

HOW TO FILE A COMPLAINT

The Department regulates the following professions and occupations:

| | | |
|-----------------------------|-----------------------------------|-----------------------------------|
| ARCHITECT | GEOLOGIST | PROPERTY OWNER'S ASSOCIATION |
| ASBESTOS ABATEMENT | HEARING AID SPECIALIST | REAL ESTATE |
| AUCTIONEER | HOME INSPECTOR | REAL ESTATE APPRAISER |
| BARBER | INTERIOR DESIGNER | RESIDENTIAL BLDG. ENERGY ANALYSTS |
| BODY-PIERCER | LANDSCAPE ARCHITECT | SURVEYOR IN TRAINING |
| BOXER | LAND SURVEYOR | SURVEYOR PHOTOGRAMMETRIST |
| BRANCH PILOT | LEAD ABATEMENT | TATTOOER |
| CEMETERY | MARTIAL ARTIST | TIMESHARE |
| COMMON INTEREST COMMUNITIES | NAIL TECH/SALON/SCHOOL | TRADESMAN |
| CONDOMINIUM | NATURAL GAS AUTO MECHANIC | WASTE MGT. FACILITY OPERATOR |
| CONTRACTOR | ONSITE SEWAGE SYSTEM PROFESSIONAL | WATERWORKS & WASTEWATER WORKS |
| COSMETOLOGIST/SALON/SCHOOL | OPTICIAN | WAX TECHNICIAN |
| ENGINEER IN TRAINING | POLYGRAPH EXAMINER | WETLAND DELINEATOR |
| ESTHETICIAN | PROFESSIONAL ENGINEER | WRESTLER |
| FAIR HOUSING BOARD | PROFESSIONAL SOIL SCIENTIST | |

The **Compliance and Investigations Division** of the Department of Professional and Occupational Regulation (the "Department") reviews complaints to determine whether the Department is authorized to process the complaint. The Department will only process complaints against individuals or businesses that are subject to the laws or regulations of regulatory boards within the Department.

TIME FOR FILING A COMPLAINT

Any complaint against a regulant for any violation of statutes or regulations pertaining to the regulatory boards, in order to be investigated by the Department, shall be made in writing, or otherwise made in accordance with Department procedures, and received by the Department within three years of the act, omission or occurrence giving rise to the violation.

Where a regulant has materially and willfully misrepresented, concealed, or omitted any information and the information so misrepresented, concealed, or omitted is material to the establishment of the violation, the complaint may be made at any time within two years after discovery of the misrepresentation, concealment, or omission.

WHAT HAPPENS WHEN YOU FILE A COMPLAINT

The complaint will be reviewed to determine whether a violation of a law or board regulation may have occurred. If the evidence supports a probable violation of a law or board regulation, the complaint will be processed by the Compliance and Investigations Division. The complaint may be resolved informally or investigated further. You may be asked to provide additional information.

If the investigation shows probable cause that a violation occurred, (1) the appropriate regulatory board may take action to require remedial education, impose a fine, suspend or revoke the license, or fail to renew a license, or (2) criminal action may be taken if the individual or business is not licensed. You may be asked to appear in court or at a disciplinary proceeding to provide testimony for the case.

If the investigation does not show probable cause that a violation occurred, the case will be closed. For more information about the disciplinary process, visit our website at: www.dpor.virginia.gov.

In some instances, the Department may offer mediation as a means of alternative dispute resolution regarding complaints against licensees. A regulatory board CANNOT require any individual or business to refund money, correct deficiencies, or provide other personal remedies. In some cases, legal action may be your only recourse to resolve a matter. The Department cannot provide legal advice.

In certain cases, you may be eligible to receive funds under the Virginia Transaction Recovery Acts. In order to file a recovery fund claim, you must complete a notarized Recovery Fund Claim Application. A disciplinary Complaint Form is not sufficient to initiate a Recovery Fund claim. Copies of the Recovery Fund Claim Application can be found on the Department's website: [Recovery Fund Claim Form \(Contractors\)](#) and [Recovery Fund Claim Form \(Real Estate\)](#). Further information about the Recovery Fund process is available on the Department's website at www.dpor.virginia.gov. If you have additional questions or need assistance, please contact the Recovery Fund Section at (804) 367-1559, or by e-mail, at recoveryfund@dpor.virginia.gov.

COMPLAINT FORM INSTRUCTIONS

NOTE: The Department cannot guarantee anonymity. By law, all complaints received by the Department are subject to public disclosure once a case is closed. Therefore, if you wish to file a complaint anonymously, please do not submit the complaint electronically. In addition, do not include any personal information on the complaint form or any supplemental documents that reveals your identity. While the Department may accept an anonymous complaint, it will not proceed if it lacks sufficient information to support a regulatory or criminal violation.

