



Overview of Illinois Roofing Industry
Licensing Act

CRCA one of the Oldest Trade Associations— Formed as Chicago was being rebuilt after Great Fire



CRCA ALWAYS A LEADER in CONSUMER PROTECTION





Then in 1985...

CRCA descends on State Capitol to pass the IL Roofing Industry Licensing Act and has been advocating ever since to raise professionalism and protect consumers



Created Company Licensure through Division of IL Division Professional Regulation (IDPR)

- Definitions - **Roofing**

- ...to construct, reconstruct, alter, maintain and use materials and items used in the construction, reconstruction, alteration and repair of all kinds of *roofing and waterproofing*. Nothing shall be construed to require sheet metal, electrical, plumbing, refrigeration or mason contractors or carpenters who perform chimney repairs or install soil pipes, electrical jacks, gutters, heating and cooling vents, wood decks or any other kind of roof deck or television antenna to be licensed under the Act...

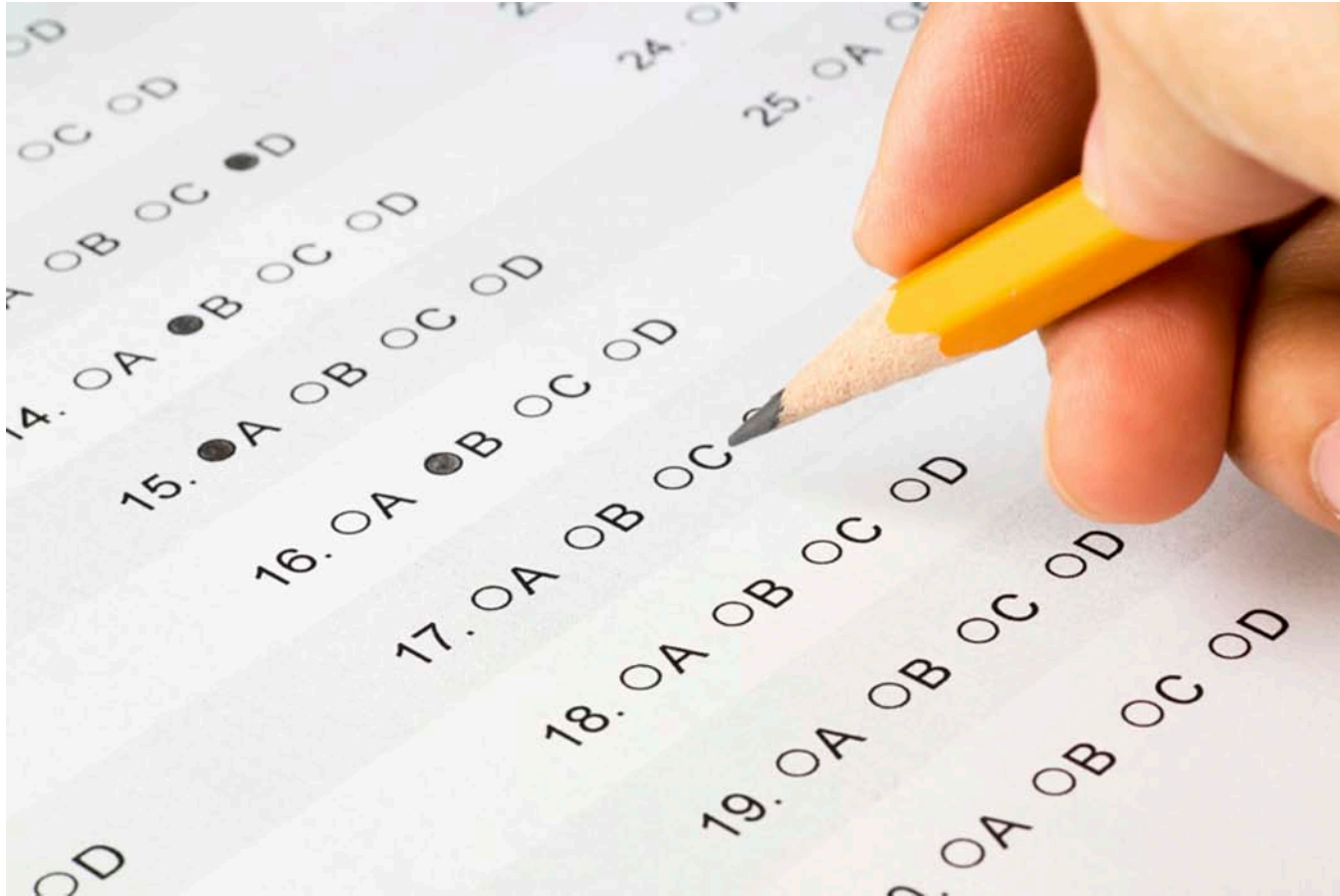
Law Licenses Roofing Contractor

Not Individual Roofers (except Sole-Proprietors)

- **Definitions - Roofing Contractor**

- ...is one who has the experience, knowledge and skill to construct, reconstruct, alter, maintain and repair roofs and use materials and items used in the **construction, reconstruction, alteration, maintenance and repair** of all kinds of roofing and waterproofing *as related to roofing*, all in such manner to comply with all plans, specifications, codes, laws, and regulations applicable thereto, but does not include such contractor's employees to the extent the requirements of Section 3 of this Act apply and extend to such employees...

Exam Requirement Added in 2000



Exam Requirement Added Qualify Party (or “test taker” to law)

