Claims Handling Perspective

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Notice of Construction Defect Claim

1. Communicate with Insured
2. Pre-suit
3. Suit
    a. Retain Defense

Policy

1. Coverage
2. Limits available
3. Modifying Endorsements
    a. Condominium Exclusion
    b. Progressive Or Continuing Damage Exclusion
    c. Trade Exclusion
4. Co-carriers
    a. Time on Risk
    b. Shared Defense

Investigation

Trade

1. Scope of Work
    a. Contract
        i. Additional Insured Obligation
            1. Additional Insured File
2. Date Insured Work Completed
3. Certificate of Occupancy

Allegations

1. Damage
    a. Expert
        i. Confirmation of Damage
        ii. Cause of Damage
        iii. Design Issues
        iv. Sequencing Issues
    b. Related to the Insured Work

Scope of Repair

1. Plaintiff Scope of Repair
2. GC Scope of Repair
3. Expert Scope of Repair

Application of Coverage

1. Resulting Damage
2. Insured Work
    1. Reservation of Rights
        a. Coverage File
        b. Communicate with Insured about Covered and Non-covered Damages

Valuation

1. Damage Repair
2. Burdening
    a. Legal
    b. Expert
3. Insurer Costs to Resolve
4. Contribution from the Insured

Settlement

1. Pre-mediation
2. Mediation
3. Trial