

Audience Handout Package

Risk Transfer in Construction Defect Habitability Claims 9/24/2026



DATE

7/28/2026

GENERAL INFO

866-706-7327

info@petefowler.com

www.petefowler.com



Pete Fowler
CONSTRUCTION
Services, Inc.

Project #25-1184



Date: 07/28/2026
To:
From: Pete Fowler Construction Services, Inc.
Project: Risk Transfer in Construction Defect Habitability Claims 9/24/2026 (PFCS 25-1184)
Regarding: Audience Handout Package

Meet the Panel

Elgin Hakala

SENIOR CONSULTANT - PETE FOWLER CONSTRUCTION

A licensed general contractor in the state of California, Elgin Hakala brings extensive experience in contracting, remodeling, project management, and team leadership. He has worked hands-on across all major trades, including electrical, plumbing, carpentry, drywall, landscaping, and concrete, and is proficient in interpreting engineering and architectural plans.

Elgin holds a Senior Construction Professional certification from the Project Management Institute (PMI-SCP), a Lean Six Sigma Green Belt, and has applied Matterport 3D modeling technology to support project documentation and analysis. Drawing on years of experience executing full-spectrum home remodels and leading subcontractor teams, Elgin now helps clients navigate complex construction challenges with practical solutions, clear communication, and collaborative leadership.



Heidi Inman, Esq.

PARTNER - LEWIS BRISBOIS BISGAARD & SMITH LLP

Heidi Inman is a partner in the San Diego office of Lewis Brisbois and a vice-chair of the General Liability Practice. Heidi Inman is actively involved in the ADA Compliance and Defense group and handles ADA defense and housing matters. Ms. Inman is experienced in handling products liability, general liability, trucking accidents, HOA disputes, construction defects, and property management related issues. She also has experience in mass tort litigation.

Heidi Inman is an active litigator, who has tried cases including bench and jury trials. She acts as lead counsel in cases through all phases of litigation. She routinely obtains favorable resolution results for clients. She obtained favorable verdicts for clients in three bench trials and a defense verdict in a trip and fall case, resulting in an award for the defense. She mentors the associate attorneys in the San Diego office. Prior to law school, she worked at the Legal Aid Society of Orange County and in college, she interned with the Supreme Court of the United States.

Ms. Inman has represented HOAs in a variety of suits by owners regarding failures to enforce the CC&Rs, including failure to abate a nuisance and failure to remove a nuisance pet. Additionally, she represented a senior community with respect to a challenge to its validity and extension of declarations of restrictions resulting in a published appellate opinion.

Cameron Kalunian, Esq.

EQUITY PARTNER - LEWIS BRISBOIS BISGAARD & SMITH LLP

Cameron Kalunian is a partner in the Los Angeles office of Lewis Brisbois, a vice-chair of the nationwide Construction Practice, and a member of the Complex Litigation Practice. Mr. Kalunian's practice is focused on multi-party litigation in a wide variety of cases involving claims related to breach of contract, fraud, unfair business practices, real estate, construction defect disputes, and various tort claims. Additionally, Mr. Kalunian has served as litigation counsel for both Fortune 500 companies and small businesses in matters involving intellectual property, employment, real estate, financial institutions, and environmental claims. Mr. Kalunian is an experienced trial lawyer who has garnered many favorable verdicts. His reputation as an aggressive and effective trial lawyer has also resulted in lucrative settlements for his clients.



Risk Transfer in Construction Defect Habitability Claims



OFFICES

CALIFORNIA

(949) 240-9971

1101 California Ave, #213
Corona, CA 92881

NEVADA

(725) 333-2365

2470 St Rose Pkwy, Ste 104
Las Vegas, NV 89074

FLORIDA

(407) 517-0650

9100 Conroy Windermere Rd,
Ste 281
Windermere, FL 34786

TEXAS

(469) 677-8710



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CONSTRUCTION
Services, Inc.

INTRODUCTION

In multifamily residential and high-end residential developments, a construction defect is rarely just a technical building failure. It represents massive legal exposure. When water intrusion, structural failures, or environmental hazards compromise a property to the point of a habitability claim, the financial stakes skyrocket. Tenants and owners sue for lost rent, relocation costs, and unlivable conditions. While attorneys and insurance professionals handle the legal and policy arguments surrounding risk transfer, they cannot succeed without clear, objective physical facts.

