



# PINELLAS COUNTY CONSTRUCTION LICENSING BOARD

## COMPLAINT FORM INSTRUCTIONS

### **How to File A Complaint**

If the work or possible violation you are concerned about was performed within Pinellas County, Florida, **please carefully read these instructions before filling out the form.**

### **Know Your Contractor**

The PCCLB issues licenses and registers contractors by type (state and/or local) and classification. Licenses beginning I- are issued to state certified contractors. Licenses beginning C- are issued to locally licensed and registered contractors. Licenses beginning J- are issued to locally licensed and registered journeymen. Journeymen may not contract directly with the public.

### **State Certified Contractors**

If the contractor is a State Certified Contractor (I-), you should also file a complaint with the State of Florida. You may file on-line at [Florida Department of Business and Professional Regulation \(DBPR\)](#) or print their complaint form and mail it to: Department of Business and Professional Regulation (DBPR), Division of Regulation/Compliance-Consumer Services, 2601 Blair Stone Road, Tallahassee, FL 32399-0782.

### **Financial Compensation and Civil Disputes**

Your complaint may indicate that the contractor has performed in some manner or committed some act which you believe to be wrong, unethical, or illegal. Acts that may be civil in nature fall within the jurisdiction of the courts. We cannot order a contractor to modify a contract price, return money or pay financial compensation. We cannot enforce liens or judgments against any contractor.

**Important Note: we cannot and do not offer legal advice.** You may have options available to support you:

- File a complaint with Pinellas County Consumer Protection. Consumer Protection will attempt to work with you and the contractor to mediate a fair resolution to a dispute. Learn more here: [Pinellas County Consumer Protection](#).
- For disputes or claims less than \$8,000, you may wish to file an action in small claims court. The court can order reimbursement, but the court cannot collect money damages for you. [Learn more here](#).
- You may wish to consult or engage an attorney to explore other options or remedies. The Florida Bar Lawyer Referral Service (LRS) provides referrals to attorneys who will conduct an initial thirty-minute office consultation at a low cost. [Use this link for more information](#).
- Chapter 558 Florida Statute offers an alternative method to resolve construction disputes that may reduce the need for litigation and protect the rights of property owners in certain construction defect matters. [Learn more here](#).
- Read your contractor's contract. An agreement to submit a dispute to arbitration is valid, irrevocable and enforceable. There are arbitrators who work solely in the area of construction disputes. [Read this valuable resource here](#).
- If your claim is related to the quality of work, you may wish to obtain an evaluation or report from a third-party construction expert.

- Make a claim with the Construction Industry Licensing Board and the Florida Homeowners' Construction Recovery Fund. The fund is a last resort. You must have obtained a final judgment from a Florida civil or criminal court or a restitution order. There may be other conditions. [Click here for information.](#)

### **What We Can Do**

Our jurisdiction is limited to certain prohibited activities prescribed in state statutes or county ordinances that regulate a contractor in his/her profession.

### **Citations**

Violations of construction and/or licensing law may result in a citation against the contractor. Violations may include:

- Working without a building permit
- Not properly closing or "finaling" a building permit or allowing the permit to expire
- Getting a permit after starting work (an after-the-fact permit)
- Advertising without license number
- Vehicle without license number
- Subcontracting work to unlicensed subcontractors
- Assisting others in the practice of unlicensed contracting
- Other violations under 75-489 Florida Statutes, 489 Florida Statutes, and Pinellas County Municipal Code Chapter 22

Most violations are first degree misdemeanors. A first-time offense fine starts at \$500.00 per incident.

### **Disciplinary Action**

The following acts may constitute cause for disciplinary action:

- Obtaining a certificate or registration (license) by fraud or misrepresentation
- Being convicted or found guilty of a crime related to the practice of contracting
- Willfully or deliberately disregarding building codes or laws
- Committing mismanagement or misconduct that causes financial harm to a consumer, including:
  - Improper release of liens
  - Abandonment of work if the contractor refuses to perform any work or terminates the project without just cause or without proper notification to the owner for 90 consecutive days
  - Accepting a down payment of more than 10% of the contract price, not applying for permits within 30 days of acceptance of payment, and/or not starting work within 90 days of the last date all permits were issued
  - Abandoning work and the percentage of completion is less than the percentage of the total contract price paid at the time of abandonment (unless the contractor is entitled to retain such funds under the terms of the contract)
  - Committing mismanagement or misconduct that causes a customer to pay more than the original contract price as adjusted for subsequent change orders unless the increase was a result of circumstances beyond the control of the contractor, was the result of circumstances caused by the customer, or was otherwise permitted by the terms of the contract
- Other violations of licensing, state, or municipal law.

