

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

**Legislative Document**

**No. 1310**

H. P. 1105

House of Representatives, March 16, 1981

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Require Builders to Offer Warranties on Homes which they Construct.**

Be it enacted by the People of the State of Maine, as follows:

10 MRSA c. 214-A is enacted to read:

**CHAPTER 214-A**

**WARRANTIES FOR CONSTRUCTION OF NEW HOMES**

**§ 1431. Definitions**

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings.

1. **Home.** "Home" means a building intended for use as a residence. It does not include outbuildings or attached garages or carports.

2. **Major structural defects.** "Major structural defects" means actual physical damage to the following designated load-bearing portions of a home caused by failure of those load-bearing portions which affect their load-bearing functions to the extent that the home becomes unsafe, unsanitary or otherwise unliveable:

- A. Foundation systems and footings;
- B. Beams;

- C. Girders;
- D. Lintels;
- E. Columns;
- F. Walls and partitions;
- G. Floor systems; and
- H. Roof framing systems.

§ 1432. Warranty

The Commissioner of Business Regulation shall establish an express warranty for the construction of any home in the State. This express warranty shall, at a minimum, include the following:

1. Three-year warranty. A 3-year express warranty against any defects in materials or construction in the home; and
2. Ten-year warranty. A 10-year warranty against any major structural defect.

§ 1433. Violations

Any person engaged in the business of constructing buildings, who constructs a building intended as a home shall offer the purchaser of the home a minimum warranty as established by this chapter. The purchaser shall have the option of purchasing the warranty or not purchasing the warranty. Any person who fails to offer such a warranty commits a civil violation for which a forfeiture of not less than \$500 nor more than \$1,000 shall be adjudged.

STATEMENT OF FACT

The purpose of this bill is to require builders of homes to offer a 10-year warranty to the home purchaser to protect him against defects in material or construction.