

General Conditions for Building Contracts (YSE 1998) RT 16-10660

YSE 1998, s. 29

Liability during guarantee period

1. The contractor is liable for the conformity of his work with the provisions of the contract during the guarantee period, the length of which, unless specified otherwise in the contract, shall be two years. The contractor's work covered by the guarantee also includes additional and modification work.
2. The contractor is obliged at his own expense to repair the defects that emerge in his building contract work during the guarantee period which he cannot demonstrate to have occurred for reasons beyond his control, for example by demonstrating that it is a question of normal wear and tear or damage caused through incorrect use or neglect of maintenance measures for which the client is liable. Defects that create difficulty in using the finished result or cause danger or disrepair must be corrected or removed by the contractor without delay. If the contractor delays in carrying out the work referred to above, the client shall be entitled to do the work at the expense of the contractor once he has given prior notice of this to the contractor in writing.
3. For defects which do not essentially inconvenience the use of the finished result, agreement can be sought over reimbursement for the reduction in value.
4. The guarantee period begins on the day that the building project or a part of it separately agreed for handover is approved for acceptance in the handover inspection, or if no handover inspection is held, on the day the building project is taken into use.
5. For building contract work handed over before completion of the building project, the guarantee period begins from the work completion inspection under s.70, but continues for the agreed guarantee period as of the handover of the building project. If the handover of the building project is delayed for a reason due to the client or another contractor, the guarantee period is extended on account of this by a maximum of 3 months.