

## Regulations Alert ! Rhode Island Contractors, Home Inspectors, & More

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On December 19, 2019, the Rhode Island Contractors Registration and Licensing Board's ("CRLB") revised regulations for contractors and new regulations home inspectors, well drillers/pump installers/water-filtration contractors, and commercial roofers will go live. Here's a [link to the Regulations](#).

For the commercial roofers, home inspectors, and well drillers/pump installers/water-filtration contractors, the new regulations create a licensing regime pursuant the Rhode Island statutes. See R.I. Gen. Laws 5-65.1- 1 et seq. (home inspectors); R.I. Gen. Laws 5-65.2- 1 et seq. (well drillers et al); R.I. Gen. Laws 5-73-1 et seq (commercial roofers). Previously the licensing requirements were in place by statute but lacked the necessary procedural and enforcement mechanisms. Now, the CRLB regulations present application requirements including a licensing examination, certain standards of practice and performance, and continuing education requirements to maintain the license going forward. Each professional will be required to apply and become licensed with the CRLB by or before **April 1, 2020** when the grace period ends and licensing enforcement begins. Currently practicing professionals have the option to obtain licensure by complying with the standard procedure or by complying with applicable grandfather provisions. As with the other professions regulated by the CRLB, such as construction contractors and underground utility contractors, these new licensees also will be governed by the same administrative regulations concerning complaints, disputes, hearings, violations and penalties, appeals, revocation, and expungements.

As for construction contractors, the CRLB's regulations, pursuant to R.I. Gen. Laws 5-65-1 et seq., have regulated commercial and residential contractors for many years. In Rhode Island, contractors are required to register (as opposed to become licensed) and must meet a number of requirements when doing business – such as maintaining the appropriate type and coverage amounts of insurance, ensuring that contractor's respective subcontractors are also registered (or licensed by their trades as the case may be), giving certain notices to homeowners before performing work, taking continuing education classes (for residential contractors), etc. The CRLB has jurisdiction over contractors' compliance with these requirements and, in some circumstances, offers an alternative forum (beyond the courts) for the public to resolve complaints with a contractor's performance. The current CRLB regulations present a number of definitions relevant to the practice of construction and present the process and procedure for registration applications, renewals, education requirements, standards of business practice, filing claims, discipline, violations, appealing hearing decisions, among others.

The current regulations also speak to the composition of the CRLB including its board members and the staff, director, hearing officers, and investigators that perform the daily duties for the agency. The revisions to these regulations, which become effective on **January 2, 2020**, in large part, reorganized, clarified, and streamlined the provisions that already exist. As part of the reorganization, the part 1 of the regulations are administrative and are more generalized to apply all the professions that the CRLB either registers or licenses. Part 2 of the regulations are now specific to contractors only and address registration applications and renewals, registration cards, specific construction definitions, provisions for contractors practicing as a business entity, advertising, contract requirements, and suspensions and revocations of registrations.

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