

Breach of Contract Complaint Form

For Owners and Primary Contractors

Before you file a complaint

Before filling out a complaint, you may want to read "Resolving Disputes With Your Contractor."

You must give the contractor *written* notice that you plan to file a complaint with us at least 30 calendar days before you file the complaint. Even if you are almost out of time to file your complaint, send your notice now and file your complaint 30 calendar days later. (See next page for help.)

If your complaint involves a commercial structure

If the work was performed on a *large commercial structure*, you must file your complaint against a commercial bond.

If the work was performed on a *small commercial structure* and:

- The contractor you are filing against has only a commercial bond, you must file your complaint against the commercial bond.
- The contractor you are filing against has only a residential bond, you must file against the residential bond.
- The contractor you are filing against has both a commercial and residential bond, you may file against either bond.

Filing against commercial bonds requires court action

To access a commercial bond, you must file in court or begin arbitration *before* filing a complaint with us. You must deliver a copy of the court complaint or documents showing you began arbitration to the CCB and to the contractor's bonding company. 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 by the earliest of these dates:

- 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

Complaints against residential bonds

If you are filing against a residential bond, you do not need to file in court or notify the bonding company before filing a complaint with us.

Attaching required documents to your complaint

You will need to attach certain documents, such as invoices, to your complaint. We can process your complaint more quickly if you:

- Use only $8\frac{1}{2}$ by 11 size paper. Small items should be taped to the paper.
- Send legible copies, not originals.
- If handwritten, use a black ink pen (not pencil).
- Use white or light paper other colors do not copy well.
- Do not highlight portions of documents

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PRE-COMPLAINT NOTICE REQUIREMENTS

The pre-complaint notice letter you send to the contractor must have all of the following information in it.

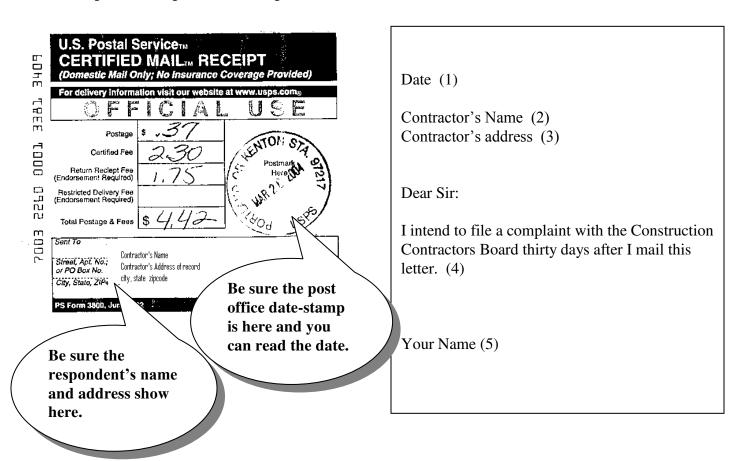
- 1. Date
- 2. Contractor's Name
- 3. Contractor's Address This must be the address shown in the CCB licensing record. You can get this from our website at www.oregon.gov/CCB or by calling us at 503-378-4621.
- 4. Your letter must state that you intend or plan to file a complaint with the CCB.
- 5. Your 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:



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Construction Contractors Board OFFICE DATE STAMP PO Box 14140 Salem OR 97309-5052

BREACH OF CONTRACT COMPLAINTOwner or Primary Contractor

THIS SECTIO	ON FOR OFFICE USE ONLY
File Number	
License Dates	
90-day Period	License Type
•	Complaint Type

