

Notes From the Commish

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Contractors Working On Your Property

Any project in, on or around your home or business at some point will require you to hire a contractor or trades person. The first issue is what is the best way to select competent trade person or contractor to work on your home? Providing the problem is not an emergency, which can not wait; you should do your homework.

What is the homework? Check on the person or company that you intend to hire, ask friends that have had work done about the person or company they hired and about their experience and if they would recommend the people to do work on your home. Check business references, the Chamber of Commerce, Better Business Bureau for complaints and membership, ask the supplier the contractor deals with about their relationships. Make use of the state web sites to look up their license at the [Executive Office of Public Safety and Security](#) for contractors or [Division of Professional Licensure Boards](#) electricians, plumbers, architects and other professionals.

What should you look for when choosing a general contractor (GC) or subcontractor? The prospective contractor or subcontractor should have a valid license for their respective trade, carry at minimum general liability insurance, additionally if they have employees, workmen's compensation insurance, and be able to have their insurance agent send you a certificate of insurance with your name and address on it.

For a new home, addition or remodeling the general contractor should have a Construction Supervisor's License, this license can be restricted to 1 & 2 family dwellings or unrestricted which is valid for buildings less than 35,000 cu. ft.,

and 1 & 2 family dwellings, this contractor is responsible for the total building except for the electrical, plumbing gas, and oil burner work.

If you are doing only improvements such as roofing or siding for example the contractor should have at a minimum one of following specialty licenses.

Starting July 1, 2008 the following restricted licenses are in effect for 1 & 2 family dwellings and buildings less than 35,000 cu. ft.;

- Residential Roof Covering Construction Supervisor License (RCCSL);
- Residential Window and Siding Construction Supervisor License (WSCSL);
- Residential Solid Fuel-Burning Appliance Installer Construction Supervisor License (SFCSL);
- Demolition Only Construction Supervisor License (DCSL)

By the end of this year, all insulation installers for 1 & 2 family dwellings and buildings less than 35,000 cu. ft., will require an;

- Insulation Construction Supervisor License (ICSL)

In addition for work on an existing 1 to 4 family dwellings, a Home Improvement Contractor (HIC) Registration is required in accordance with Massachusetts General Law Chapter 142A; this is consumer protection law that as of July 1, 2009 will be transferred to the Office of Consumer Affairs and Business Regulation from the Board of Building Regulation and Standards.

The HIC regulations provide for some required contract language, a maximum of one third (1/3) of the total job cost as amount of deposit for work to be done, penalties for failure to perform work, right of recanting within three days of signing and the requirement to obtain the building permit. The most important requirement to be able to take advantage of the remedies available in the HIC program, is to make the contractor your agent and have the contractor obtain the required permits. If the permit is not obtained or the contractor has you take out the permit under the home owner exception you have lost access to this provision of MGL c. 142A.

A good contractor will have a portfolio that shows examples of work they have done and provide you written copies of a references list, with phone numbers and addresses that you may contact. Call those people on the reference list; ask to see the work done on their property, ask if they are happy or unhappy with the work that was done. Ask how the contractor approached care of the building and possessions, yard, safety of the job site, how clean was the work area kept, was the project organized or did it seem everything was a new problem? Most people will tell you the true story, people like to talk and have their story heard.

There needs to be good plans drawn for any new construction or remodeling. Without plans that show the work to be done it will be difficult to establish a base line of the scope of work, the spans and loads for the structural elements will not be defined, making it difficult to price the material for the project.

Plans on a napkin are fine for a dog house, the dog does not care and a building permit is not required. Plans for new building, addition or major remodeling need to be clear, drawn to scale, preferable $\frac{1}{4}$ inch equaling 1 foot, the building code requires; foundation plans, floor plans for each level, elevation drawings for the four faces of the building, sufficient details and sections drawings of the work to be done. If the plans are sufficient during the plan review phase of the permit application process the building can be easily checked for building code compliance.

The care, level of detail, paper and the writing implement used for the plans shown to you and to my office are indicators of the professionalism or lack of; the contractor has for their work. When I see drawings coming into my office that do not have straight lines that are suppose to be straight, on spiral note book paper with the ragged edge and drawn with what looks like a kindergarten pencil, I begin to wonder what the project in the field is going to look like, and you should too.

Require a written contract that spells out clearly what work is to be done and equally important what work is not included in the project. Don't assume because you are getting windows they will have screens and grills, or the model home you saw had shutters and gutters your new home will be outfitted with the same. Insist on brand name and/or make and model numbers for all equipment to be installed. I once saw a contract that said "a good quality oil boiler will be installed". What is good quality? Does the boiler have steel or cast iron heat exchanger, the difference affects both the cost and serviceability. What level of insulation will be installed in the attic, walls and floors? With the fluctuations of heating fuel cost, a hidden item such as this could have along term impact.

The above are examples, there are hundred of choices for products used in your project, you as the GC or the company chosen to be the GC for your project will have to make the choices which need to be spelled out in the contract and the standard product used list provided as part of the contract for your project.

For more information check the Department of Public Safety and/or the Board of Building Regulation and Standards web site at the following links; [Home Improvement Contractor / Construction Supervisor License](#) or [Work Requiring HIC or CSL and Permits](#).

This article and other in the series, along with other helpful links, permit applications and directions can be found on at;

<http://www.townofcharlton.net/buildingcommission.htm>

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