

Side-by Side of Connecticut and Rhode Island General Contractor Registration Laws

Provisions	Connecticut	Rhode Island
Citations	Home Improvement Act (Conn. Gen. Stat. §§20-418 to 20-433)	RI Gen. Laws §§5-65-1 to 5-65-27 , 440-RICR-10-00-1 and 440-RICR-10-00-2
Licensure and Registration		
Type of licensure/ registration:	Certificate of registration (§20-420)	Certificate of registration (§5-65-3)
Oversight agency:	Department of Consumer Protection (§20-419)	State Building Office, Contractors’ Registration and Licensing Board (§5-65-14)
Definition of “contractor”:	<u>Home improvement contractor</u> – any person who owns and operates a home improvement business or a person who undertakes, offers to undertake or agrees to perform any home improvement and for whom the total price of all home improvement contracts exceeds \$1,000 during any 12-month period. “Home improvement” includes, but is not limited to, the repair, replacement, remodeling, alteration, conversion, modernization, improvement, rehabilitation or sandblasting of, or addition to any land or building or that portion thereof which is used or designed to be used as a private residence, dwelling place or residential rental property, or the construction, replacement, installation or improvement of driveways, swimming pools, porches, garages, roofs, siding, insulation, sunrooms, flooring, patios, landscaping, fences, doors and windows, waterproofing, water, fire or storm restoration or mold remediation in connection with such land or building or that portion thereof which is used or designed to be used as a private residence, dwelling place or residential rental property or the removal or replacement of a residential underground heating oil storage tank system exceeding \$200. (§20-419)	<u>Contractor</u> - a person who, in the pursuit of an independent business, undertakes or offers to undertake or submits a bid, or for compensation and with or without the intent to sell the structure arranges to construct, alter, repair, improve, move over public highways, roads, or streets or demolish a structure or to perform any work in connection with the construction, alteration, repair, improvement, moving over public highways, roads, or streets or demolition of a structure, and the appurtenances thereto. (§5-65-1)
Registration of subcontractors:	Not specified.	The following subcontractors who are not employees of a registered contractor must obtain a registration certificate prior to conducting any work: (1) Carpenters, including finish carpenters and framers; (2) Siding installers; (3) Roofers; (4) Foundation installers, including concrete installers and form installers; (5) Drywall installers; (6) Plasterers; (7) Insulation installers; (8) Ceramic tile installers; (9) Floor covering installers; (10) Swimming pool installers, both above

Side-by Side of Connecticut and Rhode Island General Contractor Registration Laws

Provisions	Connecticut	Rhode Island
		ground and in ground; (11) Masons, including chimney installers, fireplace installers, and general masonry erectors. (§5-65-3)
Registration terms and fees:	\$220 for initial registration and renewal; must renew annually (Department of Consumer Protection website)	\$200 for initial registration and renewal; registrations are valid for 2 years from the date of issuance (§5-65-8 and §5-65-9)
Registration display requirements:	Contractor’s registration number must be displayed in all advertising , including business cards, display ads, television and newspaper ads and vehicles. (Department of Consumer Protection, Home Improvement and New Home Construction in Connecticut (Manual for Contractors))	Contractor’s registration number must be displayed in a conspicuous manner on all forms of advertising , including but not limited to newsprint classified advertising, newsprint display advertising, pamphlets, telephone directory space ads, online ads, website ads, social media ads, business vehicles and display ads. (440-RICR-10-00-1.6.3)
Continuing education requirements:	A contractor that performs removal or replacement of any residential underground heating oil tank system must provide evidence that the contractor has completed a hazardous material training program approved by the Department of Energy and Environmental Protection (§20-420)	As a condition of initial registration, each applicant must provide evidence of completion of 5 credit hours of education prior to obtaining a registration. The 5 hours of pre-registration credits must be completed within the 24 months prior to applying for a registration and must have been completed in person, not online. The 5 pre-registration credit hours must include: <ul style="list-style-type: none"> • 1 credit hour of Board-approved education covering Construction Codes and Standards; • 1 credit hour of Board-approved education covering Contracts; • 1 credit hour of Board-approved education covering Business Principles and Practices; and • 1 credit hour of Board-approved education related to the practice of construction and other topics related to the applicant’s business, including but not limited to: land use, development, planning and zoning, resource conservation or estimating. (§5-65-5 and 440 RICR-10-00-2.8) <p>As condition of registration renewal, registrants must complete 5 hours of approved continuing education courses with an approved provider during each 2-year registration cycle. These courses must be related to the practices of construction or other topics related to the nature of the registrant’s business. (§5-65-5 and 440 RICR-10-00-2.8)</p>

Side-by Side of Connecticut and Rhode Island General Contractor Registration Laws

