



**CONSTRUCTION CONTRACTORS BOARD  
BREACH OF CONTRACT COMPLAINT FORM  
FOR MATERIAL/EQUIPMENT  
INSTRUCTIONS TO COMPLETE THE FORM**

1. **Read the “Resolving Disputes with Your Contractor” brochure before you fill out the form.** There are limits on the time in which you must file a complaint. There are also other limits that you should know about. The brochure explains how the Construction Contractors Board (CCB) complaint process works. It is available on our website.
2. **Do Not Use E-Mail to Communicate with the CCB.** E-mail is not a reliable method to send information to the CCB. The state e-mail filters may delete your e-mail before we receive it or we may delete the e-mail thinking it is spam. Therefore, do not use e-mail to communicate with us.
3. **At least 30 calendar days before you file the complaint you must give the contractor notice that you plan to file a complaint with the CCB.** This notice must be in writing and must say that you plan to file a complaint with the CCB. You must mail the notice by certified mail to the contractor’s address of record shown in CCB licensing records. You can get this address by logging onto our website and looking up the contractor’s license number under the Licensing inquiry or by calling the CCB at 503-378-4621. **See page 4 of these instructions for more details** about this notice. When you send your complaint form, you must send a copy of your notice letter and a copy of your receipt from the post office showing that you mailed the notice by certified mail, the date you mailed the notice, and the address you mailed the notice to. If you do not send this proof with your complaint form or if we receive your complaint form less than 30 calendar days after you mailed this notice, we will not be able to process your complaint and it will be returned to you. We cannot accept your complaint until at least 30 calendar days after you mail this notice, even if it is returned to you by the post office because it could not be delivered. Even if you are almost out of time to file your complaint, send your notice now and file your complaint 30 calendar days later.
4. You will need to show that you had an agreement to furnish material or rent equipment to the contractor for construction work at specific job sites in Oregon.
5. **Complete all applicable boxes on the complaint form and date and sign the form at the bottom. If you do not give all required information or do not sign the form, we will return the form for you to**

**complete. This will delay processing of your complaint.** However, if you do not have the contractor's CCB number, you can leave that space blank and we will search our records for the number.

6. In Box 5, Details, you must list each invoice you allege the respondent has not paid. Put each invoice on a separate line and complete all information on the line for each invoice, (see number 6, below). The invoice amount that you place on the form should be the actual invoice amount. Do not deduct any amounts from that total. You can continue this list at the bottom of page 2 and on page 3 if necessary.
7. In Box 5 you must also enter the complete job site address (including the street number, street name, city, and state) where the materials or equipment listed in each invoice were used and installed. If you cannot supply this information, we cannot process your complaint. You must also check the appropriate box for the type of structure located at that job site address. Use the following definitions to decide the structure type:
  - a. **Residential structure** means a residence that is a site-built home; a structure that contains one or more dwelling units and is four stories or less; a condominium, rental residential unit or other residential dwelling unit that is part of a larger structure (if the property interest in the unit is separate from the property interest in the larger structure); a modular home constructed off-site; a manufactured dwelling; or a floating home. An appurtenance (such as a sidewalk, driveway, deck, fence, garage, or shop building) to one of these structures is also considered part of a residential structure.
  - b. **Small commercial structure** means: (1) A structure that is not a residence with a ground area of 10,000 square feet or less and a height from the top surface of the lowest flooring to the highest interior overhead finish of the building of 20 feet or less; (2) an appurtenance (such as a sidewalk, driveway, deck, or fence) to one of these structures; (3) a structure that is not a residence that is a leasehold, rental, or other unit and that is part of a larger structure, if the unit has a ground area of 12,000 square feet or less and a height from the top surface of the lowest flooring to the highest interior overhead finish of the unit of 20 feet or less; or (4) A structure of any size that is not a residence for which the contract price of all construction to be performed on the structure does not total more than \$250,000.
  - c. **Large commercial structure** means any structure not fitting the above definitions. This includes work on a street, a public works project, an apartment or condominium building more than four stories high, a structure not used as a residence that is more than 10,000 square feet in ground area or more than 20 feet high, or a leasehold or rental unit in a larger structure not used as a residence that is more than 12,000 square feet in ground area or more than 20 feet high.
8. On Line A at the bottom of the form, write the total of the invoices listed on your complaint form. On Line B list amounts that are included in Line A for tools, interest, service charges, etc. Do not put amounts on Line B that are additions to the invoice amounts listed on the complaint form. On Line C enter all payments you received or credits you applied to any of the invoices listed on the form.
9. Be sure to date and sign the form. **If you do not sign the complaint form, it will delay processing of your complaint.**
10. Along with the completed complaint form also send a legible copy of each invoice that you list on the form. **If you do not send copies of the invoices, it will delay processing of your complaint.**
11. **COMPLAINTS INVOLVING WORK ON LARGE COMMERCIAL STRUCTURES:**
  - a. If you performed the work before July 1, 2008, or before your contractor renews its license with a commercial or residential endorsement, you must file in court or begin arbitration if you want access to the contractor's bond. You must deliver a copy of the court complaint or documents showing that you began arbitration to the CCB and to the contractor's bonding company. You must deliver these