As building experts, our role is to provide the technical foundation that makes risk transfer possible. This presentation explores how forensic building investigations, structured issues list, and objective damage allocation provide the clarity needed to resolve complex claims. By analyzing real-world habitability cases, from upscale custom homes to multi-unit condominium conversions, we will break down how building experts isolate the physical root causes of damage so that legal and insurance professionals can accurately assign responsibility.

PROGRAM OUTLINE

1. Introduction
2. The Anatomy of Habitability Defects
3. The Building Expert's Role in Risk Transfer
4. Forensic Investigation & Evidence Gathering
5. Case Studies: Allocation in Action
6. Conclusion

LEARNING OBJECTIVES

- Identify the specific building failures that turn a standard construction defect claim into a high-stakes tenant habitability action.
- Understand the technical data and documentation that insurance and legal professionals require from building experts to execute contractual risk transfer.
- Explain how building experts distinguish between direct installation defects and resulting consequential property damage through physical evidence.
- Review how contextual photo analysis and a structured issues list are used to build a solid, objective record for dispute resolution.

PROGRAM CONTENTS

1. Introduction – 5 Minutes
 - A. Who We Are
 - B. Presenter Information
 - C. Program Outline
 - D. Program Introduction
 - E. Learning Objectives
2. The Anatomy of Habitability Defects – 10 Minutes
 - A. Defining Habitable vs Uninhabitable
 - B. The Primary Culprits
 - C. Consequential Damages Trigger
3. The Building Expert's Role in Risk Transfer – 15 Minutes
 - A. Technical Data for Risk Transfer
 - B. The Technical Side of "Your Work" vs "Consequential Damage"
 - C. Interfacing with Multi-Party Insurance Programs
4. Forensic Investigation and Evidence Gathering – 15 Minutes
 - A. Moving from Inspection to Forensic Investigation
 - B. The Pre-Investigation Blueprint
 - C. Contextual Photo Analysis
 - D. Interviews and Timelines
5. Case Studies: Allocation in Action – 10 Minutes
 - A. The Upscale Custom Home Water Intrusion Crisis
 - B. Condominium Conversion Habitability Nightmare
6. Conclusion – 5 Minutes
 - A. Continuing Education
 - B. Backup Materials
 - C. Feedback

BACKUP MATERIALS

1. [Allocation of Responsibility in Construction-Defect Litigation](#) by Pete Fowler
2. [Civil Litigation Basics for Construction Professionals](#) by Pete Fowler
3. [Building Investigation Basics](#) by Pete Fowler
4. [Insurance Basics for Construction Professionals](#) by Pete Fowler
5. [A Custom Home in an Upscale Neighborhood with Water Intrusion and Habitability Claims](#)
6. [Condominium Conversion with Habitability Claims](#)



 Pete Fowler
CONSTRUCTION
Consultants

THURSDAY, SEPTEMBER 24th, 2026 @ 10:00AM PT

Risk Transfer in Construction Defect Habitability Claims

With Elgin Hakala, Heidi Inman, Esq., and Cameron Kalunian, Esq.





ABOUT US

Building Experts.

