

## STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

130 State Capitol • 75 Rev. Dr. Martin Luther King Jr. Boulevard • Saint Paul, MN 55155

May 21, 2009

The Honorable Margaret Anderson Kelliher Speaker, Minnesota House of Representatives 463 State Office Building St. Paul, MN 55155

Dear Speaker Anderson Kelliher:

I have vetoed and am returning House File 362, Chapter 140.

The Legislature has taken action on numerous bills relating to homeowner warranties this session. Although this legislation may be well-intentioned, we should be cautious about placing more burdens on the housing sector during this historic recession.

This bill eliminates the requirement that a homeowner notify a contractor of a potential homeowner warranty claim in writing and instead permits written or "actual notice." There is a high level of ambiguity as to how a homeowner conveys an actual notice message. Not having the notice put in writing will lead to disputes as to whether and how verbal notice was provided. A requirement for written notice is a much better approach.

I encourage the authors to work towards a solution that addresses the issue of home defects without driving up the costs and burdens on contractors.

Sincerely,

Tim Pawlenty

Governor

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cc: Senator James Metzen, President of the Senate Senator Lawrence J. Pogemiller, Majority Leader Senator David Senjem, Minority Leader Senator Kevin Dahle Representative Marty Seifert, Minority Leader Representative Kate Knuth

Mr. Peter S. Wattson, Secretary of the Senate (Legislative) Mr. Al Mathiowetz, Chief Clerk of the House of Representatives

Mr. Mark Ritchie, Secretary of State