

**IMPORTANT NOTICE**  
**Contractor Repair Act**

The Contractor Repair Act (HRS Chapter 672E) requires that all claimants filing an action alleging residential construction defects against a contractor must serve the contractor with a written notice of claim no less than ninety days before filing the action. The Act defines “contractor” as “any person, firm, partnership, corporation, association, or other organization that is engaged in the business of designing, manufacturing, supplying products, developing, constructing, or selling a dwelling,” and became effective on July 1, 2004.

Under the Act, a contractor must provide notice to the owner of the premises of the contractor’s right to resolve alleged construction defects before a claimant may commence litigation against the contractor. The notice must be conspicuously included in the contract for the construction or substantial remodeling of a premises, and must be in substantially the following form:

“CHAPTER 672E OF THE HAWAII REVISED STATUTES  
CONTAINS IMPORTANT REQUIREMENTS YOU MUST  
FOLLOW BEFORE YOU MAY FILE A LAWSUIT OR OTHER  
ACTION FOR DEFECTIVE CONSTRUCTION AGAINST THE  
CONTRACTOR WHO DESIGNED, REPAIRED, OR

CONSTRUCTED YOUR HOME OR FACILITY. NINETY DAYS BEFORE YOU FILE YOUR LAWSUIT OR OTHER ACTION, YOU MUST SERVE ON THE CONTRACTOR A WRITTEN NOTICE OF ANY CONSTRUCTION CONDITIONS YOU ALLEGE ARE DEFECTIVE. UNDER THE LAW, A CONTRACTOR HAS THE OPPORTUNITY TO MAKE AN OFFER TO REPAIR AND/OR PAY FOR THE DEFECTS. YOU ARE NOT OBLIGATED TO ACCEPT ANY OFFER MADE BY A CONTRACTOR. THERE ARE STRICT DEADLINES AND PROCEDURES UNDER THE LAW, AND FAILURE TO FOLLOW THEM MAY NEGATIVELY AFFECT YOUR ABILITY TO FILE A LAWSUIT OR OTHER ACTION.”

For specific information on the claim process, please refer to Chapter 672E, Hawaii Revised Statutes.