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Should roofers and home improvement contractors be licensed in Pennsylvania? [Lancaster Watchdog]



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May 12, 2024

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Monica Laucks talks about what she says is the poorly installed roof of her Ephrata Township home Tuesday, April 23, 2024.

BLAINE SHAHAN | Staff Photographer

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Should roofers and home improvement contractors be licensed in Pennsylvania?

Monica Laucks thinks so. The Ephrata Township woman hired a Salisbury Township roofer in May 2021 to install exterior rooftop insulation and three years later she is embroiled in a lawsuit claiming faulty installation, leaks and damage she believes the roofer caused.

When the business, Dream Exterior LLC, did not respond to the Pennsylvania Attorney General's Bureau of Consumer Protection attempt to mediate the dispute, Laucks, a civil and structural engineer, sued the contractor.

In August, Laucks and her husband, Nathan, sued in Chester County common pleas court, accusing Dream Exterior of violating the state Home Improvement Consumer Protection Act. The couple is seeking an undetermined amount of money to address their roof properly and remedy what they claim is damage. The suit was filed in Chester County because the building materials were purchased there.

Meanwhile, the state Attorney General's office is investigating whether Dream Exterior's business practices violated the state Unfair Trade Practices and Consumer Protection Law and the Home Improvement Consumer Protection Act, according to a suit the state Attorney General filed in Lancaster County common pleas court. The state Attorney General's office sought court enforcement of a subpoena of Dream Exterior documents.

Last month, after a year of not responding to the state subpoena for documents, a Lancaster County judge barred Dream Exterior and its owner, Benjamin Blank, from engaging in home improvement work in the state until the business pays \$205 in state costs and produces the documents.

The state Attorney General's office declined to discuss the matter because the investigation is still ongoing.

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"We cannot comment on any actions currently underway but can say the Bureau of Consumer Protection monitors consumer complaints and evaluates other information it receives to determine (if) follow up action is necessary for a business illegally operating without the requisite registration," the office replied to an LNP | LancasterOnline inquiry. The office said it had received one complaint about Dream Exterior LLC in the last three years.

Blank did not respond to LNP | LancasterOnline email and phone messages left at the business. Nor did John P. Stengel, the attorney listed as his representative in the Chester County matter.

Laucks contacted LNP | LancasterOnline Watchdog because she wanted to share lessons she's learned in her and her husband's ongoing struggle. Most important is that the state does not require home improvement contractors to meet any training or expertise standards, which she says leaves consumers vulnerable.

"The thing I learned in all of this is there is no consumer protection," Laucks said.

Laucks said if a home improvement contractor or roofer says they are licensed and insured, the licensing part is a red flag.





A tarp covers the dormer on the front of Monica Laucks' Ephrata Township home Tuesday, April 23, 2024.

BLAINE SHAHAN | Staff Photographer

Got a complaint about home improvement?

According to the Pennsylvania Office of the Attorney General there were 4,740 complaints made in 2023.

Consumers submit their complaints at www.attorneygeneral.gov/submit-a-complaint/ or the Attorney General's office can mail a complaint form to the consumer or take the complaint over the phone at 1-888-520-6680.

The state Attorney General's Bureau of Consumer Protection will attempt to mediate complaints that fall within its jurisdiction by trying to engage the business in a voluntary mediation process. The mediation process may take one to two months and sometimes may take longer, depending upon the issues involved, the amount of time it takes to gather all the facts and the willingness of the parties to cooperate.

If the business refuses to engage in mediation, a consumer may have to pursue a lawsuit as the Laucks did, because the bureau cannot, by statute, provide private legal representation for individual consumers. If the consumer's issues fall outside the bureau's jurisdiction, it will try to refer the consumer to an agency that has the ability to assist.

Licensed vs. registered

Home improvement contractors are not required to be licensed in Pennsylvania unless they do government work. A contractor, however, must have his or her business registered with the state Attorney General's office, and they must, like all businesses, abide by the state Unfair Trade Practices and Consumer Protection Law.

The registration does not imply endorsement, approval or recommendation of the contractor or his or her competency or skill by the Pennsylvania Office of Attorney General or the state.

Prior to the 2008 state Home Improvement Consumer Protection Act, contractors did not even have to be registered in Pennsylvania. All home improvement contractors must register, with the exception of those performing less than \$5,000 of work in a calendar year and retailers with a net worth of \$50 million.

Plumbers and electricians have to be licensed, but someone working on your roof does not.

Registration tracks a business to ensure it has insurance and is up-to-date on taxes. Licensure typically requires passing an examination or otherwise proving a worker possesses certain skills.

States such as Maryland, Florida and Texas do have requirements for contractors and roofers to be licensed, meaning they have passed an exam or show experience that indicates they have a level of skill. In Maryland, for example, home improvement licenses are overseen by the Maryland Home Improvement Commission. Home improvement work includes alteration, remodeling, repair or replacement of a building or part of a building used as a residence. The Maryland commission also investigates complaints by homeowners, awards monetary damages against licensed contractors, and prosecutes violators of the home improvement law and regulations. The Maryland commission is funded by licensed contractors, who pay a fee when they obtain their home improvement license and each time they renew their license.