copies by certified mail, return receipt requested. The CCB and the contractor's bonding company must receive the copy before a judgment or arbitration award is issued and no later than the earlier of:

- 90 calendar days after you file the court complaint or begin arbitration
  - 14 calendar days before the first day of trial or arbitration
  - 30 calendar days before a judgment or arbitration award is issued.
- b. If your complaint is against a contractor endorsed as a commercial contractor, you must file in court or begin arbitration if you want access to the contractor's bond. You must deliver a copy of the court complaint or documents showing that you began arbitration to the CCB and to the contractor's bonding company. You must deliver these copies by certified mail, return receipt requested. The CCB and the contractor's bonding company must receive the copy before a judgment or arbitration award is issued and no later than the earlier of:
- 90 calendar days after you file the court complaint or begin arbitration
  - 14 calendar days before the first day of trial or arbitration
  - 30 calendar days before a judgment or arbitration award is issued.

### **GUIDELINES FOR INFORMATION**

1. Use only 8½" by 11" (normal letter size) paper. If you have items smaller than 8½" by 11", please tape them to 8½" by 11" paper. For two-sided items such as checks, photocopy each side. **Send legible copies, not originals.**
2. **Do not send photos, videotapes, or audiotapes.** Keep this information for your records. You should state in your complaint that you have this information available and give a brief description of it. We might ask you to send us the information later or you might need it for evidence if your complaint needs a hearing.
3. Either type in black ink or hand write using a black ink pen. Do not use pencil because it does not copy well.
4. Do not put documents in notebooks or binders. These do not fit in our files. Please do not attach post-it notes or business cards to any documents or information.
5. Allow at least a ½" margin on all sides of each page, and do not write on both sides of the paper.
6. Use white or very light colored paper. Other colors of paper do not copy well.
7. Do not highlight portions of documents. When photocopied, highlighted areas come out black.

## PRE-COMPLAINT NOTICE REQUIREMENTS

The pre-complaint notice letter you send to the contractor must have all of the following information in it.

1. Date
2. Contractor's Name
3. Contractor's Address: This must be the address shown in the CCB licensing record. You can get this from our website at [www.ccb.state.or.us](http://www.ccb.state.or.us) or by calling us at 503-378-4621.
4. Your letter must state that you intend or plan to file a complaint with the CCB.
5. Your name must be on the letter.

With your complaint form you must send a copy of the notice letter and a copy of the post office receipt showing that you sent the letter by certified mail, the date you sent the letter, and the address you sent it to. **The receipt must have the postmark stamp it.**

### SAMPLES

This is a sample of a properly completed post office receipt with the postmark stamped on it.

