



Building & Property Standards Department

Guideline 001

Version 090109

Consumer Protection

Purpose:

The purpose of this guideline is to provide homeowners with suggestions that may make their repair or renovation project run more smoothly.

Consumer Rights:

- As of January 1, 2000 all contractors are required by law to:
 - Provide customers with a copy of the “Home Repair: Know Your Consumer Rights” pamphlet. A copy of the pamphlet may be obtained at the Building Department permit counter or on-line at <http://www.ag.state.il.us/publications/pdf/homerep0403.pdf>
 - Furnish the customer with a signed written contract for any repair or remodeling work that costs over \$1,000. Both the customer and the contractor must sign the contract.
 - Carry minimum amounts of insurance for property damage, bodily injury, and improper home repair.

Contractor Relations:

The following suggestions are not intended as legal advice but may help prevent common problems homeowners experience in selecting a contractor and their subsequent contractual relationship.

- Contractors working within the Village are required to be registered with the Building Department. You may check a contractor’s registration status by using the Registered Contractor Lookup feature on the following web page:
http://www.oak-park.us/Building_and_Property_Standards/ContractorLookup.cfm
Please note that the contractor’s registration, and bond or insurance, must be in good standing at the time of application for permit.
- Ask for at least three references with projects similar in size and scope. But don’t stop there, call each reference. Ask if you can visit the projects to evaluate the quality of work performed.
- The Village does not recommend or provide lists of contractors, nor does it offer opinions on how good or bad a contractor is. Although the Village neither endorses or attests to the accuracy of any information contained on the websites, some of our customers have contacted the following agencies to check on contractor performance:
 - Angie’s List www.angieslist.com
 - Better Business Bureau www.bbb.org
 - Craig’s List www.craigslist.org
- Obtain several bids. Remember, the low bid is not always the best bid. The quality of work and timeliness of one contractor may be worth the additional cost compared to others. Again, check references to help make that determination.
- Interview potential contractors. Make sure you are comfortable with the people you are considering dealing with and are entrusting your home to.
- Insist on a written contract regardless of the cost of the work. Read and understand all terms and conditions prior to signing. If you have questions, seek the advice of a qualified attorney. Contracts, at a minimum, should:
 - Include a set price to complete the work.
 - Indicate the work shall be performed in accordance with the design professional’s drawings, if any.
 - Establish a method of approval and payment for additional work or unforeseen conditions, i.e. hourly rate, time and material or unit costs.
 - Establish the project timeline, including payment schedule and date of final completion.
 - Establish who is responsible for obtaining required permits.
 - Establish who is responsible for calling for required inspections.



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- Obtain a list of all subcontractors and major suppliers.
- Never pay in full upfront before any work is performed. Do not let payments get ahead of the value of work completed at time of payment.
- Make your payment schedule correspond to milestones on the project such as completion of footings and foundation, rough framing of walls, floors and roof, electric and plumbing rough-ins, insulation and final completion, for examples. Then make payments contingent upon the project passing corresponding Village inspections.
- Ask for waivers of lien at each payout. Make sure that all subcontractors that are working on your project are listed and submit their corresponding waivers along with your contractor's waiver of lien. Obtain a final waiver of lien at the time of final payout. For best protection, do not accept waivers with language written by a contractor or a subcontractor. Ask for waivers prepared by a construction industry recognized title company. The forms are generally available to contractors free of charge.
- Hire your architect or engineer to review waivers and the amounts requested at each payout.
- Obtain receipts for all materials to prove they have been paid for.
- Pay for major material purchases and delivery yourself. Your contractor or design professional can assist you in ensuring you order the right materials in the correct amounts.
- Obtain a copy of the contractor's Certificate of Insurance. Ask to be listed as an "additional insured" on the certificate.
- Pay for required permits yourself. As the owner of the permit you won't be stuck paying for permits a second time in the event you and your contractor part ways before the project is complete.
- Please note that the Village does not intervene in contractual relations between homeowners and contractors. In the event you have a bad experience that cannot be mutually remedied, contact the Illinois Attorney General's Office at 800-386-5438.

Inspections:

- ASK INSPECTORS FOR IDENTIFICATION. Each Village inspector is required to carry with them at all times a prominently displayed identification tag and an inspector's badge.
- Consider your inspector as a resource. They are willing to discuss any questions you may have related to your repair or remodeling project. Ask them for their business card and keep it handy during the course of your project.
- Keep a copy of the permits posted in the front window at all times until the project has passed the final inspection.
- Maintain the "Job Copy" of the drawings on site at all times. Village personnel are authorized to fail inspections if the Job Copy of the drawings is not on site, which may result in a delay in the completion of your project.
- Obtain copies of all inspection reports and retain them with your Job Copy of the drawings for review by the inspectors and for your records.