



State of Oklahoma

Construction Industries Board

December 15, 2010

Complaints Under the Roofing Contractors Registration Act

Any person may file a complaint with the Construction Industries Board (CIB) alleging the commission of any of the following acts or omissions:

- ◆ Abandonment of a roofing contract without legal excuse after a deposit of money or other consideration has been paid;
- ◆ Diversion of funds or property entrusted to a roofing contractor;
- ◆ Engaging in any fraudulent or deceptive acts or practices or misrepresentation of products, services or qualifications as a roofing contractor;
- ◆ Making a false or misleading statement in an application for roofing contractor registration or renewal application or in soliciting a contract for roofing services;
- ◆ Adjudication against the roofing contractor by a court of competent jurisdiction for a violation of the provisions of this act;
- ◆ Engaging in work without a valid registration as required for roofing contractors pursuant to this act or performing roofing services during any period when the roofing contractor's registration is denied, suspended or revoked;
- ◆ Engaging in roofing services without obtaining a proper permit as may be required by any state or local authority;
- ◆ Failure to comply with any tax laws authorized by the state or any of its political subdivisions;
- ◆ Damaging or injuring persons or property while performing roofing services under a valid roofing contractor registration for which the roofing contractor's liability insurance or workers compensation coverage was inadequate; or
- ◆ Failure to comply with a specified provision of this act.

The complaint must be on a form approved by the CIB and shall set forth the alleged act or omission stated in subsection A of this section, and a statement of sufficient facts upon which a reasonable person could conclude that the act or omission specified in subsection A of this section has been committed. All complaints filed with the registrar shall be open to public inspection. Nothing in this section shall be construed to require the complainant to first file a complaint with the registrar before seeking relief or remedies allowed by law.

Complaints received by the CIB shall be referred to the district attorney for appropriate disposition as determined by the district attorney, in his or her discretion.

The registrar shall read each complaint received and shall enter a notation in the individual roofing contractor's record showing the date that the verified complaint was received and the nature of the complaint. The registrar shall notify the roofing contractor against whom the complaint is made, in writing, within five (5) days of the receipt of the written complaint. The roofing contractor shall have ten (10) days to respond, in writing, to the registrar. If a response to the complaint is received by the registrar, whether admitting or denying the basis of the complaint, a copy of both the complaint and the response shall be referred to the district attorney. If no response is received, the complaint shall still be referred to the district attorney. In addition, the registrar shall enter a notation in the individual roofing contractor's record showing the date that the roofing contractor's response was received, if any, and whether the response admitted or denied the basis of the complaint.

Following referral of a complaint to the district attorney, if the roofing contractor is adjudicated by the court for an act or omission specified above, or upon a conviction for any violation of the provisions of this act, the registrar, when ordered by the court, shall suspend, revoke or deny the roofing contractor's registration for the period of time specified by the court, and if the court orders the registration suspended, revoked or denied, and yet fails to set the term of such suspension, revocation or denial, the period will be six (6) months.