

# The Unlicensed Contractor Enforcement Program

## Indian River County / City of Vero Beach

Indian River County Community Development Department  
Building Division

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**No person** shall engage in the business of construction, contracting or subcontracting as regulated by Florida Statutes or in a (any) categories listed in Appendix A to Ordinance No. 94-16 without a valid certificate of competency (local contractors license) issued by the Indian River County Building Department unless certified under Florida Statutes (state certified licensed contractor).

**The hiring of an unlicensed contractor is the direct responsibility of the consumer; thus the consumer is accountable for all outcomes associated with the contractor's work.**

The Contractor Licensing Investigator can inform you whether your contractor is licensed and will investigate any complaints you may have against a contractor. Call (772) 226-1800.

### **WARNING SIGNS OF AN UNLICENSED CONTRACTOR**

#### **CASH UP FRONT:**

Large down payments requested.  
Cash only, no checks.

Remember: A licensed contractor must demonstrate sufficient financial ability to perform the type of work for which the license is specified.

#### **REQUESTS FOR MONEY:**

Many requests for money during early phases of construction.

## **BUILDING PERMIT:**

You are asked to obtain the building permit.

If you obtain the building permit, you will be held responsible for complying with the Florida Building Code and can be held responsible for workers injured on the job.

Remember: An unlicensed contractor can **NOT** obtain the building permit.

Ask to see the permit. Review the permit and make sure that it includes your contractor's name and information. If told no permit is required, **verify** with your local Building Division. Most projects do require a permit.

## **EVENING AND WEEKEND WORK:**

Unlicensed contractors tend to work in the evening and weekends.

Some are employees of a licensed contractor M-F 8:00 – 4:00 and doing illegal side jobs. Often these employees steal from their employers in order to contract. Some are trying to avoid being caught by code enforcement officers. Construction activity is minimal by licensed contractors on the weekends and therefore, they hide from licensed contractors who can identify them.

## **CONTRACTS:**

Unlicensed contractors are unwilling to put all terms in writing. If the unlicensed contractor does provide a contract in writing, it is unenforceable.

**An occupational license is not sufficient to secure a building permit nor does it replace the requirement for a contractor's license.**

## **HAZARDS OF HIRING AN UNLICENSED CONTRACTOR SAFETY:**

Inability to receive inspections by the Indian River County Building Division (in order to apply for a building permit, one must have a valid active contractor's license) Failure to meet Florida Building Code Standards due to lack of inspections.

## **POOR WORKMANSHIP:**

No plan review by Indian River County Plans Examiners

### **COST:**

Leads to costly repairs and corrections that require the services of a licensed contractor.

### **FRAUD:**

Taking of money for jobs that are never started, not completed or are poorly constructed. Ultimately the consumer pays the additional expense for such activities.

### **LIABILITY:**

Consumer is responsible for damages and injuries on the job site.

### **CODE ENFORCEMENT FINES:**

The hiring of unlicensed contractors violates Florida Building Code requirements. This may subject the consumer to fines (minimum \$500.00) and possibility facing an administrative hearing before the Code Enforcement Board.

### **FAQ...**

#### **What is a contractor?**

The person who is qualified for, and shall only be responsible for, the project contracted for and means, except as exempted, the person who, for compensation, undertakes to, submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure.

#### **Who is a Licensed Contractor?**

One who has satisfied the local jurisdiction and state with the educational, financial ability, business and experience requirements for such license.

One who maintains the required liability and workers compensation insurance coverage.

One who provides and updates the local jurisdiction with proof of such insurance coverage and changes.

### **Who is an Unlicensed Contractor?**

One who has failed to satisfy ANY of the above requirements.

### **Who is an employee?**

A person who receives compensation from and is under the supervision and control of an employer who regularly deducts the F.I.C.A. and withholding tax and provides workers' compensation, all as prescribed by law. This person may work for a licensed contractor.

### **Who is an independent contractor?**

The person contracting, subcontracting or hired by a contractor who is not an employee. As a hired contractor, that contractor would receive tax form 1099 at the end of the year for all work performed. This person would be required to have a contractor's license.

A Florida State Certified Contractor is required to exhibit to the local Indian River County Building Official such state certificate prior to engaging in contracting in Indian River County or the City of Vero Beach.

It is unlawful for any person to advertise or hold himself out to the public as a person engaged in a business regulated unless that person has a valid certificate of competency (local contractors license) or state certification (license).

Homeowners of an owner-occupied single-family residence may elect exemption from the contractor licensing requirements if they perform the work themselves, have employees (as defined above) performing the work under direct onsite supervision of the owner or hire a licensed contractor for that field of contracting. This privilege does not convey an exemption from obtaining a permit and paying the required fees.

A permit shall be obtained from the building official before doing any work or construction of any character, whether permanent or temporary, when a permit is required. Many replacement items such as fences, roofs, HVAC systems, etc. require a building permit.