

City Talk for March 8, 2023
Community Development Department
Steve Mertes, Community Development Director

Tips when hiring a contractor

Although she has many options, my mom chooses to live alone within the house I and my three sisters grew up in back in the Midwest. It is an older home in an actively changing neighborhood of half-acre lots. Last month, my mom answered the door to a gentleman who told her that he was a contractor working in the area, and had seen that there were some issues with the concrete driveway and front stairs that he and his crew could fix for a nominal fee. Despite the fact that the cracks he was referring to are not structural and have been there for many years, my mom agreed to pay him his stated fee and also allowed him into the house “to make sure that there weren’t other dangerous issues with the house.” While this man was leading my mom through her house, pointing out “defects” that he and his crew could fix for her, his cohorts were scrounging in her garage. Later, it was found that a sliding glass door, one my mom never uses, was found unlocked, and the police are investigating.

While this could happen anywhere, it did make me think how in Arizona the state, through its legislation and the Arizona Registrar of Contractors, helps to combat the practice of work being done by unlicensed and uninsured contractors, and helps homeowners navigate the details of the contract like how much and when they have to pay. However, it typically only works when people are aware of, and implement, the requirements.

For starters, people should know that in Arizona Revised Statutes (ARS) Title 32, state law requires, in part, that if a person or entity is being hired to perform work on their property, and said work would require a permit from the municipality, or costs the homeowner more than \$1,000, regardless of whether a permit is required, then that person or entity must be a licensed (registered) contractor and have an Registrar of Contractor (R.O.C.) number. Additionally, the law not only requires a contract be made between the parties, but requires what has to be in the contract. Some of the required language includes full contractor information, an estimated date of completion, a detailed description of the work to be performed, the total amount to be paid and the schedule of payments. The law also allows the resident to cancel the contract within four days of signing, prohibits the contractor from asking for more than 50% of the contract cost for a down payment, and prohibits any changes, additions or deletions from the scope of work without a signed change order from the resident.

Another facet of Title 32 is that it requires contractors to follow the laws and regulations of the municipality in which they are working, including the requirement to obtain a permit when required by the municipality. This action provides the homeowner with the insurance and comfort of knowing that the work being performed will be overseen by the city of Sedona through not one, but two separate processes. The first is the plan review process that involves the review of submitted plans and documentation to verify code compliance of the work as proposed. The second is the inspection process where the City Inspector will visit the job site prior to the covering or encapsulation of each segment of the work.

Sedona is fortunate in that we have some very good contractors with a long history of proudly serving our area, who have a well-earned rapport with our Department and who know and follow the rules. However, there are always going to be those that at best, are not as experienced or knowledgeable in their craft as others, and at worst, are looking to prey on the unsuspecting. So please: protect yourself by knowing the state laws, and making sure you hire a licensed/registered contractor when the proposed work has a cost of more than \$1,000 or if a permit for such work is required by the city. And remember, make sure you get a permit if one is required. It is not only the law, but it provides you with the assurance that the city will be there to verify that the work will be done to code and be safe. For more information on Title 32 and the R.O.C., review their website at www.roc.az.gov. You may also contact the Community Development Department’s building safety team at (928) 282-1154 or view the city website at www.sedonaaz.gov.