

Construction Defects: Modern Construction Disputes Need a Multi-Disciplinary Legal Team

Methods of Building have Undergone a Revolution

In recent years, residential developers have begun to employ commercial construction techniques in the development of residential buildings. These techniques include the use of concrete and steel mid-rise and high-rise tower construction with exterior building envelope components known as curtain walls, window walls, exterior insulation and finish system (EIFS) foam cladding. These innovative and complex design and construction processes present new problems for homeowner associations faced with construction defects.

Remediation of Post-modern Construction

The highly technical processes and complicated structural components used in modern commercial construction are a challenge even to those with industry experience. Previously, only sophisticated commercial building owners had to concern themselves with the remediation of construction defect damage in such buildings. Now homeowner associations are faced with this same responsibility.

Our Multi-Disciplinary Team Offers Special Expertise

Epsten Grinnell & Howell has represented clients in complex construction defect litigation for more than 28 years, recovering more than \$275 million. Using a multi-disciplinary team of attorneys and construction industry experts, we have successfully tackled such problems as water intrusion through the building envelope (including roofs, walls, and plaza decks), and defects in the mechanical, electrical or structural components of condominium towers. These are all serious problems.

Post-Litigation: Now the Association Must Chart Unknown Waters

Some law firms are so narrow in the scope of services they offer that after a judgment or financial settlement, the association can be left with a sum of money, a list of problems, and no idea where to begin the reconstruction or repair process. Not so, for clients of Epsten Grinnell & Howell. Our attorneys are also very knowledgeable about the business side of construction transactions. This knowledge is not only helpful during litigation, it becomes critical once the association receives a judgment or financial settlement.

Repairs and Reconstruction: More Daunting Tasks for the Association

Large-scale repair or reconstruction projects are complicated. Enormous sums of money are either well-spent on appropriate remedial solutions, or wasted on the wrong scope of work, the wrong contractors, or the wrong construction techniques.

Epsten Grinnell & Howell can help the association through the entire process. We will assist the board by working with a team of properly qualified reconstruction and repair consultants who will advise the association on how best to control the major elements of their repair or reconstruction program: time, cost, and quality. Once the repair or reconstruction needs are prioritized and the scope of work defined, we will assist in the preparation of construction contracts that are comprehensive and best serve the interests of the association. If we have served as the litigation team, we will be familiar with the construction defects impacting the association and will be in the best position to help the board avoid any construction-related problems that could thwart a successful rebuilding program.