



RESIDENTIAL & MULTI-FAMILY

Residential and multi-family builders face unique challenges and P&A has the expertise and bench strength to guide our clients through them. From initial contract preparation through dispute resolution, P&A is a partner to the homebuilding and multi-family construction industry. P&A's expertise includes:

- Construction defect claims, including downstream defect allocation
- Design defect claims
- Common-interest community/property owners' association claims
- Liens and bonds
- Defense of jobsite injury claims
- Contract negotiations and disputes
- Easement disputes
- Nuisance claims
- Management of warranty claims and warranty disputes
- Legislatively mandated dispute resolution processes
- Purchase Agreement contracts
- Professional services agreements
- Trade partner / subcontractor contract preparation and negotiations
- Employee handbooks
- Employer/employee disputes and fiduciary duty claims

Dispute Resolution

We work with our clients early in the warranty claim or pre-suit notice stage and use our experience and expertise to minimize the costs and expense of litigation. Our experience and our creative dispute resolution strategies allow us to evaluate a claim early, exhausting all options before undertaking litigation or arbitration. Many of our attorneys are regularly asked to serve as mediators and arbitrators in homebuilder/homeowner and multi-family construction disputes. Our clients benefit from early and rare insight into how their case will be perceived by decision-makers in similar cases.

We have expertise in statutes governing claims against builders, such as pre-suit notice, right to inspect, and right to repair, cure or settle. We work with our clients to ensure their statutory rights are exercised to afford them the greatest protection and risk mitigation.

But when early intervention fails, we litigate or arbitrate with dogged determination. Our experience includes:

- Mediation
- Warranty dispute resolution
- Bench and jury trials
- Arbitrations, ranging from small to multi-arbitrator panel proceedings

We efficiently marshal the evidence; thoroughly prepare the witnesses; manage the experts and their forensic investigations; and create compelling presentations to ensure that judges, juries or arbitrators easily grasp the issues and our arguments. We leave no stone unturned as we prepare and advocate on your behalf.

Contracts

Our transactional attorneys regularly prepare all forms of contracts related to residential projects, whether they are based on a fixed price, cost plus a fee, or another alternative method, as well as subcontracts,

purchase orders, professional services agreements, consulting agreements and many other forms of agreements required for a residential project. Our attorneys draw on the depth of their transactional and litigation experience to prepare agreements that properly allocate and mitigate risk, as well as successful negotiation of these agreements. We also guide our clients in setting up quality control procedures during construction to proactively mitigate the risk of construction defect claims. Additionally, we closely monitor cases and legislation for any changes that could affect contracts or impact residential construction.