

Construction Defects

Downtown Mid-Rise Condominiums

The Problem

The project concerned a seven-story, three building, mid-rise condo complex with over 250 units, an underground parking garage, and an internal courtyard. A complaint was filed with the HOA alleging construction defects, including water intrusion, inadequate fire assembly construction, cracking in the stucco wall cladding, underground waterproofing, and plumbing issues. In total, the cost to repair the defects was estimated at over \$14 million by the owner's experts!

The Solution

Pete Fowler Construction was hired by the developer to provide a property condition assessment, an issue analysis of the alleged defects, identify the scope of repair, and estimate those costs.

Pete Fowler Construction reviewed 18,000 documents, including project service history and the testimony of over twenty individuals. We attended 17 days of on-site investigation where we observed destructive testing, interviewed key players, and performed visual inspections using ASTM E2128 as the foundation of our investigation.

After analyzing the information collected, our team found that many of the stated issues were exaggerated, or caused by deferred maintenance; our client was not responsible for the repair or replacement of most of these issues. Pete Fowler Construction provided a scope of work and cost of repair estimate totaling \$1.4 million, over \$12 million LESS than the owners estimate. In the end, a settlement was reached in our client's favor.



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