

GENERAL GUIDELINES TOWARD A SUCCESSFUL HOME IMPROVEMENT AND CONTRACTING EXPERIENCE

Renovations, repairs and additions to your home involves a detailed process to assure current and future home owners have confidence that a home is safe and sustainable were they can protect their family's quality of life and for most, their largest capital investment. Homes go through many changes as they are bought, sold, repaired, renovated and improved. During these processes of selling, re-financing or purchasing, many creditors and buyers have increased the amount of research required to complete a transaction. Many mortgage lenders, title companies and independent inspectors justly inquire about the status of past home improvements as well as open or incomplete permits attached to the residence of interest. Many residents have found themselves in these compromised situations of negotiation and have indicated various difficulties working with contractors as the culprit. These conditions are often coupled with unworkable time lines as closing dates and unresponsive contractors have other priorities. Florida Law clearly identifies the owner or owners of a property as responsible for the completion of any improvements of which have been permitted or not, even prior to their specific time of ownership.

In an effort to guide our residents through the contracting experience and avoid being stuck with an unfinished renovation or open permit, we are offering these few helpful tips when improving your property either as an Owner or with a licensed Florida contractor.

Referenced "Release of Lien" forms are available online at:
<https://www.royalpalmbeachfl.gov/building/page/building-forms-library>

1. Contact your Community Development Department, (790-5128) to inquire if the work you are proposing will require a Building Permit and keep the name, date and time of the person with whom you speak. You may be requested to provide more detail and or a sketch of your proposed improvement before an accurate permitting determination can be provided. Do not rely solely on the contractor's interpretation of the current Florida Building Codes and specific requirements of a Village of Royal Palm Beach Building Permit. The penalty for starting work without a permit is 4 times the amount of the calculated permit fee!
2. **DO NOT** do business with any contractor which encourages you to not get a permit, or entices you because of costs or savings to obtain your own, "Owner Builder" permit. This as a giant RED FLAG that the person to which you are speaking does not have the proper insurances and or certified competency to legally contract business in the State of Florida and or The Village of Royal Palm Beach. If you contract with such person, we will be unable to assist you should a problem arise. You will also incur significant personal liability if anyone becomes injured on your property. You may also be personally charged in violation of s.489.13, "Unlicensed Contracting".

3. Be suspect of any contractor which pressures you to act immediately, works only with cash and or requires large deposits to hold work.
4. Ask about years of experience and references or pictures of similar work.
5. Require that any contractor submit to you a written proposal and adequate time to review the documents. Proposals should be titled with the exact name of the contractor or business entity you are proposing to do business. Proposals must include the Certified or Registered contractor's complete business name, license number, complete payment schedule, specific products and tasks to be completed and total compensation due at completion.
6. Be cautious of any contractor operating out of simply a Post Office Box.
7. Ask your friends about the contractor you are considering, review social media sources for any available input.
8. Require a copy of a valid current "Village of Royal Palm Beach Occupational Tax Receipt". This should match the contractor's title and scope of work outlined within the proposal and will provide some assurance of required licensure and insurances. You may request of the contractor a copy of Liability and Workers Compensation Insurance.
9. Start a journal and write down questions you want to ask your contractors during consideration of proposals. These endeavors, continued throughout the project are essential to maintaining good communication, timelines and changes with the contractor.
10. Ask if the contractor will be subcontracting work to others and if so to what extent. Request all subcontractor's business entity names. Research and request copies of their competency licenses and insurances.
11. Discuss and document acceptable work hours and or weekend work. Review and discuss timelines for expected milestones and completion dates.
12. Obtain a list of material suppliers to the contractor with contact information.
13. Review the payment schedule to be assured the proposal does not require the contractor receiving payments ahead of the remaining work to become complete. Most reputable contractors have credit established to order materials such as doors and windows. A good guide is to have 20% of the total compensation held to be released at final payment.
14. Familiarize yourself with s.713 "Construction Lien Law" and or consult an attorney. Stipulate the requirement that each Partial payment will be provided only with a signed "Release of Lien" as outlined in s.713.06 d (1), s.713.2 provided by the contractor. This document should specifically identify material suppliers, subcontractors and the scope of work requesting to being paid and released from any lien claims.
15. Save and document any s.713.06 "Notice to Owner" filings which may be received.
16. Only make payments to the EXACT business named on the signed proposal. No personal or "cash" payments.
17. Get commitments to ALL associated tasks to complete the work such as debris removal, grading, landscaping, warranty documents received and reviewed, orientation with operations, replacement or reinstallation of components like

- existing gutters or storm protections, repairs of broken sidewalks. These commitments need to be in writing and added to the proposal prior to signing.
18. Do not commit to any changes to contracts, materials, products, agreements or terms verbally.
 19. Prior to starting work require a copy of your permit and re-verify contractor and any subcontractor information is accurate to your proposal.
 20. Various in-progress inspections are performed throughout the construction process but at a minimum, **ALL PERMITS REQUIRE A FINAL INSPECTION**. These permits are valid for a period of 180 days. From the date of each *approved*, in-progress inspection the permit remains valid 180 days. However, should no in-progress inspection be approved within the initial or subsequent 180 day periods the permit shall expire and become null and void. An owner and or contractor may complete a request, providing just cause and submitting a fee equal to 50% of the original permit fee for a one time only, 180-day extension to the permit. Should an owner and or contractor allow the original permit and extension to expire without an approved final inspection, complete resubmitted documents and fees compliant with current building codes at the time of re-application may be required to complete construction.
 21. Verify the progress and or inspect the work installed such as correct model numbers of components or appliances.
 22. Maintain a friendly and professional relationship throughout the process and don't avoid rewarding good contractors and good work. A cool drink or a quick lunch can go far.
 23. Prior to making final payments contact your Community Development Department, (790-5128) with permit number and ask if your permit has passed all necessary in-progress inspections and has received all required final inspections OR require your contractor provide you an original "Certificate of Completion" from the Community Development Department of Royal Palm Beach.
 24. Prior to releasing any Final payment, require a completed "Final Release of Lien" form identifying the amounts of each payment and totaling the final compensation and scope of project as outlined in s.713.2.

Most contractors perform well, completing their contractual agreements and projects without issue. However, even as workmanship is not covered within the Florida Building Codes should you find yourself with contracting problems, non-performance, abandonment or code violations please contact our office and we will assist you in forwarding your formal complaint to the proper State of Florida Department of Business and Professional Regulation or Palm Beach County Contractors Licensing Division.