BIENNIAL REPORT
2014 - 2016

117,500 ONLINE TRANSACTIONS
268,200 RENEWALS & REINSTATEMENTS
49,200 APPLICATIONS
416,000 PHONE CALLS RECEIVED
111,600 E-MAILS RECEIVED
56,500 NAME & ADDRESS CHANGES

Facebook
Board Meetings
Regulatory Town Hall
Presentations
YouTube
Public Hearings
News Outlets
Website

Accessible
Engaged
Responsive
DPOR boards cannot deny anyone's license application, or discipline a licensee, without documenting the facts behind the case decision.

An **INFORMAL FACT-FINDING (IFF)** conference is the due process administrative proceeding that puts those facts "on the record," giving applicants and licensees the opportunity to present evidence about their case.

**LICENSING ORDERS**
- 786 IFFs
- Applicants with criminal history evaluated against nine factors on case-by-case basis.

**DISCIPLINARY ORDERS**
- 226 IFFs
- Prima facie cases result in 20% fewer disciplinary IFFs.

**CONSENT ORDERS**
- 0 IFFs
- 60% of disciplinary cases resolved through ratified consent orders without need for IFF.

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**Licensing IFFs**
- Allow applicants to provide additional documentation or clarification in support of their qualifications.
- Also used for evaluation of applicants who disclose prior criminal convictions.
- Files forwarded directly to the board without the need for an IFF. (Board may remand for IFF at any point prior to case decision.)
- Permissible if respondent fails to acknowledge IFF notifications or affirmatively waives the right.

**Disciplinary IFFs**
- Occur after a complaint investigation suggests a potential regulatory violation.
- Afterward, board reviews IFF transcript, summary, and entire case file before rendering its decision.

**Prima facie cases**

**Consent Orders**
- Voluntary, negotiated settlement agreements that bypass an IFF, often saving time and resources.
- If the board ratifies the terms, the licensee waives the right to appeal and the case is closed without further action.

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A prior conviction is not an automatic barrier to licensure.

When considering an applicant with criminal history, Section 54.1-204 of the **Code of Virginia** directs DPOR boards to consider **nine factors**:

1. nature and seriousness of the crime;
2. the crime’s relationship to the profession;
3. if being licensed gives opportunity to engage in similar criminal activity;
4. the crime’s connection to the ability to engage in the profession;
5. age at the time of the offense;
6. amount of time since applicant’s criminal offense;
7. extent of past criminal history;
8. applicant’s conduct and work activity;
9. efforts toward rehabilitation while incarcerated or after release.
Boards cannot order a licensee to refund money, correct deficiencies, or provide other personal remedies. DPOR jurisdiction extends only to regulated entities and individuals; unlicensed activity is a misdemeanor criminal offense.

**TOP 3 Complaint Areas**

- **Contractors** (44%)
- **Real Estate + Fair Housing** (23%)
- **Barbers + Cosmetology** (15%)

**Contractor Recovery Fund**

- $1.6 MILLION
- 105 CLAIMS PAID

**Real Estate Recovery Fund**

- $59,000
- 5 CLAIMS PAID

- **250** CRIMINAL WARRANTS OBTAINED BY DPOR FOR UNLICENSED ACTIVITY
- **$367,300** COURT-ORDERED VICTIM RESTITUTION IN DPOR-ASSISTED UNLICENSED PROSECUTIONS

**NEW PROGRAMS**

- Natural Gas Auto Mechanics & Technicians
- Amateur Martial Arts Sanctioning
## REGULATORY PROGRAM