1. Person Making Complaint Name				2. Complaint Against Name		
Business Name (If Applicable)			Со	mpany	CCB#	
Mailing Address		Mailing Address				
City			State Zip Code	Cit	y Stat	e Zip Code
Home Phone		Work Pho	nne	Pho	one Number(s) with area codes	
()		()	, inc		one rumbor(s) with their codes	
☐ Are you a licensed c	ontractor? Co	CB#		4.	Nature of Complaint	
·					Complaint by Owner	
3. Job Site Address					Complaint by Owner – Construction Lien Fil	ed
5. Job Site Address				Complaint by Owner – Construction Elen Fried Complaint by Primary Contractor against Subcontractor		
Street				_	te: DO NOT USE THIS FORM if you are a ma	
Street				_	oplier, a subcontractor, or an employee.	aterial/equipment
City		State 5	Zin Code		<u> </u>	
City State Zip Code 5. Contract ☐ Oral (Submit checks & invoices to verify contractual relationship) ☐ Written (Complete copy of contract must be attached) Contract Date Total Contract Amount Total Paid to Date		 6. Other Filings Check this box if other CCB complaint(s) have been filed affecting this property. (CCB File No.(s)) Check this box if this issue has been submitted to a court or arbitration for determination or resolution, and attach details. 				
\$ \$		\$	7. Information Notice Yes No Unknown If you are an owner, did your contractor give you an			
Date Work Started		Date Work	Ceased		Information Notice to Owner About Construction	•
What was to be done on	the contract (8.	Consumer Notification Yes No. If you are an owner, did your contractor give Consumer Protection Notice form?	o 🔲 Unknown
roof): For New Home Construction Only		9.	Notice of Procedure			
Date structure was comp		Date of Act	tual Occupancy	10	. Pre-Complaint Notice Date sent	
r					ou must include copy of the notice and proof of	certified mailing.
Complaint Items: Lis	st your breach	of contract of	complaint items on the sec	cond p	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
	6

BREACH OF CONTRACT COMPLAINT Owner or Primary Contractor (Page 2)

FOR OFFICE USE ONLY File Number

9. (Complaint Items:
No.	Briefly list by number items of improper or negligent work or breaches of contract

BREACH OF CONTRACT COMPLAINT

Owner or Primary Contractor

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FOR OFFICE USE ONLY File Number

	Certification of Structure Type and Size
Indi	ate the type of structure that is located at the job site where the work that is the subject of this complaint was performed.
Che	k only one box below:
	1. Residential structure means a residence that is a site-built home; a structure that contains one or more dwelling units and is four stories or less; a condominium, rental residential unit or other residential dwelling unit that is part of a larger structure (if the property interest in the unit is separate from the property interest in the larger structure); a modular home constructed off-site; a manufactured dwelling; or a floating home. An appurtenance (such as a sidewalk, driveway, deck, fence, garage, or shop building) to one of these structures is also considered part of a residential structure.
	2. Small commercial structure means: (1) A structure that is not a residence with a ground area of 10,000 square feet or less and a height from the top surface of the lowest flooring to the highest interior overhead finish of the building of 20 feet or less; (2) an appurtenance (such as a sidewalk, driveway, deck, or fence) to one of these structures; (3) a structure that is not a residence that is a leasehold, rental. or other unit and that is part of a larger structure, if the unit has a ground area of 12,000 square feet or less and a height from the top surface of the lowest flooring to the highest interior overhead finish of the unit of 20 feet or less; or (4) A structure of any size that is not a residence for which the contract price of all construction to be performed on the structure does not total more than \$250,000.
	3. Large commercial structure means any structure not fitting the above definitions. This includes work on a street, a public works project, an apartment or condominium building more than four stories high, a structure not used as a residence that is more than 10,000 square feet in ground area or more than 20 feet high, or a leasehold or rental unit in a larger structure not used as a residence that is more than 12,000 square feet in ground are or more than 20 feet high.
В. І	Directions To The Job Site
	ide written directions or draw a simple site location map below and return this form to the Construction Contractors Board with your blaint. Your directions or map should begin with an exit from a major highway. You may attach additional sheets if needed.
NO	E: Failure to provide clear directions may result in a delay in processing of your complaint.
NO.	
NO'.	
NO	
NO?	
NO2	