

Case Study

Construction Contract Claims

Drama, Defects, and Desktop Reviews

The Problem

The project concerned a one-story, single-family home renovation. The owners began remodeling their home near the pandemic's start but became frustrated with repeated delays and defective results. After a few months, the original general contractor's license was suspended and his business closed. Before leaving the project, the contractor recommended that our client (initially a subcontractor on the renovation) assume responsibility for completing the unfinished work.

However, schedule delays continued due to the ongoing pandemic, increasing the owners' dissatisfaction with the quality and quantity of work. Eventually, the homeowners terminated their contract with our client alleging abandonment of the project, hired a new contractor to complete the renovation and repair the existing work. After the renovation was completed, the homeowners claimed our client was responsible for damages exceeding \$125K, citing breaches of contract and defective workmanship.

The Solution

Pete Fowler Construction was hired solely to assess the alleged construction defects, as insurance did not cover contract disputes, making defective work the key factor in reaching a settlement. Our consultant conducted a comprehensive desktop review, utilizing only the project file, photos, and existing documents from the time of construction to assess the necessity and reasonableness of the repairs, all done remotely without the need for an onsite inspection.

The original \$125K in damages sought by the homeowners represented the amount paid to the replacement contractor for completing the remodel of their home and repairing unsatisfactory work. However, our analysis found that only \$30K would be necessary to repair the defects we could prove our client was responsible for based on the evidence available. Attributing a swift and fair settlement to our consultant's verbal opinions, our client was pleased that the project finished under budget because of our remote analysis.



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