

STATE OF NEW YORK

4084

2017-2018 Regular Sessions

IN ASSEMBLY

February 1, 2017

Introduced by M. of A. HOOPER -- Multi-Sponsored by -- M. of A. PERRY --
read once and referred to the Committee on Consumer Affairs and
Protection

AN ACT to amend the general business law, in relation to requiring a
reasonable time for inspection of home improvements made pursuant to
contract

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 771 of the general business law is
2 amended by adding two new paragraphs (i) and (j) to read as follows:

3 (i) A notice to the owner that, in addition to any right of
4 inspection, the owner shall have fifteen days from the approximate or
5 estimated completion date specified in the contract within which to make
6 an inspection of the work completed. No schedule of payments shall
7 require final payment be made pursuant to the contract until such period
8 of inspection has expired.

9 (j) A notice to the owner purchasing the home improvement that he or
10 she shall pay one-third of the agreed upon consideration for the work
11 and materials as a down payment to the home improvement contractor prior
12 to the commencement of any work, another one-third of the agreed upon
13 consideration on the first day work is commenced and the final one-third
14 of the agreed upon consideration to be paid upon the completion of such
15 work, provided however, such owner shall have the right to withhold the
16 final one-third payment until the fifteen day period specified in para-
17 graph (i) of this subdivision has elapsed.

18 § 2. This act shall take effect immediately and shall apply to all
19 home improvement contracts entered into on or after such date.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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