

1 Amend the Transportation, Housing, and Local Government Committee  
2 Report, dated March 18, 2025, page 6, strike lines 13 and 14 and  
3 substitute "VIOLATION OF THE APPLICABLE STANDARD.

4 (9) (a) FOR PROPERTY IN WHICH THE BUILDER IS A PARTICIPANT IN  
5 THE MULTIFAMILY CONSTRUCTION INCENTIVE PROGRAM, WITHIN THIRTY  
6 DAYS AFTER THE COMPLETION OF THE INSPECTION PROCESS CONDUCTED  
7 PURSUANT TO THIS SECTION, A CONSTRUCTION PROFESSIONAL SHALL SEND  
8 OR DELIVER TO THE CLAIMANT, BY CERTIFIED MAIL, RETURN RECEIPT  
9 REQUESTED, OR BY PERSONAL SERVICE:

10 (I) AN OFFER TO SETTLE THE CLAIM BY:

11 (A) PAYMENT OF A SUM CERTAIN; OR

12 (B) AGREEING TO REMEDY THE CLAIMED DEFECT DESCRIBED IN  
13 THE NOTICE OF CLAIM;

14 (II) A WRITTEN RESPONSE THAT:

15 (A) IDENTIFIES THE STANDARDS THAT APPLY TO THE CLAIMED  
16 DEFECT'S CONSTRUCTION OR PERFORMANCE; AND

17 (B) EXPLAINS WHY THE CLAIMED DEFECT DOES NOT REQUIRE  
18 REPAIR; OR

19 (III) A WRITTEN RESPONSE THAT EXPLAINS THE CONSTRUCTION  
20 PROFESSIONAL'S SCOPE OF WORK AND WHY THE CLAIMED DEFECT IS NOT  
21 WITHIN THE WORK AND RESPONSIBILITY OF THE CONSTRUCTION  
22 PROFESSIONAL.

23 (b) A WRITTEN OFFER TO REMEDY A CONSTRUCTION DEFECT MUST  
24 INCLUDE A REPORT OF THE SCOPE OF THE INSPECTION, THE FINDINGS AND  
25 RESULTS OF THE INSPECTION, A DESCRIPTION OF THE ADDITIONAL  
26 CONSTRUCTION WORK NECESSARY TO REMEDY THE DEFECT DESCRIBED IN  
27 THE NOTICE OF CLAIM AND ALL DAMAGE TO THE IMPROVEMENT TO REAL  
28 PROPERTY CAUSED BY THE DEFECT, AND A TIMETABLE FOR THE  
29 COMPLETION OF THE REMEDIAL CONSTRUCTION WORK.

30 (10) (a) WITHIN THIRTY DAYS AFTER THE REJECTION OF AN OFFER  
31 MADE PURSUANT TO SUBSECTION (9) OF THIS SECTION, A CLAIMANT SHALL  
32 PROVIDE A CONSTRUCTION PROFESSIONAL WITH A WRITTEN PROPOSAL TO  
33 HAVE THE CONSTRUCTION DEFECT REPAIRED AT THE CONSTRUCTION  
34 PROFESSIONAL'S EXPENSE OR TO SETTLE THE CLAIM.

35 (b) IF THE CONSTRUCTION PROFESSIONAL DOES NOT ACCEPT THE  
36 PROPOSAL PROVIDED BY THE CLAIMANT PURSUANT TO SUBSECTION (10)(a)  
37 OF THIS SECTION IN WRITING WITHIN FIFTEEN DAYS AFTER DELIVERY OF  
38 THE PROPOSAL, THE PROPOSAL IS DEEMED TO HAVE BEEN REJECTED.

39 (c) IF THE CONSTRUCTION PROFESSIONAL ACCEPTS THE PROPOSAL  
40 PROVIDED BY THE CLAIMANT PURSUANT TO SUBSECTION (10)(a) OF THIS  
41 SECTION, THE CONSTRUCTION PROFESSIONAL SHALL PAY THE CLAIMANT'S

1 REASONABLE ATTORNEY FEES AND COSTS INCURRED IN INVESTIGATING  
2 THE DEFECT AND PROPOSING THE REPAIR.".

3 Page 9 of the printed bill, line 22, strike "(2)" and substitute "(11)".

4 Page 6 of the report, line 15, strike "(4.5)".

5 Page 6 of the report, strike lines 20 through 25 and substitute:

6 "Page 10 of the bill, strike line 27.

7 Page 11 of the bill, strike lines 1 through 20 and substitute:

8 "(3) EXCEPT AS PROVIDED IN SECTION 13-20-803.3 (9), within  
9 thirty days ~~following~~ AFTER the completion of the inspection process  
10 conducted pursuant to subsection (2) of this section, or within forty-five  
11 days ~~following~~ AFTER the completion of the inspection process in the case  
12 of a commercial property, a construction professional may send or deliver  
13 to the claimant, by certified mail, return receipt requested, or personal  
14 service, an offer to settle the claim by payment of a sum certain or by  
15 agreeing to remedy the claimed defect described in the notice of claim. A  
16 written offer to remedy the construction defect shall include a report of  
17 the scope of the inspection, the findings and results of the inspection, a  
18 description of the additional construction work necessary to remedy the  
19 defect described in the notice of claim and all damage to the improvement  
20 to real property caused by the defect, and a timetable for the completion  
21 of the remedial construction work.".

22 Page 8 of the report, strike line 1 and substitute:

23 "Page 12 of the bill, strike lines 26 and 27.

24 Page 13 of the bill, strike lines 1 through 10.".

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