- “Qualifying Party” means the individual filing as a sole proprietor, partner of a partnership, officer of a corporation, trustee of a business trust, or party of another legal entity, who is **legally qualified to act** for the business organization in all matters connected with its roofing contracting business, has the authority to supervise roofing installation operations, ***and is actively engaged in day to day activities of the business organization.***

Every Roofing Contractor Must Have A Qualifying Party

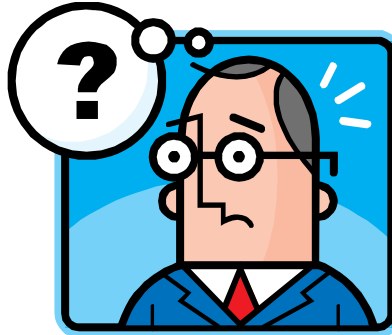
What if Qualifying Party leaves?

- If Qualifying Party status' is terminated DPR must in be notified 30 days and NEW Qualifying Party named
- NEW Qualifying Party must pass the IL Roofing exam within 7 months

Can someone act as a qualifying party for more than 1 company?

- May act as qualifying party **for one additional licensee** if there is **common ownership of at least 25% between** the two companies

Limited vs. Unlimited License?



*"**Limited roofing license**" means a license made available to contractors whose roofing business is limited to **roofing residential properties consisting of 8 units or less**. Limited Exam consists of technical aspects of residential roofing. **\$10,000 Bond***

*"**Unlimited roofing license**" means a license made available to contractors whose roofing business is unlimited in nature and **includes roofing on residential, commercial, and industrial properties**. Unlimited Exam consists of technical aspects of residential, commercial and industrial roofing. **\$25,000 Bond***

Limited vs Unlimited Permits

- (a-3) A municipality or a county that requires a building permit may not issue a building permit to a roofing contractor unless that contractor has provided sufficient proof that he or she is licensed currently as a roofing contractor by the State. Holders of an ***unlimited roofing*** license may be issued permits for ***residential, commercial, and industrial roofing projects.*** Holders of a ***limited*** roofing license are restricted to permits for work on ***residential properties consisting of 8 units or less.***

