

COMPLIMENTARY HOTEL AND COMMERCIAL PROPERTY DEFECT INVESTIGATION

Don't Let Hidden Construction Defects Impair the Safety or Profitability of Your Property

Building owners don't always recognize the difference between construction defects and what are, at the time, believed to be normal maintenance/minor repair activities; only many years later is the significance of the hidden construction defects revealed. By that time, necessary repairs have become larger and more expensive, the interruption to operations and the guest experience more pronounced and the ability to hold accountable those responsible for the related defects and damages, possibly lost.

Therefore, it is imperative that building owners act quickly and vigilantly to determine whether their project suffers from construction defects, even when those defects are not obvious.

PROBLEM

California law provides that hotel and commercial property owners have only ten (10) years (and sometimes much less), from the completion of construction, to pursue claims for construction defects, even where those defects are unknown. The existence of these latent construction defects can result in significant repair costs.

SOLUTION

BERDING | WEIL can facilitate an efficient, **NO-COST** investigation into potential construction issues using highly qualified forensic experts. We will also review and analyze related documents and records and will advise ownership of the applicable legal and financial implications, including potential concerns regarding statutes of limitation.

SPECIFICALLY, WE WILL

1. Meet with you and your management team to gain an understanding of existing data, knowledge and the history related to your building's performance;
2. Review contracts and construction and development documents to identify your legal rights and responsibilities; applicable dispute resolution requirements; and, issues related to statutes of limitation;
3. Review key maintenance and repair records for indications of abnormal construction issues;
4. Retain forensic experts — architects and/or engineers — based upon our analysis of applicable records and coordinate inspections and investigation by those experts;
5. Meet again with ownership (while joined by the forensic expert(s)) to discuss related findings and provide you with our recommendations based upon those findings.

Under most circumstances, BERDING | WEIL will undertake this records review, analysis and expert investigation **AT NO COST** to ownership and the aforementioned preliminary investigative and analytical activities can typically be completed within three to four weeks of the first meeting.

If you believe that we can be of assistance, please do not hesitate to contact us at: HotelCompliance@berdingweil.com or 800.838.209 in order to schedule your complimentary consultation.

