

**OHIO CONSTRUCTION INDUSTRY
LICENSING BOARD
COMPLAINT PROCESS**

COMPLAINT PROCEDURE

By filing a complaint, you can protect Ohioans and possibly prevent future violations.

The Construction Licensing Board may have authority over residential contractors. If you have a complaint against a residential contractor in addition to filing this complaint, please contact your local Building Department and/or the Consumer Protection Section of the Ohio Attorney General's Office at 1-800-282-0515.

Any action seeking to recover damages or to interpret, enforce or cancel a contract must be initiated in either your local common pleas court or municipal court depending on the monetary amount in dispute.

COMPLAINT PROCESS

FILING THE COMPLAINT

- Complaints are accepted against licensed specialty contractors and unlicensed specialty contractors.
- Complaints must be in writing and signed by the complainant.
- You may submit a complaint form to the Construction Licensing Board by filling out the following complaint form, attaching copies of all relevant documents and mailing it to the Construction Licensing Board. You may write or call the Construction Licensing Board to receive a complaint form.
- You will be notified that the Construction Licensing Board has received your complaint.
- Once a complaint is determined to be within the jurisdiction of the Construction Licensing Board, you will be notified of the outcome of the investigation.

THE INVESTIGATION

Once an investigation begins, both parties may be contacted to discuss the complaint. If the investigation establishes a violation of the licensing laws, formal charges will be brought against a licensee. If the investigation establishes sufficient evidence that a person is acting as an unlicensed commercial specialty contractor, the Construction Licensing Board may institute a civil action to enjoin the unlicensed contractor.

THE FORMAL HEARING

Following an investigation that shows sufficient evidence of a violation, the Construction Licensing Board will recommend that charges be brought against a licensee. A formal hearing will then be scheduled.

- The Construction Licensing Board will notify the complainant and the licensee of the hearing date, time and location.
- The Construction Licensing Board will notify the licensee of the specific charges and alleged violations of license law and the supporting facts.
- The licensee has a right to legal counsel and may have subpoenas issued to witnesses to testify on the licensee's behalf.
- **The Hearing:** The hearing examiner (an attorney) presides; witnesses are sworn in; testimony is heard; documents may be offered as evidence and witnesses testify and may be cross-examined. The complainant may be called as a witness to testify.
- **Conclusion:** After the formal hearing is concluded, the hearing examiner files a "Report of Findings of Fact and Conclusions of Law" (R&R) with the Construction Licensing Board, the licensee and the complainant. The licensee may dispute the hearing examiner's report. **Objections must be submitted in writing, within 10 days upon receipt of the report.**

REVIEW OF THE R&R

The appropriate section of the Construction Licensing Board meets to review hearing examiner reports. Upon request, the complainant and licensee may appear at one of these meetings and present testimony. The specialty section will decide whether to adopt, modify or reject the hearing examiner's "Report of Findings of Fact and Conclusions of Law."

Should the specialty section find that the licensee violated license law, disciplinary sanctions will be ordered against that individual. Possible sanctions include monetary fine, additional continuing education, license suspension for a specified period of time, or license revocation. An adversely affected licensee may appeal the order to a Court of Common Pleas.

POINTS TO REMEMBER

- The Construction Licensing Board only accepts written and signed complaints on the following standard complaint form.
- The complaint form must be filled out in its entirety. Copies (NOT originals) of all relevant transaction documents (i.e., contracts, advertisements) should be included when filing a complaint.
- The Construction Licensing Board will notify the complainant of its planned course of action.
- An investigation initiated by the Construction Licensing Board does not automatically assume that a violation of license law has occurred.
- The Construction Licensing Board cannot give legal advice or act as attorney for any party. It cannot order monies paid or refunded, or contracts cancelled or enforced. If you have these types of problems, you should consult your personal attorney.
- The investigation process alone may take many months to complete.