

COMMON CONTRACT ERRORS AND OMISSIONS

When Signing the Contract

1. Be sure everyone signs & dates the final page
2. Be sure everyone initials & dates each page of contract
3. Contract should have numbering "1 of xx pages"
4. Be sure all warranties etc. that are incorporated by reference are attached to basic contract.
5. If the contract is a form contract, *all* entries must be filled out (If the space does not apply use "NA" etc.)

Things Each Contract Should Have

6. Be sure to include reasonable attorney's fees & costs in collection
7. Be sure to include a provision for interest finance charge
8. Be sure to include statement of which state law controls
9. Be sure to include statement of where disputes must be resolved
10. Be sure to contract is clear on consequences of not paying, e.g., contract and warranty are void
11. Be sure to define terms carefully,
12. Be sure contract is clear that only the written contract controls and that verbal statements do not make part of contract
13. Be sure to define what is the written contract with its additions etc. so that warranties, exceptions, etc are incorporated by reference.
14. All changes must be in writing
15. Beware of fixed dates for completion
16. Contractor cannot be liable for things that are out of their control (terror, weather problems, etc.)
17. Be sure appropriate consumer protection laws are complied with (if applicable).