

**686.1 Definitions.**

As used in [this chapter](#), unless the context otherwise requires:

1. “*Action*” means any civil action or arbitration proceeding for damages or indemnity asserting a claim for injury to property, real or personal, arising out of the unsafe or defective condition of an improvement to real property based on tort, breach of contract, or express or implied warranty.

2. “*Association*” means an entity or homeowners association created for the purposes of managing the operations of a community as set forth in a declaration of covenants or declaration of submission of property to horizontal property regime filed of record in the county that the property is located.

3. “*Claimant*” means a private owner, a subsequent private owner, or an association, who asserts a claim in a class action for damages against a general contractor or subcontractor concerning a construction defect. “*Claimant*” shall not include a public corporation as defined in [section 573.1](#).

4. “*Construction defect*” means an alleged or actual unsafe or defective condition of an improvement to real property.

5. “*General contractor*” means a person who does work or furnishes materials by contract, express or implied, with an owner.

6. “*Owner*” means the legal or equitable titleholder of record to real property or the holder of a leasehold interest.

7. “*Serve*”, “*served*”, or “*service*” means delivery by certified mail with a United States postal service record of evidence of delivery or attempted delivery to the last known address of the addressee, by hand delivery with written evidence of delivery, or by delivery by any courier with written evidence of delivery.

8. “*Subcontractor*” means a person furnishing material or performing labor upon any building, erection, or other improvement to land, except those having contracts directly with the owner.

[2019 Acts, ch 25, §1, 8, 9](#)

Section applies to actions for which litigation has not commenced prior to April 15, 2019; 2019 Acts, ch 25, §8, 9