Helping Smart People
Make Smart Decisions



Construction Defects



Property Claims



Personal Injury Claims



Contract Claims

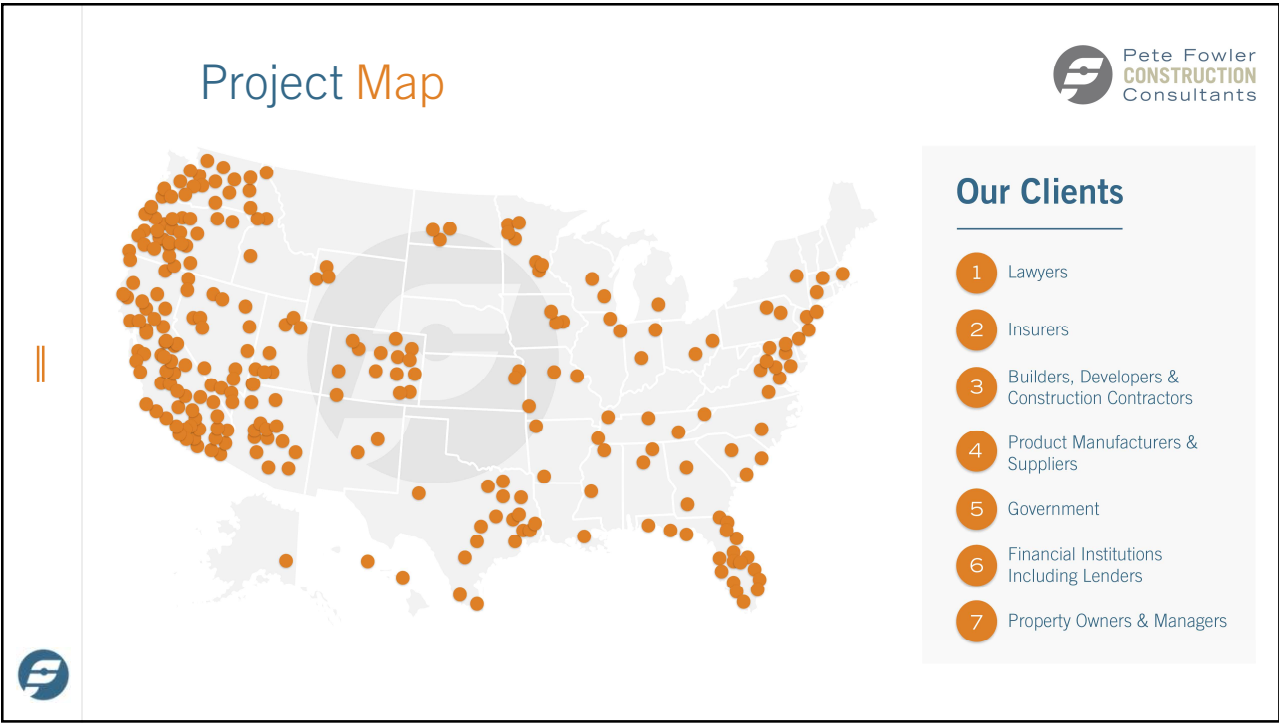


Estimating, Quality & Construction Management



Fire Claims







Meet our Presenters



Elgin Hakala
Senior Consultant
Pete Fowler Construction Consultants



Heid Inman, Esq.
Partner
Lewis Brisbois Bisgaard & Smith LLP



Cameron Kalunian, Esq.
Equity Partner
Lewis Brisbois Bisgaard & Smith LLP





Outline

RISK TRANSFER IN CONSTRUCTION DEFECT HABITABILITY CLAIMS

Introduction

The Anatomy of Habitability Defects

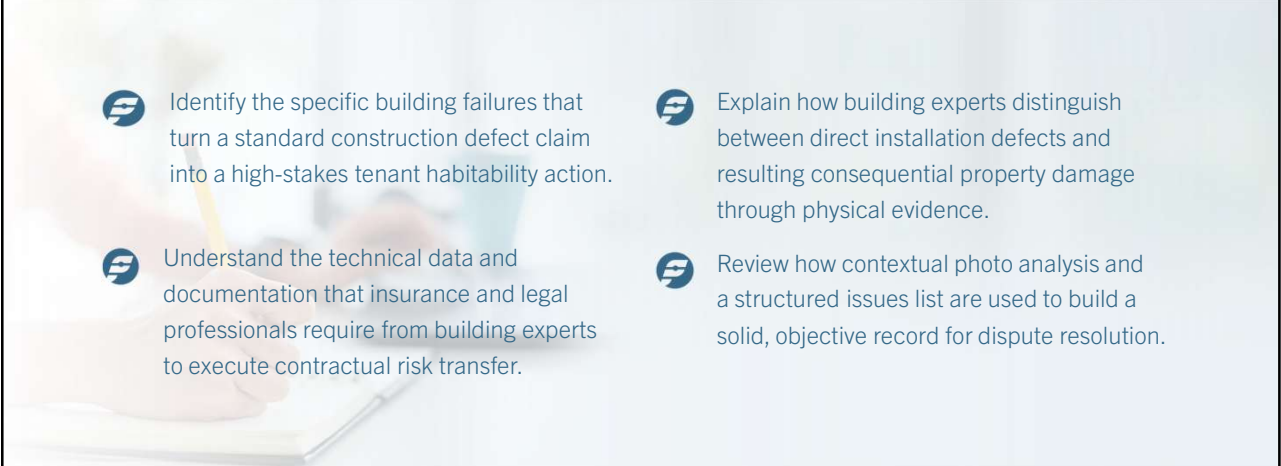
The Building Expert's Role in Risk Transfer

