



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
BOARD FOR LICENSING CONTRACTORS
500 JAMES ROBERTSON PARKWAY, SUITE 110
NASHVILLE, TENNESSEE 37243
(615) 741-8307
800-544-7693
Fax: (615) 532-2868

COMPLAINT REVIEW/JURISDICTION

The Board for Licensing Contractors and the Home Improvement Commission strive to protect the health, safety & welfare of Tennessee citizens from unscrupulous contractors. This is our number one concern. The Board and Commission primarily concentrate on disciplinary action for licensing violations.

Upon receipt of your completed contractor's complaint form, the Board's staff and legal counsel will evaluate the complaint and determine if the Board has jurisdiction. To make this determination, the following are considered:

- *License* - Does the contractor have a license or was one required?
- *Contract or Monetary Amount* - Was the project in excess of \$25,000.00?
A contractor's license is not required for work less than \$25,000.00. Was the contractor acting as a prime contractor? Subcontractors other than mechanical, electrical & plumbing are not required to be licensed.
- *Home Improvement Complaint* - If the project is located in one of the following nine counties: Bradley, Davidson, Hamilton, Haywood, Johnson, Knox, Shelby, Robertson or Rutherford and the contract amount was \$3,000.00-\$24,999.00, the Home Improvement Commission has jurisdiction over these contractors; unless the contractor holds a valid license with the Board for Licensing Contractors.
- *Action* - Neither the Board nor Commission has the authority to award monetary damages or to force the contractor to complete and/or make repairs. The Board and Commission have the authority to impose discipline on licensees in appropriate cases relative to licensing violation matters.
- *Age of Complaint* - There is a one (1) year "implied warranty" on cosmetic items and a "statute of limitations" of four (4) years on structural issues.

Neither the Board nor Commission has the authority to award monetary damages or force the contractor to make repairs. They may assess discipline such as letters of warning/caution; civil penalties etc. The Board and Commission may revoke or suspend the contractor's license through an adversarial Formal Hearing process under the Administrative Procedures Act.

Any eligible residential complaint received in the Board and/or Commission office will be transferred to the Division of Consumer Affairs for processing through CHAMP.

CHAMP (Consumer Homeowner Accountability and Mediation Program)

The Tennessee Division of Consumer Affairs, the state's consumer protection agency within the Department of Commerce and Insurance, contains a residential construction complaint mediation service known as CHAMP (Consumer Homeowner Accountability and Mediation Program). This consumer based complaint process allows the parties to agree on making repairs or corrections or to resolve residential construction issues without administrative disciplinary hearings.

COMPLAINT CASE PROCEDURES

Should the Board/Commission transfer your complaint to the Division of Consumer Affairs-CHAMP you will be notified in writing. The CHAMP coordinator will then contact you, in writing, relative to the CHAMP procedures and policies.

- Unlicensed contractors, complaints involved in litigation, and commercial projects - are not eligible for participation in CHAMP.

Should your case fall within the jurisdiction of the Board for Licensing Contractors, the complaint process may proceed as follows:

- *Complainant* will receive an acknowledgement letter verifying receipt of the complaint.
- *Contractor* will be notified by certified mail of the complaint allegations and directed to respond in writing within ten (10) days from the date the contractor receives notification from the Board. A copy of the complaint will be included in the notice to the contractor. Please note due to certified mail delivery, a typical contractor's response may take thirty (30) days.
- *Legal Counsel* will review all documentation to determine the next course of action, which may include an inspection of the job site, by an inspector, if appropriate and necessary to the case.
- *Board Review* consists of cases presented anonymously to the Board at a regularly scheduled meeting to review the recommendations of the Board's Legal Counsel relative to any further action.

GENERAL INFORMATION

The Tennessee State Board for Licensing Contractors licenses and regulates prime contractors (those who contract directly with the owner) who are performing construction projects which total twenty-five thousand dollars (\$25,000.00) or more and subcontractors who are performing electrical or mechanical construction projects which total twenty-five thousand dollars (\$25,000.00) or more. The Tennessee Department of Commerce and Insurance, Division of Regulatory Boards, is delegated by law with the responsibility of regulating license holders. *The complainant must rely on the courts for monetary recovery.*



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CONTRACTORS BOARD COMPLAINT FORM

Complainant (Property Owner)

Respondent (Contractor)

Street Address

Street Address

City, State, Zip

City, State, Zip

County

County

(_____)_____
Home Telephone Number

(_____)_____
Business Telephone Number

(_____)_____
Alternate Telephone Number

(_____)_____
Alternate Telephone Number

(_____)_____
Cellular Telephone Number

(_____)_____
Cellular Telephone Number

(_____)_____
Fax Number, if available

(_____)_____
Fax Number, if available

Email address, if available

Email address, if available

Is the construction project Residential **OR** Commercial ?

Please provide the license number of the contractor (if known). _____

<i>For Office Use Only:</i>		
<i>Unlicensed:</i> _____	<i>License #:</i> _____	<i>History:</i> _____

Please provide the location of the construction project:

Physical Address

City, State, Zip

County

In the space below, please draw a simple map or give directions to assist our inspectors in locating the project if an inspection becomes necessary.

Have you contacted the contractor in reference to this complaint? Yes No
(If yes, please attach a copy of the letter you sent to the contractor.)

What type is the construction project?

New Remodeling Repair Work Addition & Renovation

Other – please specify: _____

Was a building permit obtained for the construction project? Yes No

If yes, who obtained the building permit? _____

Were you given a Certificate of Occupancy? Yes No

Were you given a written warranty for the work performed? Yes No

What was the total contract amount of the construction project?

\$ _____

Has the contract amount been paid in full? Yes No

If no, how much is owed on the contract? \$ _____

Are any amounts in dispute (billings, payments, change orders, etc.)?

Yes No

If yes, give a complete explanation: _____

What date was the construction project contract signed?

What date was the construction project started?

What date was the construction project completed (date of closing)?

What date was the construction project occupied for intended use?

What is the name of the foreman/supervisor in charge of the construction project?

Is this the individual you dealt with the most? Yes No

If no, please list the name of the individual.

Was an Architect/Engineer retained for this project? Yes No

If yes, please list below.

Name of Architect/Engineer

Name of Firm

Street Address

City, State, Zip

(_____)_____
Telephone Number

Have you retained an attorney in reference to your complaint? Yes No

If yes, please list below.

Name of Attorney

Name of Firm

Street Address

City, State, Zip

(_____)_____
Telephone Number

Has litigation been filed by you or the contractor in reference to this complaint?

Yes No

If yes, has a court date been set? Yes No

If yes, what is/was the court date: _____

Is litigation concluded? Yes No

If yes, please attach a copy of the final judgment.

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Nashville, TN 37243-1150
