

Proposed Criminal Conviction Guidelines

RESIDENTIAL SOLAR RETAILERS AND SOLAR SALESPERSONS

Crimes involving deceit, fraud, misrepresentation, deceptive trade practices, deceptive business practices, tampering with records, or failure to comply with regulatory filing requirements.

Reasons:

1. Licensees have the means and the opportunity to practice deceit, fraud, and misrepresentation related to residential solar energy systems.
2. Licensees interact and work with adults, including the elderly, who may be particularly at risk for financial exploitation or abuse and unable to report or protect themselves from exploitation and abuse.
3. Licensees may advertise or otherwise make false representations about services, products, benefits, costs, and other matters related to residential solar energy systems.
4. A person with a predisposition and experience in committing false, misleading, or deceptive acts would pose a risk to the property of their customers and would have the opportunity to engage in further similar conduct.

Crimes involving prohibited sexual conduct.

Reasons:

1. Licensees have direct access to private residences and deal directly with the general public.
2. A person with a predisposition and experience committing these types of offenses would pose a risk to the public and provide an opportunity to engage in further similar conduct.

Crimes involving children, the elderly, or the disabled as victims.

Reasons:

1. Licensees deal directly with the general public, including the elderly, disabled, and children.
2. Licensees may interact directly with children, the elderly, or the disabled, who may be particularly at risk for exploitation or abuse.
3. A person with a predisposition and experience in committing these types of offenses would pose a risk to the public and provide an opportunity to engage in further similar conduct.

Crimes against property such as theft or burglary.

Reasons:

1. Licensees have access to private residences where they may come into direct contact with unattended property.
2. A person with the predisposition and experience in committing crimes against property would have the opportunity to engage in further similar conduct.

Crimes involving racketeering, organized crime, money laundering, tax evasion, or criminal influence.

Reasons:

1. Persons with the predisposition and experience in committing crimes depriving others of money or property through a criminal enterprise would have the opportunity to engage in further similar conduct.

Crimes against the person such as homicide, kidnapping, and assault.

Reasons:

1. Licensees have direct contact with persons at residences in situations that have potential for confrontational behavior.
2. A person with a predisposition for a violent response would pose a risk to the public and would provide an opportunity to engage in further similar conduct.