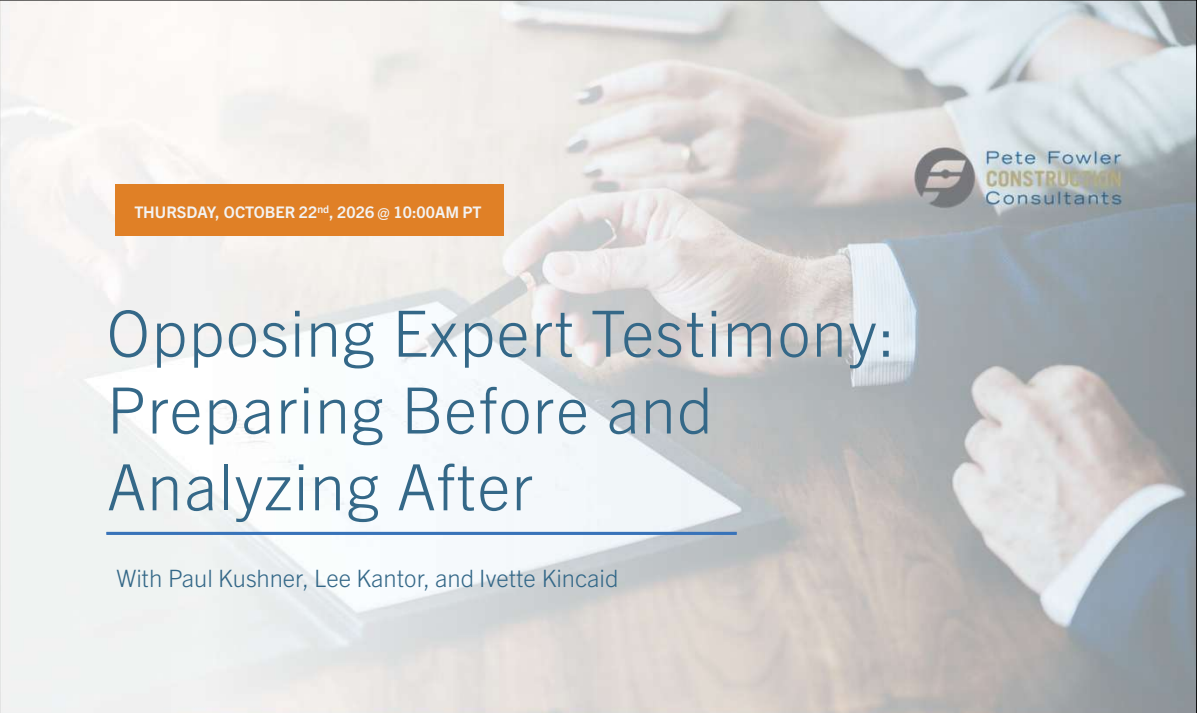
Forensic Investigation & Evidence Gathering

Case Studies: Allocation in Action

Conclusion

Learning Objectives

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- Identify the specific building failures that turn a standard construction defect claim into a high-stakes tenant habitability action.
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 - Review how contextual photo analysis and a structured issues list are used to build a solid, objective record for dispute resolution.



THURSDAY, OCTOBER 22nd, 2026 @ 10:00AM PT

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Opposing Expert Testimony: Preparing Before and Analyzing After

With Paul Kushner, Lee Kantor, and Ivette Kincaid

