

“Right to Cure” and CAUTIONARY STATEMENT TO OWNERS OBTAINING UDC BUILDING PERMITS

2005 Wisconsin Act 201, the “Right to Cure Law,” says that consumers at the time of contracting for construction or remodeling work for dwellings must be provided with this brochure describing requirements for making any future claims of construction defects.

The “Right to Cure Law” also provides timetables and steps to help solve disputes and misunderstandings between consumers and contractors related to residential construction and remodeling, before going to court or arbitration.

People who feel they have a claim concerning defective workmanship or materials need to provide written notice to contractors or suppliers before any legal action may be filed.

The contractors and suppliers have the opportunity and the responsibility to respond to claims. This brochure highlights some of the provisions of the “Right to Cure” Law, and is not a complete description of the law, and is not a substitute for legal representation. *Brochure available at: <http://commerce.wi.gov/SBdocs/SB-UdcRightCureBrochureV4.pdf>*

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101.65 (1r) of the Wisconsin Statutes requires an owner who applies for a building permit to sign a statement advising the owner that: If the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under s. 101.654(2)(a), the following consequences might occur:

101.65(1r)(a)

a) The owner may be held liable for any bodily injury to or death of others or for any damage to the property of others that arises out of the work performed under the building permit or that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.

(1r)(b)

b) The owner may not be able to collect from the contractor damages for any loss sustained by the owner because of a violation by the contractor of the one and two family dwelling code or an ordinance enacted under sub. (1)(a), because of any bodily injury to or death of others or damage to the property of others that arises out of the work performed under the building permit or because of any bodily injury to or death of others or damage to the property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.

ACKNOWLEDGED AND ACCEPTED

Owner/Applicant _____

Date _____

Owner copy

File copy