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After Storm Tree Work - Helpful Guidelines for Hiring a Tree Contractor

With regards to tree care companies, Connecticut already has some very strong laws in place, particularly as regards tree care companies. The most important law in this context is the Arborist Law – *CGS 23-61a-f.*

Under this law, anyone who performs 'arboriculture' is required by the State of Connecticut to have an arborist license, or be working under someone who has a license. Anyone who 'advertises, solicits or contracts' to do arboriculture must have an arborist license.

It is important to note: under this law, removing trees is not considered to be 'arboriculture'. As such, a person does not need to be licensed to do removals. In fact, some people would argue that this is a weakness in the law. While most people who do tree removals do so with skill and integrity, there is concern that this gap in the law encourages some unlicensed people to recommend tree removals, even when removal is not necessary, because otherwise they are not legally able to do the work.

In a storm situation, however, when people are dealing with major emergencies of all sorts, they may not necessarily be paying much attention to the niceties of the law – they want the work done now. Under those circumstances, as much as any, it is imperative, before a homeowner lets anyone set a foot on their property to do any work, that they receive a piece of paper from the contractor that show that the person they are hiring is adequately insured for damage and liability, including motor vehicle liability and workman's compensation.

The reason this is so important is that, if the contractor is not adequately insured, then the homeowner may end up assuming the liability his or herself – including liability for injury to workers brought in by the contractor. For instance, if a person is attempting to dislodge a large tree off of a roof and falls and breaks his leg – if the person who hired him does not have insurance, that person could very well sue the property owner – and win!

So, the bottom line:

- If the homeowner has any expectation of keeping a tree that has been damaged, he or she should only hire a licensed arborist. Even if they are not interested in keeping the tree, they might want to hire a licensed arborist because the license is an indication of the individual's level of knowledge in the field.

- Regardless of whether the tree needs to be removed or not, anyone working on the property should be able to provide the homeowner, in writing, proof of insurance regarding damage and liability – including coverage for worker injury. This paper should come from the insurance carrier.

- It is always best, where possible, to also have a written contract with the tree company, both to guarantee that the expected work is done and also that the company does not take liberties and then charge more.

- Do not pay in advance! Reputable companies know how to bill for services.

As for how to find out who is licensed as an arborist in Connecticut – it is by individuals, not companies. A full listing can be found at:
http://www.kellysolutions.com/ct/index.htm

A shorter list based on membership can be found on the CT Tree Protective Association site – http://www.ctpa.org/ . This site also has some recommendations on hiring an arborist.

Finally, some mention should be made of the home improvement contractor's law. This law requires that anyone who does a 'home improvement' be registered as a home improvement contractor and have a license from the State Department of Consumer Protection. This law specifically exempts both tree care and tree removal, but covers a lot that would be relevant following a storm.

Checklist for Hiring a Tree Contractor

- Confirm the Tree Company employs an arborist licensed by the State of Connecticut to perform arboricultural work. Get their arborist license number.
- Have Tree contractor provide you with an insurance certificate before they perform any work. The certificate should include Motor Vehicle, Liability and Workmen's Compensation.
- Check the local yellow pages for area Arborists.
- Get at least 3 references from the contractor from recent jobs.
- Get a few different quotes from tree contractors; make sure you compare apples to apples.
- Check the references.
- Make sure both you and the contractor understand what your yard and trees will look like when the job is completed.

- Ask if they are a member of the Connecticut Tree Protective Association. (This is a professional organization that many companies belong to) or any other professional organizations they are members of.

- Check with the Local Chamber of Commerce

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