State Roofing Contractor License Requirements

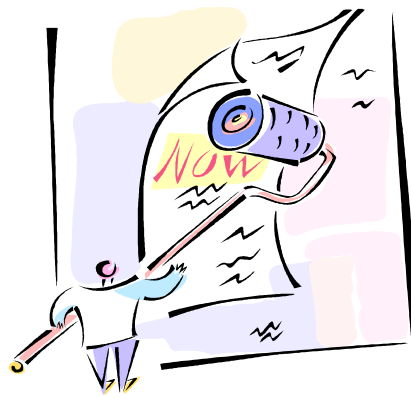
1. Must have obtained public liability and property damage insurance;
2. Workers Compensation Insurance covering his employees or is approved as a self-insurer of Workers Comp in accordance with Illinois Law;
3. Must have Illinois Unemployment Insurance EIN #;
4. \$10,000 Bonded for Limited or \$25,000 Bond for Unlimited;
5. Qualifying Party Passed Exam.

Where does roofing contractor have to list state license #?



- Each State licensed roofing contractor shall affix the roofing contractor license number and the licensee's name, as it appears on the license, to all of his or her contracts and bids

Advertising



- It is unlawful for any **person to engage in the business or act in the capacity of or hold himself or herself out in any manner as a roofing contractor** without having been duly licensed under the provisions of this Act.
- No person licensed under this Act may **advertise** services regulated by this Act unless that person **includes in the advertisement the roofing contractor license number and the licensee's name, as it appears on the license**

Commercial Vehicles



- Any entity offering services regulated by the Roofing Industry Licensing Act, **shall affix the roofing contractor license number and the licensee's name**, as it appears on the license, **on all commercial vehicles** used in offering such services. **An entity in violation of this Section shall be subject to a \$250 civil penalty.** This Section **may be enforced by local code enforcement officials** employed by units of local government as it relates to roofing work being performed within the boundaries of their jurisdiction.

*If the alleged violation has been corrected prior to or on the date of the hearing scheduled to adjudicate the alleged violation, it shall be dismissed.

Where does building official have to list state license #?

- The official issuing building permits shall affix the roofing contractor license number to each application for a building permit and on each building permit.