Your complaint will not automatically result in a disciplinary hearing before the Board. A series of similar complaints against a contractor will result in a disciplinary hearing before the Board.

Sanctions against a contractor after hearing by the Board may include additional fines and/or suspension or revocation of his/her certificate or registration.

## **What to Expect**

Once your complaint is received, it will be entered into our information system and assigned to an investigator. If additional information is required, someone may reach out to you. You may not hear from an investigator and we may choose not to share the investigator's name with you. We do not encourage direct contact with our investigators.

Investigations differ in complexity and duration due to a variety of factors. We are unable to provide an estimate of how long it will take to complete our investigation.

### **If your complaint is against a licensed contractor**

If the submitted evidence supports the issuance of citations, these will be sent directly to the contractor. In many cases no further action is taken against the contractor. A contractor issued a citation can pay the fine or contest the citation by requesting a hearing in front of a Special Magistrate or the Board.

Depending on the nature of the complaint, a copy of your complaint may be sent to the contractor requesting his/her response and advising him/her that the complaint may result in a hearing before the Board. A notice sent to a contractor does not mean that a hearing before the Board will be automatically scheduled.

After notice to the contractor and evaluation of his/her response, the investigator may recommend the complaint be reviewed at a meeting of the Probable Cause Committee. The role of this committee is to decide if there is probable cause to pursue additional sanctions against the contractor. If probable cause is found, the contractor will be notified to appear for an informal hearing before the Board.

You will be notified if a hearing is to be held. You are not required to attend. If you wish to speak at a hearing, your comments will be limited to three (3) minutes offered for all public comment.

### **If your complaint is against an unlicensed person/company**

Citations will be issued for violations of licensing laws. An unlicensed person issued a citation can pay the fine or contest the citation by requesting a hearing in front of a Special Magistrate. It is rare but in some circumstances you may be asked to testify at a hearing.

## **Filing A Complaint**

Fill out this form and submit it by mail or in person with all supporting documentation to the **Pinellas County Construction Licensing Board, 7887 Bryan Dairy Road, Suite 133, Largo, FL 33777**. You may submit this form via email together with scanned attachments to [pcclb@pinellas.gov](mailto:pcclb@pinellas.gov) with the Subject: CONTRACTOR COMPLAINT. Supporting documentation must be attached to your email. (Do NOT send supporting documents separately.)

Please fill out all areas of the form which apply to your complaint. If you do not have enough space to describe your complaint, please use an additional sheet.

Any investigation will rely upon the information you provide. **All allegations and supporting documentation MUST be provided at the time you file the complaint. If you do not provide copies of supporting documents, it will delay the handling of your complaint.** We may reject incomplete complaints or complaints without supporting documentation. Please send legible copies. Originals will not be returned.

Supporting documentation includes but is not limited to:

- Contracts/estimates/proposal
- Change orders
- Proof of payment (front and back of checks)

- Warranty Correspondence
- Building permit(s)
- Liens
- Advertising (business card provided, etc.) and explanation of where and when obtained
- Photographs (if labeled, please label on the front) or scanned photos with date, time and location information

All information provided in this complaint, including supporting documentation, is public record under the Florida Public Records Law. Please cross out any account numbers or social security numbers before submitting.

**Complainant Contact Info**

Name  
 Address City State Zip  
 Email address Daytime Phone Number  
 I am a:  
     Homeowner Contractor  
     Commercial Building Owner Subcontractor  
     Building Department Supplier  
     Investor or Rental Property Owner Other

**Private Attorney for Complainant (if applicable)**

Attorney Name Company  
 Mailing Address City State Zip  
 Email address Daytime Phone Number

**Subject of Complaint**

Name Company Name  
 Mailing address City State Zip  
 Email address Phone Number  
 License Number (if known)  
 How did you learn about this person/company?

**Requested Resolution**

What is your requested outcome from this complaint?

