

TITLE 2: NATURAL RESOURCES
DIVISION 6: UNIFORM CONDOMINIUM ACT

§ 6414. Statute of Limitations for Warranties.

(a) A judicial proceeding for breach of any obligation arising under 2 CMC §§ 6411 or 6412 must be commenced within six years after the claim for relief accrues, but the parties may agree to reduce the period of limitation to not less than two years.

(b) Subject to subsection (c) of this section, a claim for relief for breach of warranty of quality, regardless of the purchaser's lack of knowledge of the breach, accrues:

(1) As to a unit, at the time the purchaser to whom the warranty is first made enters into possession if a possessory interest was conveyed or at the time of acceptance of the instrument of conveyance if a nonpossessory interest was conveyed; and

(2) As to each common element, at the time the common element is completed or, if later:

(A) As to a common element within any additional or convertible real estate or portion thereof, at the time the first unit therein is conveyed to a bona fide purchaser; or

(B) As to a common element within any other portion of the condominium, at the time the first unit in the condominium is conveyed to a bona fide purchaser.

(c) If a warranty of quality explicitly extends to future performance or duration of any improvement or component of the condominium, the claim for relief accrues at the time the breach is discovered or at the end of the period for which the warranty explicitly extends, whichever is earlier.

Source: PL 3-86, § 4-114.