SENATE BILL 18 By: Senator E. Williams By: Representatives Lemons, Johnson For An Act To Be Entitled AN ACT TO REGULATE FOUNDATION REPAIR CONTRACTS; TO REQUIRE A CONTRACTOR TO RECORD A FOUNDATION REPAIR CONTRACT; AND FOR OTHER PURPOSES. Subtitle TO REGULATE FOUNDATION REPAIR CONTRACTS; AND TO REQUIRE A CONTRACTOR TO RECORD A FOUNDATION REPAIR CONTRACT. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS: SECTION 1. Arkansas Code Title 4, Chapter 75, is amended to add an additional subchapter to read as follows: Subchapter 10 — Foundation Repair Contracts Act A-75-1001. Title. This subchapter shall be known and may be cited as the "Foundation Repair Contracts Act". A-75-1002. Purpose. The purpose of this subchapter is to ensure fair and reasonable regulation of foundation repair contracts to prevent misleading and deceptive business practices in the performance of a foundation repair contract.	1 2	State of Arkansas 90th General Assembly	A Bill	
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4 12 1003. Delinitations.		4-75-1003 Def	initions.	
36 As used in this section:		·		

T	(1) "Contractor" means a person or an entity that repairs or has
2	repaired the foundation of a single-family dwelling;
3	(2) "Foundation repair contract" means a written contract
4	between a homeowner and a contractor to repair the foundation of a single-
5	<pre>family dwelling;</pre>
6	(3) "Homeowner" means the initial owner and any subsequent owner
7	of a single-family dwelling; and
8	(4) "Single-family dwelling" means a dwelling constructed for
9	habitation by one (1) to four (4) families.
10	
11	4-75-1004. Foundation repair contract requirements.
12	A foundation repair contract shall contain the:
13	(1) Legal description and street address of the single-family
14	dwelling; and
15	(2) Names and addresses of the parties to the contract.
16	
17	4-75-1005. Enforceability.
18	A foundation repair contract is enforceable by a homeowner against a
19	contractor for the time specified in the foundation repair contract.
20	
21	<u>4-75-1006. Penalties.</u>
22	A person who fails to comply with this subchapter is guilty of a
23	violation punishable by a fine of one hundred dollars (\$100) for each day the
24	noncompliance continues.
25	
26	4-75-1007. Civil remedies.
27	If a homeowner successfully files suit to obtain a remedy authorized by
28	this subchapter, the homeowner shall recover:
29	(1) Twice the amount of the cost to repair the foundation,
30	remediate any defects, and reconstruct the structural damage resulting from a
31	defect in a single-family dwelling's foundation; and
32	(2) Court costs and a reasonable attorney's fee.
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