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The edge of the roof hangs over the rain gutter at Monica Laucks' Ephrata Township home Tuesday, April 23, 2024.

BLAINE SHAHAN | Staff Photographer

Safeguard yourself

Laucks said after the experience with her roof she finds it difficult to trust contractors for any work. She recommends asking a potential contractor for at least three to five references with addresses and phone numbers. Make sure those references are previous customers who have used the contractor's services.

The Building Industry Association of Lancaster County has a [searchable database of members](#). The association says members agree to a code of ethics in addition to receiving updates to local building codes and attending trade shows for product knowledge.

The [Pennsylvania Builders Association](#) says to be cautious of anyone who tells you that a contract won't be necessary. Insist on a complete and clearly written contract signed by you and the contractor.



Laucks' home

You should also verify that potential contractors are registered with the state Attorney General's office.

"The only way to truly find a decent contractor is by association, meaning a friend or family member makes a recommendation of someone they have used before," Laucks said. "But what if you don't have family or friends in the area? Well, the answer is to keep calling different contractors. I have interviewed many, and I mean many, contractors. It definitely takes some soul searching for a trustworthy contractor, and educating yourself in building codes before I would allow any contractor to perform any work on my home."

She also recommended becoming familiar with the state Home Improvement Consumer Protection Act and taking out a builders risk insurance policy because a regular homeowners insurance policy doesn't cover poor workmanship or code requirement issues.

"Bottom line," Laucks said, "a homeowner would really have to do their homework before hiring anyone. There really isn't any way to determine whether a contractor is overcharging you or is incompetent unless you do your own manual physical research, which most homeowners will not do. Most will take the word of the contractor believing they know what they are doing."

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Here's what you can do to find a home improvement contractor

Monica Laucks, the Pennsylvania Office of the Attorney General and the Pennsylvania Builders Association all offer tips for finding a contractor. The state Office of Attorney General has a free number for consumers to call to get information about contractor registration: 1-888-520-6680. Consumers can also verify that a contractor is registered by visiting [//hicsearch.attorneygeneral.gov/](https://hicsearch.attorneygeneral.gov/).

Here is a list of advice we compiled:

- Don't use a contractor with no experience performing the work you need to have done. The contractor should be able to share references and give examples of workmanship on similar projects.
- Get multiple estimates and make sure the contractor gives you an itemized estimate of all materials and labor, so you know what you are paying for. Educate yourself before the project or before you sign anything with a contractor.
- Always get a written contract before you allow someone to work on your home. Examine the contract carefully. Don't pay a contractor before you read and sign a contract. Verify that the contractor has the minimum insurance coverage of \$50,000 for property damage and \$50,000 for personal injury, which is mandated under state law.
- It is a red flag if the contractor does not inquire whether or not a building permit is required through your local municipality, or if they tell you that you don't need one.
- If there's something in the estimate that doesn't make sense, call your local municipality and check and verify building code requirements. Most times they will reroute you to speak to their inspector.
- Do not rely on a contractor to know if permits are needed and they know building codes. There are currently no state requirements that make a contractor show proof they know what they are doing. Without an inspector, there is no third party guard against cutting corners.
- If you are in the middle of a project and the contractor comes to you asking for more money without providing you a change order or formal estimate, that's a red flag. It's state law a contractor must provide you a written change order, according to the Home Improvement Consumer Protection Act.
- Check local codes or manufacturing requirements when a contractor charges you for parts. They may be unnecessary.
- If the contractor requires subcontractors, such as an electrician or a plumber, ask for their names and check them out too.
- Check the Better Business Bureau at bbb.org for complaints..
- Be sure the contract describes the work to be done and includes starting and completion dates. Make sure you get a signed copy, and make sure all guarantees are in writing and are included in the contract.
- Arrange for the contract to contain a clause requiring the company to clean dirt and debris away from the work area. You have the right to cancel home improvement contracts within three business days, with the exception of contracts for emergency services or repairs. The Home Improvement Consumer Protection Act only permits contractors to request or accept a one-third deposit, plus the cost of "special order materials" when the contract price exceeds \$5,000.
- Inspect the work thoroughly after it's completed. Work that looks good might still have been performed in a shoddy manner. Review the entire project with the contractor. Find

out about any special provisions you should know concerning maintenance of the work. Point out any defects immediately.

- You may be asked to sign a completion certification. Do not do so until all work called for in the contract has been completed to your satisfaction. Be careful not to sign a completion certificate when you sign the original sales order.
- Other red flags to beware of are contractors who approach you with tales of “just being in the neighborhood” or “working on your neighbor’s property” and contractors with out-of-state license plates on their vehicles. Before dealing with them, check to be sure they are registered as home improvement contractors in Pennsylvania. Many out-of-state contractors have registered in Pennsylvania, but there are some who have not and consumers should proceed with caution before dealing with unregistered businesses.

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