

California Residential Mitigation Program

September 23, 2019

Mr. Howard Cook
Bay Area Retrofit
427 San Pablo Ave
Albany, CA 94706

In July of 2016, Bay Area Retrofit was removed from the Earthquake Brace + Bolt's Contractor Directory because you had been conveying to EBB applicants that a Chapter A3 retrofit was ineffective and unsafe. At the time, these statements could be found on your website, also. Your company has benefitted by being on our Contractor's Directory. Yet, your website encourages homeowners, whether by direct comment or insinuation, to refrain from obtaining a building permit for their retrofit work, potentially making them ineligible for the EBB program. This, combined with your misstatements about our programs in general, misinformation about grant taxability, and your continued denigration of Standard Plan A and Chapter A3, damages the reputation of the Earthquake Brace + Bolt (EBB) and the CEA Brace + Bolt (CEA BB) programs.

For the reasons outlined below we will be removing Bay Area Retrofit from the Earthquake Brace + Bolt/CEA Brace Bolt Contractor Directory, effective immediately.

1. It also has come to our attention that your website states, among other things, "You might want to think it over and not get a permit at all," and "It is not illegal for you to hire a contractor who does not get a permit. Any fines will fall on the contractor, not on you."

Per the Contactor's State License Board website, "Building permits are required by law as a public safety measure... Failure to obtain a building permit is a violation of Contractors License Law. Further, construction performed without a permit can expose a homeowner to additional liability and costs. When a contractor performs improvement work without a local building permit, it is a violation of Business and Professions (B&P) Code sections 7110 and 7090."

Performing a seismic retrofit requires pulling a permit. It is illegal for the contractor to perform the work and not pull a permit. As stated above, it also puts a homeowner at risk. EBB does not condone behavior that puts homeowners at risk; it is our mission to reduce their risk and improve safety conditions in their homes.

2. There is a page on your website referencing the "CEA Retrofit Program." The page incorrectly states the taxability of both the CEA BB and EBB grants, it confuses details between CEA Brace + Bolt and Earthquake Brace + Bolt and provides multiple statements which are either misleading or incorrect.

Any EBB or CEA BB participating homeowners who currently have Bay Area Retrofit listed as their contractor may continue to use them through the course of their application. All program rules will continue to apply.

Sincerely,



Annde Ewertson
Managing Director, Earthquake Brace + Bolt Program