



April 15, 2023

An Act to Protect Consumers by Licensing Home Building Contractors

RE: LD 1226 HP 0801 " An Act to Protect Consumers by Licensing Home Building Contractors"

Senator Curry, Representative Gere and Members of the Committee,

I am Carl Chretien a residential contractor in southern Maine, member of the Home Builders and Remodelers Association here in Maine as well as a State Rep at the National Association of Home Builders in Washington DC and a member of the Technical Codes and Standards boards representing myself.

As this bill has a fiscal note in which members of the new board will get a per diem I don't see this bill making it into law with financial state we are in with the budget. If the sponsor would consider an amendment to remove that then maybe it will pass the finish line.

I have been testifying to this topic since 2003. This was back when Nancy Green was on the BRED committee and thru all of the name changes since then.

While no one wants additional regulations it's time to start thinking about how we get contractors to the table to get the education that is needed today. Now that MUBEC has updated the energy code to the 2021 IECC and there is a bill LD 1232 that addresses another reason this is becoming an urgent item.

As we build houses tighter the need for contractors to understand the additional work that is needed to make homes healthier except that this is a low priority for code officials to inspect for.

I do work for attorneys that represent homeowners who have contract disputes and have no real way of getting this resolved. The cost to litigate often exceeds the damage that the homeowners can recover. One case they settled in was half of the money lost, and the agreement was to be paid back over 60 months as the contractor was out of business and was working for another contractor. As this person didn't own real estate the court couldn't attach a writ to any property to ensure the damages were paid.

Another case the contractor didn't show up for the damages hearing, was awarded all of the damages except this person is in the wind and has no property in this state so no attachment can be made to any real estate.

The other issue is that very few contractors have contracts that meet this [Title 10, §1487: Home construction contracts](#).

This creates problems as homeowners don't know what re-course they have and unless the issue is so severe the AG's office can't step in to help as they have limited resources. While many believe code issues are why we need this its more about the fact many contractors don't know there cost of doing business is and don't charge enough to cover these costs.

As a Sub S corporation and having no employees we still have to pay unemployment, workers comp and no family leave pay of which we can't collect any of the above. These are costs that are passed on to our clients as a cost of doing business. It is understood that this will raise the cost of work, it will be cost saving for the homeowner if their contractor can cover all their obligations and not going from one customer to another to get collect money to pay off a job they underquoted.

I believe that this may require a working group to sift thru all of the issues and get consensus from all effected parties.

Sincerely,

Carl M Chretien

President