

# Contractor Licensing



Article III Chapter 22 of the Code of Laws and Ordinances for Collier County and Chapter 489 of the Florida Statutes require that contractors be licensed. The Collier County Building Review and Permitting Division Contractor Licensing Section regulates licensed contractors and prosecutes unlicensed contractors. The Contractor Licensing Section can inform you whether your potential contractor is licensed and will investigate any complaint you may have against a contractor.

ALL CODE REFERENCES ARE **PER FLORIDA STATE STATUTE 489 OR COUNTY ORDINANCE** UNLESS OTHERWISE NOTED

## **DEFINED AS PER F.S.S. 489.105(3)**

**CONTRACTOR** MEANS THE PERSON WHO IS QUALIFIED FOR AND RESPONSIBLE FOR THE ENTIRE PROJECT CONTRACTED FOR AND, EXCEPT FOR THOSE HEREIN EXEMPTED, THE PERSON WHO, FOR COMPENSATION, UNDERTAKES TO, OR SUBMITS A BID TO, OR DOES THEMSELF OR BY OTHERS, ANY OR ALL OF THE FOLLOWING: CONSTRUCT, REPAIR, ALTER, REMODEL, ADD TO, DEMOLISH, SUBTRACT FROM, OR IMPROVE ANY BUILDING OR STRUCTURE, INCLUDING RELATED IMPROVEMENTS TO REAL ESTATE, FOR OTHERS, OR FOR RESALE TO OTHERS, AS HEREINAFTER DEFINED IN FLORIDA STATE STATUTE 489.

## WARNING SIGNS

1. **CONTRACTOR DISPLAYS ONLY AN OCCUPATIONAL LICENSE.** IN ORDER TO LAWFULLY ENGAGE IN CONTRACTING, A CONTRACTOR MUST BE STATE OF FLORIDA OR COLLIER COUNTY CERTIFIED. ASK TO SEE THE CONTRACTOR'S CERTIFICATE OF COMPETENCY ISSUED BY THE STATE OR COLLIER COUNTY.
2. **THE CONTRACTOR IS ONLY WILLING TO WORK ON WEEKENDS OR AFTER HOURS.** THIS IS OFTEN A SIGN THAT THE PERSON IS AN EMPLOYEE WHO IS MOONLIGHTING WITHOUT A LICENSE. LICENSED CONTRACTORS ARE FULLTIME PROFESSIONALS.
3. **A LARGE DOWN PAYMENT IS REQUESTED BEFORE WORK BEGINS.** PAYMENTS SHOULD ONLY BE FOR A PART OF THE WORK. IN ORDER TO BE LICENSED, CONTRACTORS MUST DEMONSTRATE SUFFICIENT FINANCIAL ABILITY TO PERFORM THE TYPE OF PROJECT FOR WHICH THE LICENSE IS ISSUED.
4. **MANY REQUESTS FOR MONEY DURING EARLY PHASES OF CONSTRUCTION.** AS STATED ABOVE, THE CONTRACTOR SHOULD BE SOLVENT.
5. **YOU ARE ASKED TO OBTAIN THE PERMIT.** A LICENSED CONTRACTOR WHO IS IN GOOD STANDING WILL ALWAYS OBTAIN THE PERMIT; UNLICENSED CONTRACTORS CANNOT PULL PERMITS.
6. **VERBAL CONTRACT ONLY;** CONTRACTOR IS NOT WILLING TO PUT ALL TERMS IN WRITING. THIS IS ALWAYS A SIGN OF POTENTIAL TROUBLE.

**“HANDSHAKE” DEALS ARE NOT THE INDUSTRY STANDARD.**

7. **THE CONTRACTOR DOES NOT HAVE PROOF OF INSURANCE.** LICENSED CONTRACTORS MUST HAVE GENERAL LIABILITY AND WORKERS' COMPENSATION INSURANCE IN EFFECT AT ALL TIMES.

IF AN UNLICENSED CONTRACTOR IS ABLE TO PROVIDE INSURANCE, THE ACT OF VIOLATING THE LAW COULD VIOLATE THE POTENTIAL PROTECTION, LEAVING YOU AT RISK.

8. **YOU ARE INFORMED THAT THE JOB DOES NOT REQUIRE A PERMIT OR AN INSPECTION. CHECK WITH YOUR LOCAL BUILDING OFFICIAL. ALMOST ALL PROJECTS REQUIRE A PERMIT AND AN INSPECTION. FOR JOBS REQUIRING A PERMIT, MAKE SURE THE CONTRACTOR ASKS YOU TO SIGN THE “NOTICE OF COMMENCEMENT”.**
9. **SOMEONE OTHER THAN THE PERSON OR COMPANY CONTRACTING TO DO THE WORK OBTAINS THE PERMIT. AS PREVIOUSLY STATED, A LICENSED CONTRACTOR WHO IS IN GOOD STANDING WILL OBTAIN THE PERMIT.**
10. **YOU ARE ASKED TO MAKE YOUR CHECK PAYABLE TO AN INDIVIDUAL’S NAME (IT SHOULD BE MADE PAYABLE TO A COMPANY), OR ASKED TO MAKE PAYMENT IN CASH OR TO MAKE THE CHECK PAYABLE TO “CASH”. LICENSED CONTRACTORS WILL ALMOST ALWAYS HAVE A SEPARATE BUSINESS ACCOUNT.**
11. **INTERNET, AD, NEWSPAPER, ADVERTISING FLYER, OR YELLOW PAGE ADS WHERE ONLY THE TELEPHONE NUMBER APPEARS AND THERE IS NOT A BUSINESS ADDRESS. LICENSED CONTRACTORS ARE REQUIRED TO INCLUDE THEIR CERTIFICATE OF COMPETENCY LICENSE NUMBER IN ALL ADVERTISING. (THIS WILL BE A 5-DIGIT NUMBER AS OPPOSED TO A 6-DIGIT NUMBER ISSUED BY THE STATE)**
12. **NO CERTIFICATE OF COMPETENCY LICENSE NUMBER ON THE VEHICLE, BUSINESS CARDS, CONTRACTS, NEWSPAPER, ADVERTISING FLYER OR YELLOW PAGE ADS. AS STATED ABOVE, A LICENSED CONTRACTOR IS PROUD TO BE LICENSED AND WILL WANT THAT FACT KNOWN.**

**ADVICE:** Hiring an unlicensed contractor could result in a \$5,000.00 fine to the property owner. Hiring Unlicensed contractors propagates an unnecessary danger to self and community.

**ADVICE:** Construction that proceeds without required inspection shall result in a Stop Work Order being posted and result in an investigation and a magistrate meeting. This includes a 5x fee multiplier for the property owner and a possible lien.

**SUBMIT ALL QUESTIONS REGARDING CONTRACTORS TO:**

**Marco Island**

James Reynolds  
Administrative Inspector & Investigator  
Building Services  
1310 San Marco Road – Suite B  
239.389.3989

**Collier County**

Collier County Contractor Licensing  
Building Department  
2800 N Horseshoe Drive  
239.252.2431

**Florida**

Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, FL 32399  
1.866.532.1440.