<table>
<thead>
<tr>
<th>Profession/Professionals</th>
<th>Revenues</th>
<th>Expenditures</th>
<th>Number of Meetings</th>
<th>Examinations Administered</th>
<th>Complaints Received</th>
<th>Population (6/30/16)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architects, Professional Engineers, Land Surveyors, Certified Interior Designers &amp; Landscape Architects</td>
<td>$3,377,239</td>
<td>$3,379,494</td>
<td>24</td>
<td>6,986</td>
<td>131</td>
<td>41,989</td>
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<tr>
<td>Appraisers (Real Estate)</td>
<td>$611,360</td>
<td>$502,910</td>
<td>10</td>
<td>246</td>
<td>215</td>
<td>4,170</td>
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<tr>
<td>Asbestos, Lead &amp; Home Inspectors</td>
<td>$593,249</td>
<td>$524,068</td>
<td>7</td>
<td>102</td>
<td>62</td>
<td>5,812</td>
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<tr>
<td>Auctioneers</td>
<td>$90,486</td>
<td>$125,778</td>
<td>5</td>
<td>97</td>
<td>41</td>
<td>1,508</td>
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<tr>
<td>Barbers &amp; Cosmetology</td>
<td>$9,092,680</td>
<td>$7,052,813</td>
<td>9</td>
<td>17,805</td>
<td>1,025</td>
<td>72,325</td>
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<tr>
<td>Boxing, Martial Arts &amp; Professional Wrestling</td>
<td>$407,846</td>
<td>$425,767</td>
<td>3</td>
<td>N/A</td>
<td>13</td>
<td>1,047</td>
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<tr>
<td>Branch Pilots</td>
<td>$5,820</td>
<td>$4,117</td>
<td>7</td>
<td>13</td>
<td>0</td>
<td>46</td>
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<tr>
<td>Cemetery</td>
<td>$216,070</td>
<td>$170,594</td>
<td>5</td>
<td>N/A</td>
<td>85</td>
<td>1,111</td>
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<tr>
<td>Common Interest Communities</td>
<td>$1,958,312</td>
<td>$1,407,377</td>
<td>12</td>
<td>N/A</td>
<td>491</td>
<td>6,759</td>
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<tr>
<td>Contractors</td>
<td>$16,257,475</td>
<td>$15,100,229</td>
<td>21</td>
<td>33,070</td>
<td>2,928</td>
<td>88,306</td>
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<td>Fair Housing</td>
<td>$76,775</td>
<td>$76,775</td>
<td>8</td>
<td>N/A</td>
<td>369</td>
<td>2,676</td>
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<tr>
<td>Hearing Aid Specialists &amp; Opticians</td>
<td>$257,815</td>
<td>$274,379</td>
<td>5</td>
<td>837</td>
<td>25</td>
<td>2,621</td>
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<tr>
<td>Natural Gas Auto Mechanics &amp; Technicians (regulations effective 7/1/2016)</td>
<td>N/A</td>
<td>$593</td>
<td>3</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>Polygraph Examiners</td>
<td>$41,595</td>
<td>$17,251</td>
<td>4</td>
<td>48</td>
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<td>299</td>
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<td>Real Estate</td>
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<td>$8,433,776</td>
<td>26</td>
<td>39,417</td>
<td>1,188</td>
<td>68,254</td>
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<td>Soil Scientists, Wetland Professionals &amp; Geologists</td>
<td>$89,335</td>
<td>$102,407</td>
<td>3</td>
<td>103</td>
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<td>1,169</td>
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<td>Waste Management Facility Operators</td>
<td>$41,570</td>
<td>$45,607</td>
<td>3</td>
<td>144</td>
<td>1</td>
<td>664</td>
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<tr>
<td>Waterworks, Wastewater Works Operators &amp; Onsite Sewage System Professionals</td>
<td>$597,335</td>
<td>$493,851</td>
<td>12</td>
<td>2,237</td>
<td>89</td>
<td>5,720</td>
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<tr>
<td><strong>TOTALS</strong></td>
<td>$41,364,099</td>
<td>$38,137,786</td>
<td>167</td>
<td>101,105</td>
<td>6,672</td>
<td>305,276</td>
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</tbody>
</table>

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**DPOR is funded by license fees, not by any tax revenues. We adjust fees in accordance with the Callahan Act to make sure revenues are sufficient to cover expenses, but not excessive. Fee-setting is conducted pursuant to the Administrative Process Act’s public comment and executive branch review requirements.**

**We welcome public participation!** Board meetings are open to the public and minutes are posted online. Sign up on the **Virginia Regulatory Town Hall** to receive notification of meetings and regulatory actions: www.townhall.virginia.gov