Have you filed a civil suit against the contractor? Yes No  
 If yes, please include County and Case Number

**Work Site Address**

Property Address  
 City State Zip County  
 Type of Building  
     Residential  
     Condo/Townhome  
     Mobile Home  
     Commercial Property

**Complaint Questions**

Select the category/categories that best summarizes/summarize the work the contractor did for you or that you were involved in:

- |   |   |
|---|---|
| Built house                             | Built commercial structure                      |
| Remodel or built addition to house      | Remodel or addition to commercial structure     |
| Air-conditioning or heating residential | Air-conditioning or heating commercial property |
| Reroof or roof repair                   | Commercial roof work                            |
| Built or repaired residential pool      | Built or repaired commercial pool               |
| Electrical work                         |   |
| Plumbing work                           |   |
| Other                                   |   |

Please select the categories below that best describe your basic complaint:

- No permit
- Expired permit
- Contractor abandoned job
- Job finished, but contractor will not correct problems
- Roof leaks, contractor will not repair
- Contractor failed to pay subcontractors/suppliers
- Poor workmanship

Contractor taking unreasonably long time to do the job  
 Other

Have you file, or are you planning to file, a complaint with any other agencies?

Pinellas County Sheriff's Office	Have filed	Will file
Pinellas County Consumer Protection	Have filed	Will file
Florida DBPR (State certified contractors)	Have filed	Will file
Other	Have filed	Will file

**Building Code Compliance**

Was a permit required for the work? Yes No Don't Know  
 If required, was a building permit obtained? Yes No Don't Know  
 If yes, what is the name of the building department  
 Permit Number Date Issued  
 Who pulled the permit?  
 Was the permit obtained on time? Yes No Don't Know  
 Have there been any inspections of the work performed? Yes No Don't Know  
 If yes, what were the results?  
 Has a final inspection been passed by the building department? Yes No Don't Know  
 If not, why?  
 Did the permit expire without an approved final inspection? Yes No Don't Know  
 If so, when?

**Contract Information**

Was your contract: Written Oral Both  
 What was your contract price?  
 What was the contract execution date?  
 Where there any change orders? Yes No  
 If yes, were they Written Oral Both  
 Per the contract: What was the work start date?  
 What was the work end date?  
 What work was to be performed under the terms of the contract?

Is there a warranty for materials and/or labor? Yes No  
 If yes, please list the warranty begin date and the length of the warranty  
 Materials  
 Labor

At the time you entered into the contract, did you believe the person was a licensed contractor? Yes No  
 What was said, done, written, or shown to you to cause you to believe they were licensed?

**Financial Information**

What is the total amount paid to the contractor to date?  
 If you made payments, please list who receive the payments, the date each payment was made, the amounts pad and the form of payment (cash, check, credit cards, transfer, etc) (Use space top of next page.)

Is there a balance unpaid?      Yes      No      If yes, how much?  
Have any liens been filed?      Yes      No      If yes, by whom and for how much?

Have you paid subcontractors or suppliers directly?      Yes      No  
If yes, please explain why, to whom, the amount, when paid and the service(s) performed:

Are there now unpaid bills owed to subcontractors or suppliers that the contractor should have paid?      Yes      No  
If yes, to whom and how much?

Did the contractor sign any statements to the effect that all bills have been paid?      Yes      No

Has the contractor refunded any money to you?      Yes      No  
If yes, how much?

**Workmanship Questions**

Was work begun by the contractor?      Yes      No  
When was the last time the contractor and/or subcontractor(s) performed work on the jobsite?  
Explain why you are dissatisfied with the job.

Have you had any discussion with the contractor since the last date of work?      Yes      No  
If yes, what was said? If no, what attempts have you made to contact the contractor regarding the issues?

If yes, has the contractor offered to make repairs?      Yes      No  
Has the contractor made attempts to make repairs?      Yes      No  
If yes, how many times?

Have you had any other licensed contractor, architect or engineer inspect the work?      Yes      No  
Please provide details. Use another sheet if required.

Did you fire the contractor?      Yes      No  
If yes, when and how? (Letter? Phone? Email?)

Would the contractor be allowed to return to finish work or do repairs?      Yes      No  
Has the job now been completed by you or another contractor?      Yes      No

**Use this space to give full details of your complaint. Include facts, details and dates.**  
Use another page if required.

**Attestation Statement Requires Signature of Applicant**

I hereby affirm that the information I have given is true and complete to the best of my knowledge.

Complainant Sign Here

Date