

The Virgin Islands Consortium

Contractors Face New Scrutiny From DPNR and DLCA in Effort to Curb Violations of USVI Building Code

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Linda Straker **June 11, 2022**



Dept. of Planning and Natural Resources Commissioner Jean-Pierre Oriol on Friday told senators that there is a need to revamp the building code in the USVI and associated penalties for those who violate and engage in illegal construction.

Facing questions about the status of illegal construction in the territory from Senator Janelle Sarauw during a Committee on Infrastructure and Disaster Recovery hearing, Mr. Oriol said the situation is twofold.

“First and foremost, it’s on the owner to make sure they are fully compliant. The second one — and I think for years they are made to believe that they are exempt from being

held responsible — is the contractor,” said Mr. Oriol, who informed the hearing that following the devastation caused by Hurricanes Irma and Maria in 2017, several homeowners did not comply with the building code.

He further disclosed that one of the things DPNR recently put together is a proposal that would result in the free inspection of homes. “We would like to run something like a free inspection program so that people could have their homes assessed,” he said, adding that DPNR knows of many homeowners who, in the aftermath of the 2017 storms, received work from people who claimed to be contractors without verification, in an effort to get the work done as quickly as possible.

“We just want to run a home inspection program that gives people the knowledge as to whether or not what was done to their homes, the repairs that were done are good, or if they need to make improvements,” he said while disclosing that all penalties would be removed under the free inspection initiative.

Mr. Oriol said that in order to make sure contractors and homeowners comply with regulations, DPNR plans on collaborating with the Department of Licensing and Consumer Affairs. The plan includes levying penalties on a contractor found to have been noncompliant and then sharing that information with DLCA, which will then investigate the contractor's business license. “Contractors are required to be in compliance with all of the laws of the Virgin Islands in order to maintain their business license in good standing,” Mr. Oriol said.

He added, “So gone are the days when the contractor will feel they are exempt of any of this because we are starting to implement penalties on the contractor,” he told the hearing which was receiving testimony from DPNR related to all disaster-related projects, including marine and historic efforts in the territory, their respective contracts, inclusive of professional service and task order contracts, both anticipated and underway

DPNR said it has no role as it relates to advising the community on the use of contractors because that is a decision made after an application is approved. “When people are coming to us to submit their application, they may not have a developer yet, they may not have the contractor yet because [they] are still seeking bids based on what the plans are,” Mr. Oriol said while informing members of the committee that DLCA has its own plan to deal with the problem.

“I know the goal in DLCA is reintroducing the contractor license listing so that the public will know who has a license in the territory and people should be using the list from DLCA to select or make their selection when they hire a contractor,” said Mr. Oriol.

DPNR is responsible for the implementation of five direct assistance programs: The Hurricane Fisheries Disaster Relief Program, the VI Historic Recovery Program, the Fisheries CARES Act I and II Stimulus programs, and the VI Council of the Arts CARES Act Stimulus Program.