

HOME ELEVATIONS - KNOW YOUR RIGHTS NOTICE

Beginning on October 1, 2014, all contractors entering into contracts to perform home elevations must register with the Division of Consumer Affairs (the "Division") as a home elevation contractor. In order to qualify for registration, a home elevation contractor must have at least one person in a staff, ownership, or consulting position with at least five years of experience in the elevation of residential or non-commercial structures. The home elevation contractor must also maintain \$500,000 per occurrence of commercial general liability insurance, as required of all home improvement contractors, and a minimum of \$1,000,000 per occurrence of cargo or other insurance that specifically covers damages or losses to the homeowner, lessee, tenant or other party resulting from home elevation activities. Please note that all contractors who executed contracts for home elevations before October 1, 2014 are not required to register with the Division as home elevation contractors for the purpose of completing these contracted projects, but the contractor must inform you of the new insurance requirements under the law, as well as the proposed insurance and bonding requirements below.

The Division has also proposed rules setting forth additional insurance and bonding requirements. These rules are presently subject to public comment and are awaiting possible adoption. At this time, there is no specific timetable for the adoption of these rules. If these additional rules are implemented, a home elevation contractor will have to meet the following insurance and bonding requirements:

- (1) \$1,000,000 per occurrence of general commercial liability insurance;
- (2) Cargo or similar insurance protecting the homeowner's, lessor's, or tenant's personal property in the minimum amount of \$50,000 per occurrence;
- (3) Riggers, care, custody or control, or similar insurance protecting the dwelling and other structures being elevated in the minimum amount of \$500,000 per occurrence;
- (4) Insurance protecting the homeowner, lessor, or tenant from losses not caused through any fault of the contractor in the minimum amount of \$500,000 per occurrence;
- (5) Commercial auto liability insurance in the minimum amount of \$1,000,000 per occurrence;
- (6) Any additional insurance required by law, including, but not limited to, workers compensation insurance; and
- (7) A payment and performance bond in favor of the homeowner for the duration of the project in the amount of the cost of the home elevation project.

Because you entered into a contract prior to October 1, 2014 with a home improvement contractor to perform home elevation services, your contractor will be deemed to be in compliance with the law so long as the contractor maintains written proof that you have been apprised of the new insurance requirements that were effective on October 1, 2014, and the potential deferred insurance and bonding requirements set forth above. Signing the attached acknowledgement will satisfy this written proof requirement.

ACKNOWLEDGEMENT

My home improvement contractor has informed me of the experience and insurance requirements for contractors performing home elevations that became effective on October 1, 2014, as well as the insurance and bonding requirements that may be implemented in the near future. I understand that because I entered into a contract prior to October 1, 2014, for the performance of home elevation services with a home improvement contractor, I may proceed with the performance of this contract, even though my home improvement contractor may not be registered with the Division as a home elevation contractor and may not have fulfilled the experience and insurance requirements set forth above that are mandatory for all contracts executed after October 1, 2014.

Consumer's Name
(*print*)

Consumer's Signature

Consumer's Address

Consumer's Telephone Number

Date Signed

Home Elevation Contractor's Name
(*print*)

Name and Title/Position of
Home Elevation Contractor's
Representative
(*print*)

Signature of Home Elevation
Contractor's Representative

Date Signed