

Stricken language would be deleted from and underlined language would be added to present law.

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*