

# **BREAKING NEWS**

## **Residential Licensing introduced – SB289**

After nearly 13 months of the Ohio Specialty Contractors (ACCA & PHCC) working on this legislation, SB289 was introduced on August 11 by Sen. Steve Buehrer.

We believe the strongest argument here is that licensing for plumbing, HVAC, hydronics, refrigeration and electrical contractors will provide **added safety for the consumer\*\***. When they have work done, they'll know that the company has credibility. Here are some highlights in the Bill as introduced:

- If you're already licensed by OCILB, you will not have to take another license – yours will become a universal license; if you're in residential only and meet the qualifications, you will earn an 'R' license for residential only.
- Yes, grandfathering qualifications have been built into the Bill for residential only – no grandfathering for the commercial / universal license.
- Makes some changes to the operations of the OCILB sections including majority vote for actions taken and representation on the sections by 'R' license-holders only.
- 20% of the fees received by OCILB will be used for enforcement – i.e., investigators and follow-up action on violators of the law.
- Licenses will be issued in the name of the individual AND the company. (Note: only one license required per company although multiple licenses are permitted within one company. Also, a license cannot be held or used for more than one company)
- Violations within a company will be charged only to the license holder responsible for the work done (currently, all license holders are held responsible and can be fined or licenses revoked)
- Retakes of license exams will be allowed the first time 60 days after the initial exam and thereafter, only one time per year.
- Current law requires anyone applying for licensure to provide proof of a background check along with the application.
- License holders who do not assign their license to a company must put their license in escrow until such time as a company can be assigned.
- Penalties and court action can be taken against any contractor in these trades – licensed or not licensed.
- Permits homeowners to work on their own property – licenses required to do any work in the trades licensed other than for personal use.
- Complaints must be in writing and filed within one year of alleged violation. Investigations apply to those projects requiring permits (approvals) but are not limited to only those projects!
- Adds contractor representation to the Residential Construction Advisory Committee (i.e., adds representation by those who have direct hands-on responsibility for applying the code in the field) RCAC is the entity in Ohio that reviews and recommends the Ohio Residential Code.
- Maintains the ability of the municipalities to register, require permits and collect fees for work by contractors in these trades in their communities.

\*\* Consumer Protection: We believe this Bill will help nullify the problems created for consumers by "scam artists" and "fly-by-nighters" that prey on unsuspecting homeowners; provide additional resources for consumers to address problems with contractors; and provide a sense of greater security re: qualifications of contractors for the municipalities to register residential contractors.