



**HOME BUILDERS & REMODELERS ASSOCIATION
OF CONNECTICUT, INC.**

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*Your Home
Is Our
Business*

February 7, 2017

To: Senators Carlo Leone and Kevin Witkos, Representative David Baram,
Co-Chairs, and Representative Richard Smith, Ranking Member
Members of the General Law Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: **Support HB 5261, AAC the Provision of Emergency Home Repair
Services by Home Improvement Contractors**

The HBRA of Connecticut is a professional trade association with about eight hundred (800) member firms statewide employing tens of thousands of CT's citizens. Our members, all small businesses, are residential and commercial builders, land developers, remodelers, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to our diverse industry and to consumers. We build between 70% to 80% of all new homes and apartments in the state each year and engage in countless home remodeling projects.

The HBRA of CT supports a change to the Home Improvement Contractor (HIC) Act to exempt emergency repair services from the home owner's three-day right of rescission.

Currently under the HIC Act, CGS sec. 20-429, all HIC contracts must contain a notice of the homeowner's cancellation rights under chapter 740, the Home Solicitation Sales Act. This allows a homeowner to cancel a contract with a HIC within three days of signing the contract. This protects consumers from being bound to a contract in which they may have been pressured to sign, or mistakenly signed (e.g., from a door-to-door salesperson). And, it also means that any HIC proceeds at their peril if they do any work within that three-day cancellation period.

However, **in an emergency repair situation**, such as a burst pipe, failed appliance, broken window, tree limb thru roof, or many other scenarios, in which work needs to be done immediately to either repair or mitigate damage, **the three-day waiting period can work to harm either the consumer or the contractor, or both**. Thus, a waiver of the rescission period should be allowed. To avoid any future disagreements, require a signed acknowledgment from both the homeowner and HIC that the situation is an emergency.

Therefore, a new subsection to 20-429 should be inserted as follows: "(g) The owner's cancellation rights under this chapter and chapter 740 may be waived by the owner at any time prior to the expiration of such right, provided both the owner and the contractor sign a statement, separate from but referencing the home improvement contract, that the work agreed to in the home improvement contract constitutes an emergency and the owner is waiving its three-day right of rescission." Thank you for the opportunity to comment on this legislation.

Vision: "Building CT's Economy, Communities and Better Lives One Home at a Time"
Mission: "Using Effective Advocacy and New Knowledge to Solve Our Member's Problems."