sharing his insight into setting expectations for higher standards on the job.

Beth Tracey
Tracey Builders
Norwalk, Conn.

KEEP 'EM COMING!

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Builder Seeks Input From Other GCs

I am a small general contractor with eight employees. I recently discovered that two of my employees had done a side job, for cash, for a recent customer.

I visited the customers to find out if they were happy

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with the work we had done for them and if their experience with my company was a good one; they agreed that it was.

In the past when my employees have taken on extra weekend work — usually for someone they already knew outside of my customer base — I have explained my position about competing with me for work, and have also explained my insurance and legal responsibilities. I asked for their resignation if they were going to continue, and in some cases they left.

I realize that this goes on in our industry, but I was especially concerned about

the most recent situation because it involved a recent client. I offer all my employees the opportunity to work overtime whenever they like.

How do other contractors handle this problem?

Rod Edge

On The Edge Construction
Charlottesville, Va.

Woodpecker Problem? Try This

For some reason, woodpeckers seem to like to make holes in cedar siding and trim, usually on newly constructed buildings (Q&A, 9/06).

I have witnessed this phenomenon many times, usually in coastal locations such as Nantucket and Long Island. None of the buildings had any insect infestation.

The problem is easily corrected by applying a single cedar shingle painted with fluorescent orange paint. In the cases that I've seen, the shingle was nailed onto the siding at the peak of the gable. I don't think it has to be over a hole created by the woodpecker.

Richard Neroni

Timberpeg
West Lebanon, N.H.