Provisions	Connecticut	Rhode Island
Insurance requirements:	A contractor that performs removal or replacement of any residential underground heating oil tank system must provide evidence of liability insurance coverage of \$1 million. (§20-420)	A contractor must have in effect public liability and property damage insurance in not less than \$500,000 combined single limit, bodily injury and property damage and workers' compensation insurance (if applicable). (§5-65-7)
Oversight and Enforcement		
Enforcement powers of oversight agency (revocation of registration):	<p>After notice and opportunity for a hearing, the commissioner may revoke, suspend or refuse to issue or renew any certificate of registration or place a registrant on probation or issue a letter of reprimand for:</p> <ul style="list-style-type: none"> (1) conduct of a character likely to mislead, deceive or defraud the public or the commissioner; (2) engaging in any untruthful or misleading advertising; (3) failing to reimburse the guaranty fund for any moneys paid to an owner; (4) unfair or deceptive business practices; or (5) violation of any of the provisions of the general statutes or regulations relating to home improvements. (§20-423 and §20-426) 	<p>The board or office may revoke, suspend, or refuse to issue, reinstate, or reissue a certificate of registration if the board or office determines, after notice and opportunity for a hearing:</p> <ul style="list-style-type: none"> (1) That the registrant or applicant has violated §5-65-3. (2) That the required insurance is not currently in effect. (3) That the registrant, licensee, or applicant has engaged in conduct as a contractor that is dishonest or fraudulent that the board finds injurious to the welfare of the public. (4) That the registrant has violated a rule or order of the board. (5) That the registrant has knowingly assisted an unregistered person to act in violation of this chapter. (6) That a lien was filed on a structure because the registrant or applicant wrongfully failed to perform a contractual duty to pay money to the person claiming the lien. (7) That the registrant has substantially violated state or local building codes. (8) That the registrant has made false or fraudulent statements on his or her application. (9) That a registrant has engaged in repeated acts in violation of the statute and the board's rules and regulations inclusive of substandard workmanship and any misuse of registration. (10) The board may take disciplinary action against a contractor who performed work, or arranged to perform work, while the registration was suspended, invalidated, or revoked. (11) That the registrant breached a contract. (12) That the registrant performed negligent and/or improper work. (13) That the registrant has advertised with a license number instead of using a registration number.

Side-by Side of Connecticut and Rhode Island General Contractor Registration Laws

Provisions	Connecticut	Rhode Island
		<p>(14) That the registrant has failed to complete a project(s) for construction or willfully failed to comply with the terms of a contract or written warranty.</p> <p>(15) That the registrant has misrepresented his or her registration status as valid when the registration was suspended, revoked, invalidated, inactive, or unregistered as required by the board.</p> <p>(16) That the registrant has failed to pay a fine or comply with any order issued by the board.</p> <p>(17) That the registrant has failed to obtain or maintain the required continuing education/units required by the board, or failed to sign the statement required by the board for registration or renewal.</p> <p>(18) When a violation for hiring a nonregistered contractor, working as a nonregistered contractor, or not maintaining the insurance required is issued, the registration may become invalidated until the violation is resolved or hearing is requested on this offense.</p> <p>(19) That the registrant has violated any of the provisions of certain labor laws specified in statute. (§5-65-10)</p>
<p>Enforcement powers of oversight agency (bonds):</p>	<p>The commissioner may require the posting of a bond as a condition for the issuance, renewal or reinstatement of a certificate of registration for any of the reasons stated in §20-426 after notice and opportunity for a hearing. (§20-422 and §20-426)</p>	<p>The board may require any contractor who has had action taken against his/her registration to obtain a bond not to exceed \$30,000. (§5-65-16)</p>
<p>Enforcement powers of oversight agency (investigations and hearings)</p>	<p>The commissioner may conduct investigations and hold hearings on any matter under the provisions of the Act. The commissioner may issue subpoenas, administer oaths, compel testimony and order the production of books, records and documents. If any person refuses to appear, to testify or to produce any book, record, paper or document when so ordered, upon application of the commissioner, a judge of the Superior Court may make such order as may be appropriate to aid in the enforcement of this section. (§20-424)</p>	<p>The board may investigate the activities of any person engaged in the building and construction industry to determine compliance with the statute. The board has the power to administer oaths; issue notices and subpoenas in the name of the board; compel the attendance of witnesses and the production of evidence; hold hearings and perform any other acts that are reasonably necessary to carry out its duties under this chapter. If any person fails to comply with a subpoena or refuses to testify on matters on which the person may be lawfully interrogated, the board may compel obedience. (§5-65-16)</p>
<p>Enforcement powers of oversight agency (injunctions)</p>	<p>The Attorney General, at the request of the commissioner, is authorized to apply in the name of the state of Connecticut to the Superior Court for an order temporarily or permanently restraining and enjoining any person from violating any provision of the Act. (§20-424)</p>	<p>When it appears to the board that a person has engaged in, or is engaging in, any act, practice, or transaction that violates the provisions of the statute, the board may direct the Attorney General to apply to the court for an injunction restraining the person from violating the provisions of this chapter. (§5-65-10)</p>

