

**2025 OREGON STATE BAR
LEGISLATIVE PROPOSAL
Part I – Legislative Summary**

Re: Proposal to Amend ORS 701.143

Submitted by: Consumer Law Executive Committee via legislative subcommittee

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1. Does this amend current law or program? Yes No Specify

Amending ORS 701.143

2. PROBLEM PRESENTED (including level of severity):

There is no requirement that Oregon consumers know a clock is running when a contractor stops work and refuses to finish. Affected Consumers who are patient before seeking legal recourse lose access to the CCB bond if more than a year passes from work stoppage. The most unscrupulous contractors are rewarded for taking advantage of the most vulnerable and patient consumer groups partic. elderly.

3. SOLUTION:

Require CCB contractors to give consumers a written "work completion notice" that starts a one-year clock on consumer complaints to CCB. Increases access to justice for most vulnerable Oregonians and has nominal impact on compliant, good contractors. The proposed amendment ensures the six year limitation for contract actions applies to the bond availability if no written notice provided by contractor.

**OREGON STATE BAR
LEGISLATIVE PROPOSAL
Part II – Legislative Language**

***Proposal to Amend ORS 701.143,
"Requirement for timely filing of complaints"***

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Situation: Consumers Do Not Know About the One-Year Time Limit on CCB Complaints When Contractors Walk Off Without Finishing Jobs

7 Consumers have no idea that a clock is running against them when their
8 contractor stops returning and refuses to finish a job. So when
9 consumers finally lose patience and investigate the CCB complaint
10 process or hire an attorney to help, they learn that their patience means
11 that the CCB will refuse their complaint, which then means that the
12 consumer is denied access to the contractor's CCB bond after getting a

13 judgment against the contractor. So the worst, most unscrupulous
14 contractors are rewarded for taking advantage of the most vulnerable
15 consumers, who are often elderly and have no idea that the contractor
16 that they depended on isn't coming back.
17

18 **Target: Consumers Are Told About the One-Year Time Limit on CCB**
19 **Complaints Before It Starts Running Against Them**

20

21 Licensed contractors must tell consumers that there is a time limit for
22 filing complaints so that the consumers don't, by trying to be patient,
23 end up losing access to the contractor's bond when the contractor has
24 walked off or otherwise failed to complete a job for any reason.

25

26 **Proposal: Amend ORS 701.143 to Start the One-Year Clock on Consumer**
27 **CCB Complaints Only After the Contractor Gives the Consumer a**
28 **Written Notice to the Consumer Including the Time Limit on Complaints.**

29

30 By making CCB contractors give consumers a written work completion
31 notice to start the one-year clock on consumer complaints to the CCB,
32 good contractors are completely unaffected but other contractors get no
33 benefit from walking off jobs without telling consumers that they believe
34 the jobs are done.

35

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1 **ORS 701.143 – Requirement for timely filing of complaints**
2

3 The Construction Contractors Board may not process a complaint against a
4 licensed contractor, including a complaint based upon a court judgment or an
5 arbitration award, unless the complaint is filed with the board in a timely manner
6 as follows:
7

8 **(1)** Except as otherwise provided in this section, if the owner of a new structure
9 files the complaint, the board must receive the complaint no later than the earlier
10 of:

11
12 **(a)** One year after the date the structure was first occupied;
13

14 **(b)** Two years after substantial completion of the structure by the contractor
15 filed against.
16

17 **(2)** Except as otherwise provided in this section, if the owner of an existing
18 structure files the complaint, the board must receive the complaint **by the earlier**
19 **of (a) six years of the date the contract was signed or (b) no later than one year**
20 **after the date the work was substantially completed by the contractor that is the**
21 **subject of the complaint delivered to the owner a written work completion**
22 **notice informing the owner that**
23

24 **(a) the contractor considers the work complete;**
25

26 **(b) the total cost of the work; and**
27

28 **(c) that owner complaints will be barred if not filed with the board**
29 **within one year from the date the work completion notice is delivered**
30 **to**
31 **the owner** filed against.

32 **(3)** Regardless of whether the complaint involves a new or an existing structure,
33 if
the owner of the structure files the complaint and the licensed contractor failed
to

34 begin the work, the board must receive the complaint no later than one year
after
35 the date the parties entered into the contract.

36

37 **(4)** Regardless of whether the complaint involves a new or an existing structure,
if

38 the owner of the structure files the complaint and the licensed contractor failed
to

39 substantially complete the work, the board must receive the complaint ~~no later~~
~~than~~

40 ~~one year after the date the contractor ceased to work on the structure~~ **by the**

1 **earlier of (a) six years of the date the contract was signed or (b) within one**
2 **year after the contractor delivers to the owner a written notice informing the**
3 **owner that**

4

5 **(a) the contractor either considers the work complete or does not**
intend

6 **to complete the work;**

7

8 **(b) the contractor's estimate of the value of the work performed; and**

9

10 **(c) that owner complaints will be barred if not filed with the board**
11 **within one year from the date the notice is delivered to the owner.**

12 **(4) (5)** Except as otherwise provided in this section, if a licensed contractor files
13 the complaint against the licensed contractor performing work as a
subcontractor

14 on a new structure, the board must receive the complaint no later than the
earlier

15 of:

16 **(a)** Fourteen months after the date the structure was first occupied; **or**

17 **(b)** Two years after substantial completion of the structure.

18 **(5)(6)** Except as otherwise provided in this section, if a licensed contractor files
the

19 complaint against the licensed contractor performing work as a subcontractor
on an

20 existing structure, the board must receive the complaint no later than 14 months

21 after the date the work on the structure was substantially completed.

22 **(6)(7)** If a licensed contractor files the complaint against the licensed contractor
23 performing work as a subcontractor on a structure and the subcontractor failed
to
24 substantially complete the work, the board must receive the complaint no later
than
25 14 months after the date the subcontractor ceased to work on the structure.

26 **(7)(8)** If the licensed contractor's employee, subcontractor or material or
27 equipment supplier files the complaint, the board must receive the complaint
no
28 later than one year after the date the contractor incurred the indebtedness.

29 **(8)(9)** The filing of a complaint with the Commissioner of the Bureau of Labor
and
30 Industries for unpaid wages constitutes the filing of a complaint for purposes of
31 establishing timeliness of the filing of a complaint under this section. [2001
c.197
32 §2 and 2001 c.414 §2; 2007 c.793 §13; 2019 c.444 §7]

