

PRE-SUIT CD NOTICE REQUIREMENT QUICK GUIDE

1. Alaska	• 21 days to serve written response after receipt of notice – offer to inspect, offer to settle, or dispute the claim (if claim disputed, property owner goes straight to court) • 14 days, if inspection occurs, to serve written offer to settle, pay, or dispute claim	• AK ST § 09.45.881 • AK ST § 09.45.886
2. California	• 14 days after service to acknowledge receipt of notice of claim • Within 30 days of first or second inspection, may offer written offer to repair or pay for repairs	• CA CIVIL § 910 • CA CIVIL § 917
3. Connecticut	• Prompt repair and restoration	• CT ST §47-280
4. Florida	• 30 days (or 50 days if more than 20 parcels) to inspect after service of Notice of Defect • 45 days after service (or 75 days if more than 20 parcels), contractor must serve written response to repair, pay, dispute claim, or notify of payment by insurance company within 30 days	• FL ST § 558.004
5. Georgia	• 30 days after service of Notice of Defect. Contractor shall serve written claim to repair or pay without inspection or propose to inspect • 14 days after inspection, contractor must serve written offer to repair, pay, or dispute the claim	• GA ST § 8-2-38
6. Hawaii	• 30 days after service of Notice of Defect, must serve written response that offers to settle without inspection or proposes to inspect the property	• HI ST § 672E-3 • HI ST § 672E-4
7. Idaho	• 21 days after service of Notice of Defect, contractor serve written response that proposes to inspect, offers to settle without inspection, or dispute the claim	• ID ST § 6-2503
8. Indiana	• 21 days after service of Notice of Defect, contractor must serve written response that proposes to inspect, offers to settle or repair without inspection, or dispute the claim • If inspection occurs, contractor has 14 days after completion to serve written offer to repair, pay, or not remedy the defect	• IN ST 32-27-3-2 • IN ST 32-27-3-12
9. Kansas	• 30 days after Service of Notice of Defect, contractor must serve written response that proposes to inspect, offer to repair, offer to pay, or dispute the claim. • 30 days after inspection, contractor must serve another offer to repair, pay, or will not remedy	• KS ST 60-4704 • KS ST 60-4706
10. Kentucky	• 21 days after Service of Notice, contractor must serve written response that proposes to inspect, offers to pay/repair, or dispute the claim • 14 days after inspection, contractor must serve written offer to repair, pay, or statement that contractor will not remedy defect	• KY ST § 411.258
11. Louisiana	• Contractor must give owner written notice of contractor's rights at close of contract • Owner must give contractor reasonable opportunity to reply to Notice and comply with law	• LA R.S. 9:3145

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12. Missouri	• 14 days after service of Notice, contractor must serve written offer to propose inspection, remedy without inspection, or dispute the claim • 14 days after inspection, contractor must serve written offer to remedy or statement that contractor will no remedy	• MO ST 436.356
13. Montana	• 21 days after service of Notice, contractor must serve written response offering to inspect, remedy, or dispute the claim • 14 days after inspection, contractor must serve written offer to remedy or statement explaining why contractor will not remedy	• MT ST 70-19-427
14. Nevada	• 90 days after service of Notice, contractor must serve written response stating whether contractor will remedy or disclaim liability	• NV ST 40.645 • NV ST 40.647
15. New Hampshire	• 30 days after service of Notice, contractor must serve written response that offers to remedy, inspect, or wholly reject the claim • 15 days after inspection, contractor must serve written statement offering to remedy or statement that contractor will not remedy	• NH ST § 359-G:4
16. North Dakota	• Contractor shall inspect property within 30 days after Notice. • Contractor has 30 days to remedy the defect, if appropriate	• ND ST 43-07-26
17. Ohio	• 21 days after service of Notice, contractor must respond by offering to inspect, settle without inspection, or dispute the claim. • 10 days after inspection, contractor must offer to remedy defect or provide written statement that contractor will not remedy defect.	• OH ST § 1312.04 • OH ST § 1312.03
18. Oklahoma	• Contract must include contractor's right to inspect and repair. • If so, contractor must give written response 30 days after inspection whether contractor will remedy or not.	• OK ST T. 15 § 765.6
19. Oregon	• 14 days after Notice, contractor must send written request to inspect. • 90 days after receiving Notice, contractor must serve written response that acknowledges the defect with an offer to remedy, or denial of the defect.	• OR ST § 701.565 • OR ST § 701.580
20. South Dakota	• 30 days after service of Notice, contractor can inspect and give written offer to remedy.	• SC ST § 40-59-840
21. Texas	• 35 days after service of Notice to request to inspect in writing. • 45 days to make a written offer to owner to settle	• TX PROPERTY § 27.004
22. Washington	• 21 days after service of Notice, contractor shall provide written response to inspect, remedy without inspections, or dispute claim • 14 days after inspection, contractor shall serve written offer to remedy or statement that contractor will not remedy	• WA ST 64.50.020
23. West Virginia	• Only applicable to Residential. • 30 days after service of Notice, contractor shall respond by offering to inspect, settle without inspection, offer to compromise and settle or dispute the claim.	• W.Va. Code §21-11A-1 through §21-11A-15
24. Wisconsin	• 15 days (or 25 if seeking contribution from supplier) after service of Notice, contractor shall serve written offer to remedy claim, reject claim, or propose to inspect. • 10 days after inspection, contractor shall serve notice of any offers to owner.	• WI ST 895.07

QUESTIONS? Call Your Florida Construction Lawyers!

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