

Your home is often the biggest investment you will make. It is important to keep your home safe and in good repair. Often, small problems can lead to bigger ones if you do not fix the problems early. It may save you money and time to fix small repairs as they come up. If you cannot afford to make the repairs, you can check in your area to see if any agencies offer free or low-cost home repairs. You could contact churches, schools that have a vocational education program, Veterans Administration, Community Action Programs, District Area Aging Agencies, the Boy Scouts, or local charitable organizations. If your repair is small, you may be able to get it done through one of these agencies. You will probably have to hire a professional home repair contractor for larger repairs.

Shopping for Repairs

Before hiring a contractor, you should check his or her references. If a contractor cannot give you any names of satisfied customers from previous jobs, do not hire the contractor to repair your home. You can also contact the Better Business Bureau and the Attorney General's Consumer Division to see if any complaints have been made against the contractor.

Ask for estimates on the work that needs to be done. You can get estimates from more than one contractor, along with starting and completion dates, and find out

what permits will be needed. Get the estimates in writing, so you can compare the contractor's prices.

Ask if the contractor will get the necessary permits for the work to be done. If not, you will have to get the permits before the work can start. You can check with the county to see what permits are needed and also to make sure your contractor is licensed to work in your county.

Financing Repairs

Be careful about financing your repairs through the contractor. You may be able to get a better loan through your bank or your mortgage company. Do not sign anything that gives the contractor a lien on your property. (However, if you do not pay the contractor, the contractor can place a Mechanic's Lien on your home and could actually take possession of your house if you do not pay the contractor. Read more about this later).

Once the Work Begins

Once you have contracted for work, do not pay everything up front. You should keep half of the payment for when the job is done properly. If the contractor tells you he needs to have more money for the materials, tell him you will pay for the materials directly to the building supply company, and subtract that amount from the final payment to the contractor.

After the Work is Done

You may have to have the work checked by the county inspector before it can be considered final. Once the work has passed inspection and you are happy with the work, make the final payment. Always get a signed receipt for any payments you make for home repairs, and keep your receipts. If the contractor has a guarantee or warranty on his work, and you discover any problems, contact the contractor as soon as you discover the problem.

Home Improvement Law

If you are getting repairs made to your home and the repairs will cost more than \$150, the Home Improvement Law applies. Under this law, the contract for home repair must include several things, including a description of the home improvements, the approximate starting and completion dates, and the cost of the repairs. The homeowner and the company or person doing the repairs must sign the contract.

If the contractor does not follow these rules and does not do the repairs correctly, the homeowner can sue the contractor for damages and attorney fees. The Attorney General can also make the contractor pay a fine.

Mechanic's Lien

If you have work done on your home and

you do not pay for the work, the contractor can file a Mechanic's Lien against your property. This means that if you try to sell the property, you will first need to pay off the lien. The contractor could even file a lawsuit asking the court to make you sell your home to pay the lien. You should receive notice from the contractor if the contractor files a Mechanic's Lien or a lawsuit.

Do not ignore a Mechanic's Lien or a lawsuit filed by a contractor. You could lose your home. If possible, you should pay the money owed. You can contact local agencies such as the ones listed above or your local Trustee to ask for help paying the money.

If you disagree with the amount the contractor says you owe or the way the work was done, you should contact an attorney right away.

If You Have a Problem...

If you have a problem with home repairs that have been done to your home, you can contact the Attorney General's office at (800) 382-5516 and your local Better Business Bureau to make a complaint. You can also contact a private attorney or your Legal Services office. A private attorney might handle your case without charging you a fee because the contractor might have to pay your attorney's fees.

If you have a problem with home repairs,

you should make these calls soon after you notice a problem because there are time limits for filing lawsuits.

TO SUBMIT AN APPLICATION FOR LEGAL ASSISTANCE, CALL **ILS INTAKE:**

Anderson:
1-877-323-6260

Evansville:
1-877-323-6260

Gary:
(219) 886-3161

Indianapolis:
(317) 631-9410 or
1-800-869-0212

New Albany:
(812) 945-4123 or
1-800-892-2776

Bloomington:
1-877-323-6260

Fort Wayne:
1-877-323-6260

Hammond:
(219) 853-2360

Lafayette:
(765) 423-5327 or
1-800-382-7581

South Bend:
(574) 234-8121 or
1-800-288-8121

If you are not sure which office serves your area,
dial 1-877-323-6260

Last Revised 05/2002

Special
Code:1030305

ESPAÑOL 1-877-323-6260

Home Repairs

Prepared by:

Indiana Legal Services, Inc.

This is for information only. It is NOT legal advice. For legal advice, contact an attorney or a Legal Services office.

The production of this pamphlet is made possible by a grant from the Indiana Bar Foundation.

on the web at:
<http://www.indianajustice.org>