**§1404. Written warranty; contents**

A statutory warranty is hereby established under which both the manufacturer and the dealer certify that to the best of their knowledge, the new manufactured home is free from any substantial defects in the approved building systems, materials and workmanship. The dealer shall deliver the written warranty to the buyer at the time of sale, and the warranty must contain the following terms: [PL 2017, c. 210, Pt. A, §1 (AMD).]

**1. Defects.**  That the manufactured home is free from any substantial defects in materials or workmanship;

[PL 2017, c. 210, Pt. A, §2 (AMD).]

**2. Corrective action.**  That the manufacturer or dealer or both shall take appropriate corrective action at the site of the manufactured home in instances of substantial defects in materials or workmanship, which become evident within one year from the date of the delivery of the manufactured home to the consumer, provided the consumer or the consumer's transferee gives written notice of such defects to the manufacturer or dealer at the manufacturer's or dealer's business address not later than one year and 10 days after date of delivery;

[PL 2007, c. 402, Pt. B, §1 (AMD).]

**3. Liability.**  That the manufacturer and dealer are jointly and severally liable to the consumer for the fulfillment of the terms of warranty, and the consumer may notify either one or both of the need for appropriate corrective action in instances of substantial defects in the approved building systems, materials or workmanship;

[PL 2017, c. 210, Pt. A, §3 (AMD).]

**4. Name, address and phone number of manufacturer.**  That the name, address and phone number of the manufacturer and the dealer where the consumer must mail or deliver written notice of defects to either the dealer or the manufacturer, or both, shall be set forth in the document;

[PL 1973, c. 754, §2 (NEW).]

**5. Responsibility.**  That, while the manufacturers of any appliances may also issue their own express warranties, the primary responsibility for appropriate corrective action under the warranty rests with the dealer and manufacturer, and the consumer should report all complaints to the dealer and manufacturer initially; and

[PL 2017, c. 210, Pt. A, §4 (AMD).]

**6. Warranty supplemental.**  That this statutory warranty is in addition to any express warranty provided by the manufacturer or dealer and any warranty created by state or federal law, including the implied warranties of merchantability and fitness for a specific purpose. The Manufactured Housing Board, in consultation with the Department of the Attorney General, shall prepare a written warranty form that contains the terms of subsections 1 to 5 and shall ensure that this warranty form is distributed to all dealers and manufacturers doing business in this State.

[PL 1989, c. 717, §3 (NEW).]

SECTION HISTORY

PL 1973, c. 435 (NEW). PL 1973, c. 754, §§1,2 (AMD). PL 1989, c. 717, §§1-3 (AMD). PL 2007, c. 402, Pt. B, §1 (AMD). PL 2017, c. 210, Pt. A, §§1-4 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.