VIOLATIONS OF ROOFING ACT PENALTIES AND FINES

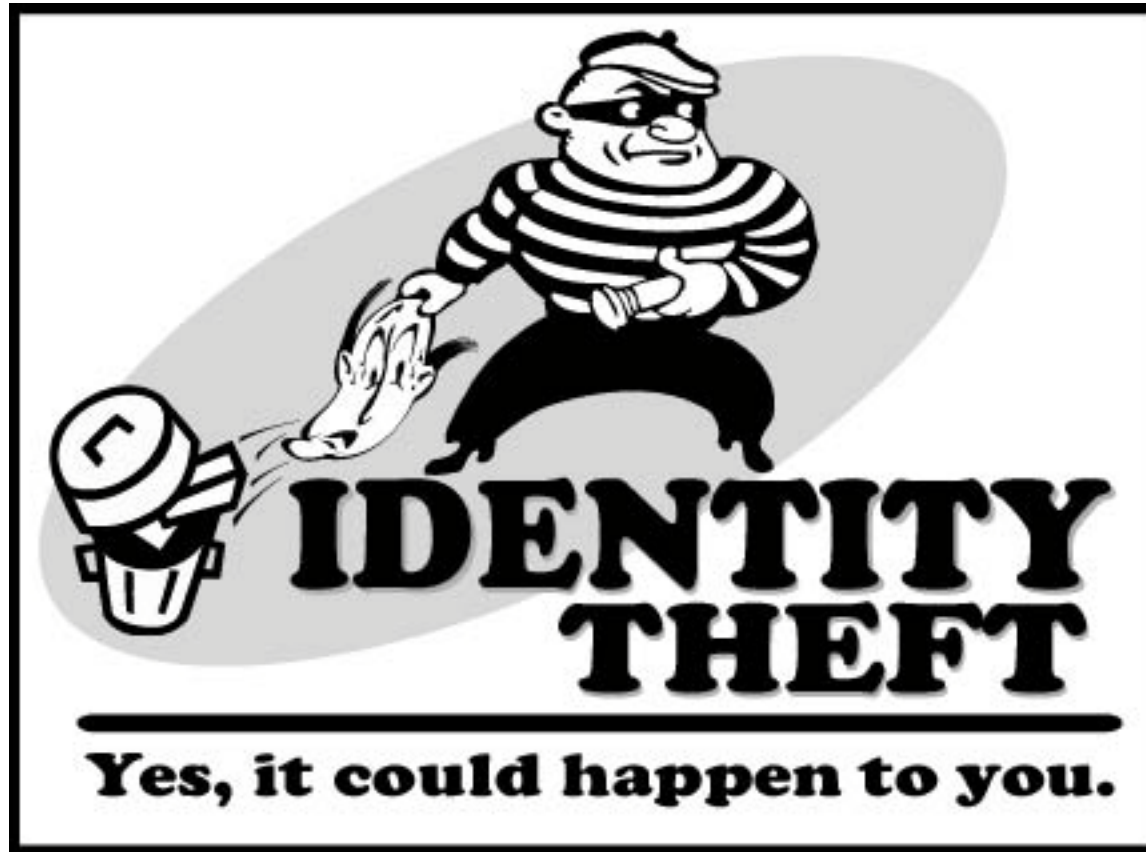


Grounds for disciplinary action. The Department may refuse to issue or to renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem proper, **including fines not to exceed \$10,000 for each violation**, with regard to any license for any one or combination of the following causes:

Highlights of some of the 31 violations

- Advertising in any manner which is false, misleading or deceptive
- Violating Consumer Fraud and Deceptive Business Act
- Allowing the use of his or her roofing license by an unlicensed roofing contractor for the purposes of providing roofing or waterproofing services
- Or aiding or assisting another person in violating this Act.

What if someone steals your license #?



Post Notice at Permit Counter

- A person who knowingly, in the course of applying for a building permit with a unit of local government, **provides the roofing license number or name of a roofing contractor whom he or she does not intend to have perform the work on the roofing portion of the project commits identity theft** under paragraph (8) of subsection (a) of Section 16-30 of **the Criminal Code of 1961 – Punishable as Class 3-4 Felony** depending on past record and value of permit

Government Issued ID Law— Effective August 2012

Building permit applicant must present government issued photo ID to building official and ID# and name must be retained in permit file

Put in law as a deterrent to Identity Theft and to create paper trail in case it happens



What do if you have been victim of Identity Theft?

- Work with building department official and property owner to file police report (*contact CRCA with questions regarding law*)
- Show officer copy of Roofing Act, building permit application, pictures of job site, etc, or any other evidence
- Determine if “identity was stolen” or “loaned out” by a willing contractor
- If license was “loan out” by licensed contractor to unlicensed contractor he could be subject to fines and loose license and must be reported to IDPR.

How to file a Complaint with IDPR

- Just Google “Illinois Division of Professional Regulation”
- select “File A Complaint” in the lower right hand corner of home page

State Roofing Advisory Board

- 5 Licensed Roofing Contractors
- 1 Licensed Roofing Contractor Representing Home Builders
- 1 Public Member
- Act as Grievance Board

New Laws in 2013



SB 2226 – RECYCLING OF ASPHALT SHINGLES

The measure requires you to take asphalt shingles to a recycling facility if there is one within 25 miles of the job site. However an exemption was put in and if the shingles are co-mingled with “municipal waste, including but not limited to, general construction or demolition debris” you can still take it to a landfill. The EPA also has to put a list of approved recycling centers on their website. The law sunsets in 5 years to review its effectiveness.



- **Employee Misclassification HB 2649**

HB 2649 signed into 07/23/13 was an initiative of the Illinois Department of Labor to make it easier for them to enforce the Employee Classification Act



Overview of Illinois Roofing Industry
Licensing Act