

Property & Injury Claims

Landlord-Tenant Dispute Arbitration Testimony

Project Overview

Late in 2014, PFCS was hired by the lawyer for a grocery store (the tenant) involved in a landlord-tenant dispute. The tenant decided to not renew the lease after occupying the property for 20 years. The owner (landlord), who had purchased the property 10 years before, wanted \$200,000 from the tenant for differed maintenance costs he claimed the store was responsible for, according to the terms of the lease. The tenant claimed that they only needed to pay the landlord \$20,000.

By the time of the arbitration in 2015, the owners estimated repair costs and the claim had ballooned to \$600,000, but PFCS estimated only \$40,000 in work was required.

Our Approach

PFCS Construction Claims Analysis Method:

1. **Collect** We organized and analyzed all applicable documents and information.
2. **Plan** and budget our work.
3. **Issues/Allegations** We made a Sensible List that served as an outline of the analysis.
4. **Investigation** We applied PFCS Building Performance Analysis (BPA) Process.
5. **Analysis** We executed an issue-by-issue inquiry of all available information and composed a construction cost estimate.
6. **Conclusions** We documented our conclusions for each issue in a comprehensive report.
7. **Present** We delivered expert deposition testimony and arbitration testimony.

The Result

In the end, the award by the arbitrator was for the \$40,000; which was what PFCS had estimated and testified to during expert deposition.

