

(c) "Home improvement" means the repair, replacement, remodeling, alteration, conversion, modernization, improvement, or addition to any land or building, or that portion thereof which is used or designed to be used as a residence or dwelling place for 1, 2, or 3 single family units; and shall include the construction, replacement, or improvement of driveways, swimming pools, porches, garages, landscaping, fences, fall-out shelters and other improvements to structures or upon land which is adjacent to a dwelling house for 1, 2, or [3,] 3 single family units. "Home improvement" also includes the replacement, installation, and connection of dishwashers, disposals, and refrigerators with icemakers to existing exposed household plumbing lines. "Home improvement" shall not include (i) the construction of a new home building or work done by a contractor in compliance with a guarantee of completion of a new building project, (ii) the sale of goods or materials by a seller who neither arranges to perform nor performs directly or indirectly any work or labor in connection with the installation of or application of the goods or materials, or (iii) any replacement, installation, or connection of appliances to existing exposed plumbing lines that requires alteration of the existing lines. Without regard to the extent of affixation, "home improvement" includes the installation of central heating or air-conditioning systems, storm windows, awnings, or fire alarms.

DRAFTER'S NOTE:

Error: Extraneous comma in Article 56, § 249(c).

Occurred: Ch. 638, Acts of 1985.

257E.

(a) Subject to the limitations set forth in [subsection (b)] SUBSECTIONS (B) AND (C) OF THIS SECTION, the Commission may direct payment from the Fund only if:

(1) The Commission's decision or order has become final in accordance with the Administrative Procedure Act with all rights of appeal exhausted; or

(2) The claimant provides the Commission with a certified copy of a final judgment of a court of competent jurisdiction, or a final award in arbitration, with all rights of appeal exhausted, in which the court or arbitrator has expressly found on the merits that the conditions precedent to recovery set forth in § 257A(a) are met and has made a finding as to the dollar value of any actual loss.

DRAFTER'S NOTE:

Error: Erroneous internal reference in Article 56, § 257E(a).