



**CONSTRUCTION CONTRACTORS BOARD
BREACH OF CONTRACT COMPLAINT FORM FOR
OWNERS AND PRIME CONTRACTORS
INSTRUCTIONS TO COMPLETE THE FORM**

1. **Read the “Resolving Disputes with Your Contractor” brochure before you fill out the complaint 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. **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.

5. Box 5 of the complaint form is for information about your contract with the contractor. **You must fill in this area.** Be sure to fill in all dates and include the month, date, and year. We cannot use documents you send us to fill in the form for you or assume what information should be on the form.

6. Proof of Contract:

- If you had an oral contract for the work, you must send documents to prove you had a contract. Those documents could be invoices, billings, both sides of canceled checks, written statements, etc. Make sure your copies are clear and legible.
- If you had a written contract for the work, you must send a copy of every page of that contract. The contract must be signed by both you and the contractor. If your contract was for the purchase of a new home, the contract might be named something like sales agreement/receipt for earnest money. Deeds, escrow statements, or closing statements are not contracts for construction or purchase.

If you do not send a complete copy of your written contract or other contract documents, it will delay processing of your complaint.

6. On page 2 of the complaint form be sure to give a brief, numbered list of exactly what work items you believe the contractor did wrong, did not finish, or did not start. If the complaint is not for bad work, clearly state what the contractor did that breached your contract and what you want us to help you resolve. **If you do not send this information, it will delay processing of your complaint.**

7. Be sure to fill in both parts of Page 3 of the complaint form. In the top portion check the box for the type of structure that is at the job site where the work was performed. In the bottom portion give clear directions (or a map) to the job site, beginning with an exit from a major highway. **If you do not send this information, it will delay processing of your complaint.**

8. **LIEN COMPLAINTS:** If your complaint has to do with a construction lien, you must send the contract as discussed above AND you must also send a copy of the lien documents. This includes a “Notice of Right to a Lien” that the lienor gave you, a copy of the **recorded** lien showing the county recorder’s information, a copy of each invoice that is the basis for the lien (you can get these from the lienor), and proof that you paid the contractor. If the lienor filed a court action about the lien (usually called a suit to foreclose the lien), also send a copy of it. **If you do not send this information, it will delay processing of your complaint.**

9. **PRIME CONTRACTOR COMPLAINTS:** Be sure that you fill in your CCB license number in the space on the complaint form just below your telephone number.

10. Be sure to date and sign the complaint form. **If you do not sign the form, it will delay processing of your complaint.**

11. COMPLAINTS INVOLVING WORK ON LARGE COMMERCIAL STRUCTURES:

- a. If you hired the contractor before July 1, 2008, or before your contractor renews its license with a commercial or residential endorsement, you might have to file in court or begin arbitration. If you are filing an owner complaint and your contract is for \$25,000 or more or if you are filing a primary contractor complaint and it involves work on a large commercial structure, 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 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 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 www.usps.com

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, ZIP+4

PS Form 3800, Jun 2007

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)

BREACH OF CONTRACT COMPLAINT

OWNER or PRIME CONTRACTOR

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

1. Person Making Complaint Name Business Name (If Applicable) Mailing Address City State Zip Code Home Phone () Work Phone () <input type="checkbox"/> Are you a licensed contractor? CCB #	2. Complaint Against Name Company CCB # Mailing Address City State Zip Code Phone Number(s) with area codes
3. Job Site Address Street City State Zip Code	4. Nature of Complaint <input type="checkbox"/> Complaint by Owner <input type="checkbox"/> Complaint by Owner – Construction Lien Filed <input type="checkbox"/> Complaint by Prime Contractor against Subcontractor Note: DO NOT USE THIS FORM if you are a material/equipment Supplier, a subcontractor, or an employee.
5. Contract <input type="checkbox"/> Oral (Submit checks & invoices to verify contractual relationship) <input type="checkbox"/> Written (Complete copy of contract must be attached) Contract Date Total Contract Amount Total Paid to Date \$ \$ \$ Date Work Started Date Work Ceased What was to be done on the contract (for example, build house, install a roof): For New Home Construction Only Date structure was completed Date of Actual Occupancy	6. Other Filings <input type="checkbox"/> Check this box if other CCB complaint(s) have been filed affecting this property. (CCB File No.(s) _____) <input type="checkbox"/> Check this box if this issue has been submitted to a court or arbitration for determination or resolution, and attach details. 7. Information Notice <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown If you are an owner, did your contractor give you an Information Notice to Owner About Construction Liens? 8. Consumer Notification <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown If you are an owner, did your contractor give you the Consumer Protection Notice form? 9. Notice of Procedure <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown If you are an owner, did your contractor give you the Notice of Procedure form?
Date structure was completed Date of Actual Occupancy	10. Pre-Complaint Notice Date sent _____ You must include copy of the notice and proof of certified mailing.

Complaint Items: List your breach of contract complaint items on the second page of this form.

I certify that this complaint form with all attachments are true, complete, and correct to the best of my knowledge and belief.

Date: _____ **Signature** _____

