



**FINAL EXERCISES**

The exercises contain at least one case, one code citation and one COMAR reference. For all exercises, make sure to include the **citation** to where you found the answer. Abbreviated citation format is fine, as in the examples on the class agenda.

When looking for case law, there may be more than one case that fits the exercise. If your search finds more than one, please list up to 3, with a brief explanation or quote from the case to show why you thought the case was relevant.

## **Maryland Home Improvement Act**

Ada Thompson decided to have a deck built onto her house. She asked around for names, and hired a contractor, Giles Master, to do the job. Mr. Master purchased the needed materials and began construction. About halfway through the project, one of Ms. Thompson's neighbors mentioned to her that when they had their deck done, they'd looked into hiring Mr. Master, but found he did not have a license, and so they declined to hire him.

1. Does Maryland law require a home improvement contractor to have a license? Where is the requirement located? What is the penalty for acting without a license?
2. Ms. Thompson told Mr. Master to stop working. Mr. Master asked for payment for the materials he'd purchased, but Ms. Thompson refused to pay him. Mr. Master then tried to get a mechanic's lien to get his money. As an unlicensed contractor, can Mr. Master have a mechanic's lien enforced?

Ms. Thompson then hired a licensed contractor, Jonathan Winters, to complete the job. She greatly enjoyed her new deck for two and a half years, then one day when a friend, interested in having one of his own built, was checking out her deck, he noticed the supports in the section completed by Mr. Winters were not set correctly, and the deck was beginning to slump. Ms. Thompson contacted Mr. Winters, but he refused to acknowledge there had been any error in construction. She then decided to file a complaint with the Maryland Home Improvement Commission.

3. Is she within the needed time limit to file her complaint? Find the provision that supports your answer.