This is a sample of what your letter must say:

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
OFFICIAL USE	
Postage	\$ .37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42
Sent To	
Contractor's Name	
Contractor's Address of record	
city, state zipcode	

Date (1)

Contractor's Name (2)  
Contractor's address (3)

Dear Sir:

I intend to file a complaint with the  
Construction Contractors Board thirty days after  
I mail this letter. (4)

Your Name (5)

PO Box 14140  
Salem OR 97309-5052

THIS SECTION FOR OFFICE USE ONLY	
File Number:	
License Dates	
90-day Period	License Type Complaint Type

# BREACH OF CONTRACT COMPLAINT MATERIAL/EQUIPMENT

<b>1. Person or Company Making Complaint</b> Company Name				<b>2. Complaint Against</b> Name							
Name of Representative			Position/Title			Company					
Mailing Address				Mailing Address			CCB #				
City		State	Zip	Phone ( )		City		State	Zip	Phone ( )	

**3. Pre-complaint notice** Date sent \_\_\_\_\_ Please include copy of notice and proof of certified mailing.

**4. Other Filings**  
 Check this box if other CCB complaint(s) have been filed affecting this property (CCB File No.(s) \_\_\_\_\_)  
 Check this box if this issue has been submitted to a court or arbitration for determination or resolution, and attach details

**5. Details**  
Please complete the following recapitulation. Invoices must be listed in chronological order (oldest first, most recent last). The total amount claimed must reconcile with the invoices listed. Attached a copy of each invoice listed. Be sure your copies are clear and legible.

Date of Invoice	Invoice #	Invoice Amount	Complete Job Site Address	Structure Type
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial

(Continue this list on pages 2 and 3 of this form if necessary)

A. Total of invoices listed above (including those listed on pages 2 & 3, if any).....\$ \_\_\_\_\_

B. Enter total amount of tools, interest, and service charges included in above invoices .....\$ \_\_\_\_\_

C. Enter total payments received or other credits to apply against above invoices .....\$ \_\_\_\_\_

*I certify that all information on this complaint form and attachments is true, complete, and correct to the best of my knowledge and belief.*

Date: \_\_\_\_\_ Signature \_\_\_\_\_

**Do Not Send Processing Fee with this Form**

# BREACH OF CONTRACT COMPLAINT MATERIAL/EQUIPMENT

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FOR OFFICE USE ONLY  
File Number

### Structure Types

For each invoice listed under item 6 of this form, you must check the appropriate box for the type of structure located at the job site where the work covered by that invoice was performed. The following are the structure type definitions:

**Residential structure** means a residence that is a site-built home; a structure that contains one or more dwelling units and is four stories or less; a condominium, rental residential unit or other residential dwelling unit that is part of a larger structure (if the property interest in the unit is separate from the property interest in the larger structure); a modular home constructed off-site; a manufactured dwelling; or a floating home. An appurtenance (such as a sidewalk, driveway, deck, fence, garage, or shop building) to one of these structures is also considered part of a residential structure.

**Small commercial structure** means: (1) A structure that is not a residence with a ground area of 10,000 square feet or less and a height from the top surface of the lowest flooring to the highest interior overhead finish of the building of 20 feet or less; (2) an appurtenance (such as a sidewalk, driveway, deck, or fence) to one of these structures; (3) a structure that is not a residence that is a leasehold, rental, or other unit and that is part of a larger structure, if the unit has a ground area of 12,000 square feet or less and a height from the top surface of the lowest flooring to the highest interior overhead finish of the unit of 20 feet or less; or (4) A structure of any size that is not a residence for which the contract price of all construction to be performed on the structure does not total more than \$250,000.

**Large commercial structure** means any structure not fitting the above definitions. This includes work on a street, a public works project, an apartment or condominium building more than four stories high, a structure not used as a residence that is more than 10,000 square feet in ground area or more than 20 feet high, or a leasehold or rental unit in a larger structure not used as a residence that is more than 12,000 square feet in ground area or more than 20 feet high.

### 5. Details (continued)

Date of Invoice	Invoice #	Invoice Amount	Complete Job Site Address	Structure Type
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
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				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial

**Do Not Send Processing Fee with this Form**

# BREACH OF CONTRACT COMPLAINT MATERIAL/EQUIPMENT

Page 3

FOR OFFICE USE ONLY File Number
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Date of Invoice	Invoice #	Invoice Amount	Complete Job Site Address	Structure Type
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
				<input type="checkbox"/> Residential <input type="checkbox"/> Small Commercial <input type="checkbox"/> Large Commercial
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