

Take the 'fuss' out of confusion

Submitted by Lori Lewis, Residential Warranty Company, LLC, a member of IBA's Associates Committee.

There has been much talk about Indiana's New Home Construction Warranty statute, and yet there is still confusion. Did you know that a builder is responsible to the initial homebuyer of new construction for the following:

- 1) Two years against workmanship/material defects;
- 2) Two years against mechanical defects (exclusive of items of equipment);



- 3) Four years against roof defects, and;
 - 4) Ten years against major structural defects?
- As provided in the "Indiana Warranty

Codes and Acts", the current Indiana State Statute is very clear on builder(s)' warranty responsibilities. If anything less than an insured, written warranty is given to a homeowner, a builder is "defaulted" to the "implied warranty". Contact the Indiana Builders Association for a copy at www.BuildIndiana.org or (800)377-6334.

The Implied Warranty is described as "unwritten warranties relating to the reasonable expectations of a homeowner with regard to the construction of the homeowner's home, as those reasonable expectations are defined by the courts on a case by case basis." This situation can become extremely

subjective and include such issues as their right to the use and enjoyment of their home.

A builder remains responsible and liable for the entire period of the warranty term set by state statute regardless of the number of subsequent homeowners. The only means to circumvent the implied warranty of the state is to place an insured, written warranty on your new homes. For a list of companies providing warranties call IBA.

Visit www.BuildIndiana.org/AssociatesCommittee.htm. Join the Associates Committee at the November 13 meeting in Indianapolis.



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Location for IHC classes: Indiana Housing Center (IHC), 1011 Dr. Martin Luther King Jr. St., Indianapolis, IN 46202

Questions? Contact Carlie Hopper at (800) 377-6334 ext. 106 or Carlie@BuildIndiana.org
Return Completed Form: IBA, P.O. Box 44670 Indianapolis, IN 46244-0670 FAX (317) 236-6342

WHAT IS CGA?

The Certified Graduate Associate (CGA) is a professional designation offered by the National Association of Home Builders for its associate members. The classes cover a variety of home building industry subjects. Whether you have years of experience working in the building industry or you're new to your job, the CGA program provides you the opportunity to learn the home building business from the best resource possible-builders and remodelers themselves. The CGA classes are the same that builders and remodelers take for their designation programs, so while you learn about the industry, you can also build relationships with potential customers and network with professional peers.

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