

Construction Defects

Incomplete Condo Project with Leaks and Poor Workmanship

The Problem

The project was a condominium development originally designed as 70 units in 13 buildings, but only 24-units in 4-buildings were completed. The local builder was out of business, and the remaining property was sold to a Chinese entity and changed hands several times. We were contacted by the Community Manager due to dramatic roof leakage that needed to be addressed immediately. Our client was the Homeowners Association (HOA) and they informed us of other construction quality issues including stucco and drainage, so we investigated those from our first inspection, since they needed to decide whether or not to pursue a "Builder's Right to Repair" (California's SB800) claim. Additional concerns remained regarding the entitlements of the larger project and evolving ownership of the now separately owned neighboring land.

The Solution

We analyzed key project documents, telephone interviewed people about the history of performance and past repairs, prepared for and conducted a visual investigation that included further interviews. We immediately composed an "Inspection Summary" detailed enough for the HOA Attorney to make a claim against the builder. The documentation was voluminous so they asked us to perform file management including collecting, organizing, summarizing, analyzing, and sharing all documents electronically, in our proprietary, cloud-based, password protected system; this way there was "a single source of truth" for file organization, so duplicate work and costs were avoided. We then led the selection, hiring, scope, and budget management of four specialty experts; we gave them only the documents they needed, required approved budgets in advance, and compared their budgets to billing. We coordinated further inspection and onsite meetings with the new experts, published a Testing Plan with Maps, and executed testing and invasive investigation. We then published a 150 page Report, Scope of Repair, and a Construction Cost Estimate for \$498,000. At this point we were ready to meet with the Builder's Experts, share documents, aid them in their onsite investigations, and engage in a final expert meeting / mediation. The project settled favorably for our client.



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