

Stricken language would be deleted from and underlined language would be added to present law.  
Act 687 of the Regular Session

State of Arkansas  
90th General Assembly  
Regular Session, 2015

As Engrossed: S2/3/15 H3/5/15  
**A Bill**

SENATE BILL 181

By: Senator E. Williams  
By: Representatives Lemons, Johnson

## For An Act To Be Entitled

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

### Subtitle

*TO REGULATE FOUNDATION REPAIR CONTRACTS.*

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

4-75-1001. Title.

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

4-75-1002. 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.

4-75-1003. Definitions.

As used in this section:

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

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



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

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

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

4-75-1004. Foundation repair contract requirements.

A foundation repair contract shall contain the:

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

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

4-75-1005. Enforceability.

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

4-75-1006. Civil remedies.

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

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

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

*/s/E. Williams*

**APPROVED: 03/25/2015**