

**411.252 Definitions for KRS 411.250 to 411.266.**

As used in KRS 411.250 to 411.266, unless the context otherwise requires:

- (1) "Action" means any civil lawsuit or action in contract or tort for damages or indemnity brought against a construction professional to assert a claim, whether by complaint, counterclaim, or cross-claim, for damage or the loss of use of real or personal property caused by a defect in the construction of a residence. "Action" does not include any civil action in tort alleging personal injury or wrongful death to a person or persons resulting from a construction defect;
- (2) "Claimant" means a homeowner who asserts a claim against a construction professional concerning a defect in the construction of a residence;
- (3) "Construction professional" means a builder;
- (4) "Homeowner" means any person, company, firm, partnership, corporation, association, or other entity that contracts with a construction professional for the construction of a residence. "Homeowner" includes but is not limited to a subsequent purchaser of a residence from any homeowner;
- (5) "Residence" means a single-family house, duplex, triplex, or quadraplex, or a unit in a multiunit residential structure in which title to each individual unit is transferred to the owner under a condominium regime as established in KRS 381.815 and shall include general common elements and limited common elements as defined in KRS 381.810; and
- (6) "Serve" or "service" means personal service or delivery by certified mail to the last known address of the addressee.

**Effective:** June 24, 2003

**History:** Created 2003 Ky. Acts ch. 123, sec. 1, effective June 24, 2003.