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§14–12A–02.

It is an unfair or deceptive trade practice within the meaning of Title 13 of this article for a seller to:

(1) Sell or offer to sell any basement waterproofing service that uses the soil injection/pressure pumping technique either alone or with any other waterproofing technique unless the need for, effectiveness of, and appropriateness of the method is established in a written seller's analysis. The written seller analysis shall be separate from the service contract and verified by a signed engineer's or architect's analysis furnished to the buyer prior to the sale;

(2) Fail to describe separately and conspicuously on the seller's analysis and the service contract the cost of a soil injection/pressure pumping procedure;

(3) Submit a seller's analysis to the buyer that the seller knows or has reason to know is founded on incorrect facts or conclusions;

(4) Misrepresent directly or through an agent the need for, or the effectiveness of the soil injection/pressure pumping technique alone or in conjunction with other waterproofing techniques. This section also applies to misrepresentation by an engineer in connection with the sale of waterproofing services;

(5) Advertise basement waterproofing services using the soil injection/pressure pumping technique without disclosing in the advertisement that an engineer's analysis recommending this process is required as a condition of its use and that the analysis must be furnished to the buyer before a contract is signed. This disclosure shall be in 10 point boldface type; or

(6) Fail to itemize on the service contract the individual cost of each waterproofing technique used.

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