- Fill in your personal information.
- Fill in the name, address, email address, and telephone number(s) of the person you are filing a complaint against.
- Provide a description of your complaint on the attached Complaint Form, using additional pages if necessary.
- Include as many specific details as possible, such as dates, names of persons involved, etc.
- Send copies of any documents in support of the complaint (e.g., contract, purchase agreement, warranty information, checks, receipts, invoices, photographs, correspondences, etc.). Do NOT send originals.
- Please NO STAPLES. We request all documentation be bound with a paper clip or binder clip.
- There is a size limit for documents submitted via email. If your attachments exceed 18 MB, a non-delivery receipt will be sent to you. If you exceed the limit, please submit the complaint form and supporting documents to the mailing address below.
- Provide your full name and date the complaint form at the bottom of the page.

Submit the complaint form and additional documents to:

Department of Professional and Occupational Regulation
Compliance and Investigations Division
Complaint Analysis & Resolution
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1485

| | |
|--------------|--|
| Email | complaintanalysis@dpor.virginia.gov |
| Fax | (866) 282-3932 |
| Office Hours | 8:15 a.m. - 5:00 p.m. |

The Department considers all complaints important. The processing of the complaint will be conducted in as timely a manner as possible. Many complaints, however, present an immediate threat to public safety and will be given priority. Thank you for your patience during the complaint process.



| FOR OFFICE USE ONLY | |
|---------------------|--|
| LICENSE NUMBER: | |
| EXPIRATION DATE: | |
| FILE NUMBER: | |

COMPLAINT FORM

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SECTION I - INFORMATION

COMPLAINT FILED BY

Name _____

Company _____
(Your company name if filing on behalf of a company)

Mailing Address _____

City, State, and Zip _____

Phone Numbers _____
BUSINESS CELL HOME/OTHER

Email Address _____

Address where problem occurred _____

City/County _____

How did you hear about DPOR? Newspaper DPOR publication, speaker, or contact
 TV Referred by _____
 Radio Other _____
 Internet

COMPLAINT AGAINST

Individual Name _____

Company _____

Address _____

City, State, and Zip _____

Phone Numbers _____
BUSINESS CELL HOME/OTHER

Email Address _____

Type of License and/or License Number _____

SECTION II - SUPPORTING DOCUMENTS

To process a Complaint Form, supporting documents are needed, which may include the following:

| | |
|-----------------------|--|
| ALL BOARDS | Copies of all relevant documentation, including, but not limited to: contracts, agreements, invoices, receipts, correspondence, and photographs (all pages - front and back) |
| CONTRACTOR | Copy of contract, Proof of Payment, Building Official Documentation, Notice of Violation |
| REAL ESTATE | Purchase Contracts, Listing Agreements, Settlement Statements, Cancelled Checks, Disclosure Statements, Management Agreements, Leases |
| APPRAISER | Copy of Appraisal |
| LAND SURVEYOR | Copy of Survey |
| BARBERS & COSMETOLOGY | Copy of Medical Records/Photos (re: injuries) |

SECTION III - COMPLAINT DESCRIPTION

Describe the complaint. If more room is needed, include an additional document with submittal.

[Empty box for complaint description]

I wish to complain about the individual/business named above. I understand that a regulatory board does not have the authority to require a licensee to return money, correct deficiencies, or provide other personal remedies. I further understand that decisions regarding criminal prosecutions are at the discretion of the Department and the Commonwealth's Attorney. I am submitting this information so that the Department may determine whether disciplinary or criminal action against this individual or business should be considered. I verify under penalty of law that the information provided is true to the best of my knowledge.

Full Name _____

Date _____

SECTION IV - HOW TO SUBMIT THIS FORM

Please return this form one of the following ways:

EMAIL * ⇨ complaintanalysis@dpor.virginia.gov
* BEFORE SUBMITTING VIA EMAIL, PLEASE SEE INSTRUCTIONS BELOW

FAX ⇨ (866) 282-3932

MAIL ⇨

Department of Professional and Occupational Regulation
Compliance and Investigations Division
Complaint Analysis & Resolution
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1485

Contact Information:

Dept. of Professional and Occupational Regulation
Complaint Analysis & Resolution

COMPLAINTS - (804) 367-8504

VA RELAY ♦ - 7-1-1

HOTLINE FOR OLDER VIRGINIANS - (804) 367-2178

EMAIL - complaintanalysis@dpor.virginia.gov

WEBSITE - www.dpor.virginia.gov

♦ Virginia Relay enables people who are deaf, hard of hearing, Deaf Blind, or speech disabled to communicate by TTY (text telephone) or another assistive telephone device with anyone who uses a standard phone.

* There is a size limit for documents submitted via email. If your attachments exceed 18 MB, a non-delivery receipt will be sent to you. If you exceed the limit, please submit the complaint form and supporting documents to the mailing address above.