Side-by Side of Connecticut and Rhode Island General Contractor Registration Laws

Provisions	Connecticut	Rhode Island
Prohibited acts:	<p>(1) Presenting or attempting to present, as a person’s own, the certificate of another person, (2) knowingly giving false evidence of a material nature to the commissioner for the purpose of procuring a certificate, (3) representing himself or herself falsely as, or impersonating, a registered home improvement contractor, (4) using or attempting to use a certificate which has expired or which has been suspended or revoked, (5) offering to make or make any home improvement without having a current certificate of registration, (6) representing in any manner that a person's registration constitutes an endorsement of the quality of a person's workmanship or of a person's competency by the commissioner, (7) employing or allowing any person to act as a salesman on such person's behalf unless such person is registered as a home improvement salesman, or (8) failing to refund the amount paid for a home improvement within 10 days of a written request mailed or delivered to the contractor's last-known address, if no substantial portion of the contracted work has been performed at the time of the request and more than 30 days has elapsed since the starting date specified in the written contract, or more than 30 days has elapsed since the date of the contract if the contract does not specify a starting date. (§20-427(b))</p>	<p><i>Included with Criminal penalties below</i></p>
Discipline and Penalties		
Criminal penalties:	<p>A violation of any provision in §20-427(b), except subdivision (8), is a class B misdemeanor. (§20-427(c))</p> <p>A violation of subdivision (8) of §20-427(b) is a class B misdemeanor if the home improvement that is offered or made has a total cash price of \$10,000 or less and a class A misdemeanor if the home improvement that is offered or made has a total cash price of more than \$10,000. (§20-427(c))</p> <p>If the court determines that a contractor cannot fully repay his victims within the period of probation established, the</p>	<p>Any person who fails to register as a contractor as adjudged in a final order issued by the board, upon proper written notification, is deemed guilty of a misdemeanor and, upon conviction, will be imprisoned for a term not exceeding 1 year, fined not more than \$1,000, or both, for a first or second offense. A third or subsequent violation is to be deemed a felony and, upon conviction, the violator will be imprisoned for a term not exceeding 2 years, fined not more than \$2,000, or both.</p> <p>Any person who violates a final order of the board where the monetary total of the order including, but not limited to, the monetary judgment and/or fines, is not more than \$5,000, upon proper written notification, is deemed guilty of a misdemeanor, and, upon</p>

Side-by Side of Connecticut and Rhode Island General Contractor Registration Laws

Provisions	Connecticut	Rhode Island
	<p>court may impose probation for a period of not more than 5 years. (§20-427(c))</p> <p>A violation of any of the provisions of the Act is deemed an unfair or deceptive trade practice. (§20-427(c))</p>	<p>conviction, will be imprisoned for a term not exceeding 1 year, fined not more than \$1,000, or both.</p> <p>Any person who violates a final order of the board where the monetary total of the order including, but not limited to, the monetary judgment and/or fines, is \$5,000 or more, upon written notification, is deemed guilty of a felony and, upon conviction, will be imprisoned for a term not exceeding 10 years, fined not more than \$10,000, or both.</p> <p>If a contractor is a repeat offender with violations of 3 or more final orders of the board with respect to 3 separate contracts executed by three 3 separate individuals/aggrieved parties and the violations are filed within a 24-month period, the violation will be prosecuted as a felony and upon conviction the violator will be subject to imprisonment for a term not to exceed 10 years or fined not more than \$10,000. (§5-65-19)</p>
<p>Civil penalties:</p>	<p>The commissioner may, after notice and hearing in accordance with the Uniform Administrative Procedure Act, impose a civil penalty on any person who:</p> <ul style="list-style-type: none"> • Engages in or practices home improvement work without having first obtained a certificate of registration; • Willfully employs person who does not have a certificate of registration; • Willfully and falsely pretends to qualify to engage in or practice or engages in or practices after the expiration of a certificate of registration; or • Violates any of the provisions of the Act or the regulations adopted. <p>Maximum penalty of \$500 for a first violation; maximum penalty of \$750 for a second violation occurring not more than three years after a prior violation; maximum penalty of \$1,500 for a third or subsequent violation of this occurring not more than three years after a prior violation. (§20-427(d))</p>	<p>For each first violation of statute or any rule or regulation promulgated by the board, a fine not to exceed \$5,000 may be imposed after a hearing by the board. After a hearing, the board may impose an additional fine up to but not to exceed the face value of the contract or the actual damages caused by the contractor, whichever is greater</p> <p>For each subsequent violation of statute or of a rule or regulation promulgated by the board, a fine not to exceed \$10,000 may be imposed after a hearing by the board.</p> <p>For the first violation of §5-65-3, which prohibits unregistered contractors from working without a registration, a fine of up to \$5,000 for a first offense and up to \$10,000 for each subsequent offense may be imposed. (§5-65-10)</p>

