



Grandview
Building and
Code
Enforcement

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Hiring a Contractor

Although most contractors are honest and reputable, many are not. It therefore pays to be cautious when hiring a contractor. Ask friends and neighbors who have had work done on their homes for recommendations, and interview several contractors before you decide on the one you want.

Be sure to ask the contractors you interview for references from satisfied customers, and follow up on the information by talking to the customers themselves. Also, ask the contractor (or one of their customers) if you can see a recently completed job.

The state law requires contractors to be licensed. Make sure that the contractors you are considering have current and proper credentials.

Request a written bid from each contractor, and be sure that all the bids call for the same quality and kinds of construction materials.

The Contract

Have your agreement with the contractor put in writing and make sure it is as specific as possible. For major jobs, such as an addition to your home or an in-ground swimming pool, the contract should be reviewed by your lawyer.

At the minimum, the contract should describe the work to be done, the materials that will be used, the proposed completion date, the warranties provided on the work, and the schedule for the contractor's payment.

The payment schedule should specify that, when the job is done, you will withhold 10 to 20 percent of the final payment until the contractor has cleaned up the work area, you have written proof that you are no longer subject to mechanic's liens from suppliers and subcontractors and you are assured that the job has been done right. In addition, ask for a provision (called liquidated damages) in your agreement that penalizes the contractor if he misses the completion date by more than a week or two.

Insist that the contractor give you a list of the suppliers and subcontractors, such as plumbers and electricians, who will be working with them. Then you will know who can file a lien against your home if the contractor does not pay them. You should also ask for proof that the contractor is covered by worker's compensation and liability insurance.

Since all jurisdictions require permits for remodeling work as well as for building jobs, your contract should require the contractor to obtain these permits and give you copies of them. If inspections are required, you should also receive copies of the inspectors' reports.

Monitoring the Work

Keep an eye on the work as it progresses, and don't be afraid to ask questions about anything that does not seem right or match your expectations. It is a lot easier, for example, to correct a plumbing mistake before the drywall goes up than after the job is done.

Suppose you change your mind in the middle of a project. You want a picture window where an ordinary-sized window has just been installed; or you decide you want flagstones on your patio rather than the brick you specified at first. In such a case, you should submit a written request, called a "Change Order," to the contractor. The contractor, in turn, will give you the adjusted cost and the revised completion date in writing.

Make the payments as required by your contract, but do not make them earlier than scheduled. When the job is done, make a list of any items that you find unsatisfactory or incomplete and give it to the contractor. DO NOT MAKE THE FINAL PAYMENT UNTIL THEY ARE CORRECTED.

When Something Goes Wrong

Suppose that the new tile floor in your kitchen has begun to crack, or the wooden beams in your new family room already show signs of warping. Most reputable contractors provide warranties on their materials and workmanship and will correct the situation without cost to you. If you hired a contractor without demanding written warranties, however, you may have to rely on a court to decide whether the contractor was at fault and you are therefore entitled to compensation.

Or suppose the contractor you hired works for two days and then disappears after you have given them a substantial down payment. Or the contractor's helper trips over a small end table, sending an expensive vase crashing to the floor. Predicaments like these are why the state requires contractors to be licensed and to post a bond. If the contractor does not finish the job or pay for the damage, the bond can be used to satisfy your claims.

Steps to Take

If a dispute develops between you and your contractor that you cannot resolve, here is what you can do:

1. Call your local consumer protection agency to report the problem. In many parts of the country, this agency will talk to the contractor and try to work out a solution.
2. Check the terms of your contract; they may include a clause that requires arbitration. If your contractor is a member of the Better Business Bureau, or a trade organization such as the National Association of the Remodeling Industry, you may be able to resolve your dispute by mediation or arbitration.
3. If your contractor refused to cooperate with you in an effort to settle the dispute, you may have to sue. If you do, be sure to hire a lawyer who has experience in disputes with contractors.