

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

*As Engrossed: S2/3/15*

# A Bill

SENATE BILL 181

5 By: Senator E. Williams  
6 By: Representatives Lemons, Johnson  
7

## For An Act To Be Entitled

8  
9 *AN ACT TO REGULATE FOUNDATION REPAIR CONTRACTS; AND*  
10 *FOR OTHER PURPOSES.*

### Subtitle

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13  
14 *TO REGULATE FOUNDATION REPAIR CONTRACTS.*

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18  
19 SECTION 1. Arkansas Code Title 4, Chapter 75, is amended to add an  
20 additional subchapter to read as follows:

21 Subchapter 10 – Foundation Repair Contracts Act

22  
23 4-75-1001. Title.

24 This subchapter shall be known and may be cited as the "Foundation  
25 Repair Contracts Act".

26  
27 4-75-1002. Purpose.

28 The purpose of this subchapter is to ensure fair and reasonable  
29 regulation of foundation repair contracts to prevent misleading and deceptive  
30 business practices in the performance of a foundation repair contract.

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32 4-75-1003. Definitions.

33 As used in this section:

34 (1) "Contractor" means a person or an entity that repairs or has  
35 repaired the foundation of a single-family dwelling;

36 (2) "Foundation repair contract" means a written contract



1 between a homeowner and a contractor to repair the foundation of a single-  
2 family dwelling;

3 (3) "Homeowner" means the initial owner and any subsequent owner  
4 of a single-family dwelling; and

5 (4) "Single-family dwelling" means a dwelling constructed for  
6 habitation by one (1) to four (4) families.

7  
8 4-75-1004. Foundation repair contract requirements.

9 A foundation repair contract shall contain the:

10 (1) Legal description and street address of the single-family  
11 dwelling; and

12 (2) Names and addresses of the parties to the contract.

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14 4-75-1005. Enforceability.

15 A foundation repair contract is enforceable by a homeowner against a  
16 contractor for the time specified in the foundation repair contract.

17  
18 4-75-1006. Penalties.

19 A person who fails to comply with this subchapter is guilty of a  
20 violation punishable by a fine of one hundred dollars (\$100) for each day the  
21 noncompliance continues.

22  
23 4-75-1007. Civil remedies.

24 If a homeowner successfully files suit to obtain a remedy authorized by  
25 this subchapter, the homeowner shall recover:

26 (1) Twice the amount of the cost to repair the foundation,  
27 remediate any defects, and reconstruct the structural damage resulting from a  
28 defect in a single-family dwelling's foundation; and

29 (2) Court costs and a reasonable attorney's fee.

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31 */s/E. Williams*  
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