

(vi) Retaining walls not necessary for the structural stability of the new home;

(vii) Landscaping;

(viii) Fences;

(ix) Off-site improvements;

(x) Appurtenant recreational facilities; and

(xi) Other similar items as determined by the Secretary.

(j) "New home warranty" means a series of written promises made by a builder that meets the requirements of this subtitle.

(k) "New home warranty security plan" means a plan that meets the requirements of § 10-606 of this title.

(l) "Owner" means the purchaser of a new home who uses the home primarily for residential purposes during the warranty period.

(m) "Plumbing systems" means:

(1) Gas supply lines and fittings;

(2) Water supply, waste, and vent pipes and their fittings;

(3) Septic tanks and their drain fields; and

(4) (i) Water, gas, and sewer service piping and their extensions to the tie-in of a public utility connection; or

(ii) On-site wells and sewage disposal systems.

(n) ["Secretary" means the Secretary of Labor, Licensing, and Regulation or the Secretary's designee.

(o)] (1) "Structural defect" means any defect in the load-bearing portions of a new home that adversely affects its load-bearing function to the extent that the home becomes or is in serious danger of becoming unsafe, unsanitary, or otherwise uninhabitable.

(2) "Structural defect" includes damage due to subsidence, expansion, or lateral movement of soil that has been located or relocated by the builder.

(3) "Structural defect" does not include damage caused by movement of the soil:

(i) Resulting from a flood or earthquake; or

(ii) For which compensation has been provided.