

## **INTERVIEW: RAYAL BODDEN, VP, CCA / BASIA PIORO, CAYMANIAN COMPASS 16 JULY 2009 BUILDERS LAW**

### **I understood the Builders Law was to come into effect in January. What happened?**

The Law was passed in 2007 but has not yet been implemented. Although the previous government promised its implementation repeatedly, this was never done. This was a terrible disservice to the people of Cayman, as this was a consumer protection law of proven national importance.

### **What is the status of the Builders law right now?**

It is awaiting implementation. Consumers should look forward to the new government completing the process to ensure that the people of Cayman receive the protection that the Law will provide.

### **What are the main objectives the law is trying to achieve?**

First and foremost, it licenses and grades contractors and gives the public a department and Board to whom they can appeal if they have been badly treated by a contractor. This licensing is something that no honest and capable contractor should object to. He should welcome it.

Second, it is designed to stem the present abuse of construction workers that is now rampant in Cayman. Licenses will only be given to those who are adhering to Cayman's employment laws; paying for health plans, pension plans, workmans comp insurance, etc. These are not fringe benefits that an employer should be allowed not to pay. These are basic rights that all employees deserve. We cannot choose which laws we wish to obey. This law is not creating new employment requirements. It simply provides a process for reviewing and confirming that current employment laws are being followed.

Third, the Law will give Building Control and the Planning Department some reprieve from contractors who perform substandard work, causing repeated inspections by Building Control. This puts an unnecessary strain on the inspection system, and the wasted inspection time delays inspections on other projects.

### **What would you say to contractors who are worried it will push them out of the business?**

We would encourage them to read the Law. The CCA is made up of large and small contractors alike. I am a small contractor and, having studied the Law, find that it is equally fair to contractors of all sizes. I would be happy to talk to any and all small contractors in detail to help them in gaining a fuller, more complete understanding of the Law.

No honest and capable contractor has anything to fear from this law. But most importantly, it will assure the consumer and the country as a whole of better quality construction and value for money.

### **What kind of benefits can consumers and society expect from the law?**

First, consumers will have the knowledge that, if a contractor has been granted a license at a given grade, he is capable of performing the level of work at that grade. If, for example, you wish to build a home, you would go to the website and see what contractors are licensed to build homes. If you were approached by someone who had never done this type of work and he wasn't listed on the website, you would not consider him for the job no matter what exaggerated claims he made about himself. You would be protected.

Second, if a contractor who had received, say, a residential builders license and you hired him to build your home and he then did a bad job or did not complete the work, you would be able to file a formal complaint which the Board would review. As a result, irresponsible builders would either have to become more responsible or lose their licenses.

### **What kind of benefits can builders expect from the law?**

Years ago on Cayman, most builders were Caymanian. The volume of work was small and homes were built on cash deals and a handshake. Those days are gone and today we have complex financial arrangements, mortgages, building codes and inspections, in addition to a tremendous volume of development. Events like Hurricane Ivan have caused unscrupulous operators to flourish. The Builders Law is to the construction industry what the Monetary Authority is to the financial industry. The Monetary Authority protects Cayman's consumers from people like Bernard Maddoff. Consumers deserve no less protection with regard to their most important asset – their home.

### **Do you anticipate that the new government will implement the Builders Law?**

Yes, we do. After Hurricane Ivan, literally thousands of Caymanians were taken advantage of by unscrupulous contractors. We believe that the new LOGB will never allow that to happen again. This Law is looking for a government leader to recognize its inherent value to the citizens of this country and we believe that we have that leader in Mr. Bush.

### **Is there reason to believe that what happened after Hurricane Ivan will be repeated if the Builders Law is not implemented?**

That will be a certainty. After Hurricane Paloma hit the Brac, some Brackers told similar stories to what happened in Grand Cayman post-Ivan. Hurricane season is upon us again and Caymanians will once again be exposed to the abuses of con-men. When our people are at risk, they must be provided with protection. Thankfully, the Law is written and has been passed by unanimous vote in the House. It need now only be implemented.