Side-by Side of Connecticut and Rhode Island General Contractor Registration Laws

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Other punitive provisions:	If a contractor is determined by the commissioner to be in violation of the provisions of §20-420 (registration) or §20-432 (annual payment to Home Improvement Guaranty Fund), the commissioner will notify the Commissioner of Motor Vehicles of the delinquency, and the Commissioner of Motor Vehicles will not issue registration for any commercial motor vehicle owned by the contractor for the next registration period until the Commissioner of Consumer Protection provides notice that the contractor is in compliance. (§20-427a)	N/A
Consumer remedies:	<p><u>Bonds:</u> If the commissioner requires a contractor to post a bond pursuant to §20-422, the bond will run to the state of Connecticut for the use of the state and of any person who may have a cause of action because of the failure of the contractor to comply with the provisions of the Act and any regulation or order adopted and to account for all funds deposited with the contractor. Any person who may be damaged by the failure of a contractor to account for all funds deposited with the contractor may proceed on the bond against the obligor or surety, or both, to recover damages. (§20-426a)</p> <p><u>Home Improvement Guaranty Fund:</u> Registered contractors are required to make annual payments of \$100 to the Home Improvement Guaranty Fund.</p> <p>The Home Improvement Guaranty Fund reimburses consumers who are unable to collect for loss or damages suffered when a registered contractor does not meet their contractual obligations. A consumer must already have a court judgment or restitution order, and the contractor must be determined to be “judgement-proof” (have no money or assets in his or her name) or can no longer be located. Consumers can apply for reimbursements up to \$15,000 within two years of the date of the legal judgement.</p>	<p><u>Claims:</u> Any person having one of the following claims against a contractor may file with the board a statement of the claim:</p> <ul style="list-style-type: none"> • Negligent work • Improper work • Breach of contract or contract disputes • Discharge of a lien <p>All claims filed with the board will be heard by a designated hearing officer, unless either party prior to the administrative hearing, files a civil action on the matter in a state court. Upon receipt of a written notice and a copy of the filed civil complaint, the board will discontinue processing the claim.</p> <p>Upon acceptance of the statement of claim, the board will give notice to the party against whom the claim is made and will initiate proceedings to determine the validity of the claim. If, after investigation, the board determines that a violation of this statute or any rule has occurred, the board will order any action deemed appropriate, including action on the contractor's registration and compensation to the claimant for any damages incurred as the result of the violation or claim.</p> <p>In any action brought by a person, the board may award, in addition to the relief provided, treble damages, reasonable attorney's fees and costs, and any award for service of process costs (up to \$1,000) (§5-65-11, §5-65-12 and §5-65-26)</p>

Side-by Side of Connecticut and Rhode Island General Contractor Registration Laws

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	<p>Judgements or orders obtained in small claims court are not eligible.</p> <p>Before the commissioner may issue any order directing payment out of the Guaranty Fund, the commissioner must first notify the contractor of the consumer’s application for an order directing payment out of the guaranty fund and of the contractor's right to a hearing to contest the disbursement in the event that the contractor has already paid the consumer or is complying with a payment schedule in accordance with a court judgment, order or decree.</p> <p>If the commissioner orders the payment of an amount as a result of a claim against a contractor, the commissioner may, after notice and hearing in accordance with the Uniform Administrative Procedure Act, revoke the registration of the contractor and the contractor will not be eligible to receive a new or renewed registration until the amount is repaid to the Guaranty Fund in full, plus interest; or the commissioner may allow a contractor to receive a new or renewed after the contractor has entered into an agreement to repay the amount in full through periodic payments over a set period of time. (§20-432)</p>	<p><u>Right of Private Action:</u> Any person having a claim against a contractor of the type referred to in §5-65-11, may, in addition to any other common law action or administrative remedy, bring an action under the rules of civil procedure in the superior court of the county in which the complainant resides, or the county where the person against whom the civil complaint is filed resides or has their principal place of business. A civil action filed in court may be instituted in lieu of, or as a supplement to, the board's administrative proceedings and penalties only to the extent that the board's final orders are insufficient to satisfy the claimant's damages.</p> <p>In an action in which the plaintiff prevails, the court may, in addition to any judgment awarded to the plaintiff, require treble damages, reasonable attorney's fees, and the costs of the action to be paid by the defendant. (§5-65-12.1)</p>