

**367.626 Definition of "emergency goods or services" -- Advance payments prohibited during cancellation period -- Return of payments or notes of indebtedness -- Unenforceable contract provisions -- Contractor's right to collect reasonable amount for goods and services provided.**

- (1) As used in this section, "emergency goods or services" means goods, services, or goods and services to immediately respond to a sudden, unexpected occurrence that poses a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.
- (2) Except as provided in subsection (3) of this section:
  - (a) A contractor shall:
    1. Not require any advance payments under a real estate goods or services contract until the cancellation period provided in KRS 367.622 has expired; and
    2. Tender to the payor any payments, partial payments, or deposits made, and any note or other evidence of indebtedness provided, to the contractor under a real estate goods or services contract within ten (10) days after the contract has been cancelled under KRS 367.622;
  - (b) Any provision contained in a real estate goods or services contract that requires the payment of any fee shall not be enforceable against any person who has cancelled the contract under KRS 367.622; and
  - (c) Any real estate goods or services contract that contains a price that violates KRS 367.374 shall not be enforceable.
- (3) A contractor that provides any repair services or emergency goods or services authorized under a real estate goods or services contract that has been cancelled under KRS 367.622, including but not limited to repair services necessary to prevent further damage to the premises, shall be entitled to collect a reasonable and customary amount for the goods, services, or goods and services provided.

**Effective:** June 27, 2025

**History:** Amended 2025 Ky. Acts ch. 15, sec. 4, effective June 27, 2025. -- Created 2012 Ky. Acts ch. 97, sec. 4, effective July 12, 2012.

**Legislative Research Commission Note (6/27/2025).** 2025 Ky. Acts ch. 15, sec. 10, provides that the amendments to this statute in that Act shall apply to contracts entered on or after June 27, 2025.