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NEW BOOK RELEASE

Handling Construction Defect Claims, 4th Edition (Wolters Kluwer Law & Business, 2013)

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The father, daughter and son team of The Miller Law Firm release the newest edition of its legal treatise, "Handling Construction Defect Claims: Western States" (4th Edition, 2013) this month. Published by Wolters Kluwer, the 175 year-old publishing house for business and law professionals, the new text is featured as the latest addition in its international source solution titles, having recognized the Millers' firm as leading experts in the field of construction defect litigation.



Observes Thomas E. Miller, founder of the firm and author of all four editions which, all told, incorporate a span of 27 years, "Most Community Associations face some form of construction defects within the first 10 years of completion. The first edition of this book was published in 1986, when the first wave of condominiums came to market. Back then only 36,000* homeowners associations existed nationwide. Today, with over 323,000* homeowner associations nationwide, the need to expand coverage of this book into the several western states was clear." As state legislatures rushed to keep pace with the housing demands, recalls Miller, "the need for comprehensive consumer protection became evident and laws were enacted, specifying in great detail, what constituted a defective condition and what remedies would be available."

Covering the states of California, Arizona, Utah, Colorado, Nevada, Oregon, Washington and Hawaii, the firm's authors also secured the contribution of nationally recognized experts to round-out the quality of the 1200+ page treatise. Contributing authors and heavy-weight defense lawyers such as Bruce Lorber and Steven Polito, bring considerable authority to bear in a brand new chapter analyzing the contractor defense side of these issues. Also, the ever evolving world of developer insurance coverage is addressed by one of the most respected coverage lawyers in California, John McLeod. "We tapped into Steve Norris, too, a highly regarded and sought after licensed architect, soils and structural engineer, who shared his expertise in pinpointing design and building deficiencies which contributed context to the discussion," adds Miller.

As pointed out by Rachel M. Miller, a Senior Partner of The Miller Law Firm, and co-author of both the 3rd and 4th editions of this treatise, “Community Associations are the most common way for developers to satisfy the public’s demand for this style of living. The burden and responsibility to repair the building components falls on the boards of directors of those Associations. Knowledgeable boards do look to the developer to pay for these repairs, which are significant, and can cost the association hundreds of thousands of dollars and more to fix. Meanwhile, thousands of construction defect claims are filed every year, and in most cases, the developers insurance picks up these claims. This book explores all sides of the issues and presents the full picture for the parties involved.”

According to Matthew T. Miller, Partner of The Miller Law Firm, who joins Tom and Rachel as a co-author of this 4th Edition, “With over 33 states enacting pre-litigation legislation, the need to publish the 4th edition was evident. There is also a concurrent need to find the best and most respected expert consultants to professionally analyze and evaluate each claim. In this way both counsel and client can objectively support the determined scope and cost to repair damages that result from faulty design and construction. A home is still the single most important investment a person can make and this book is the latest available tool for protecting those assets.”

Frank H. Wu, Chancellor and Dean of UC Hastings College of the Law, declares, "More than a scholar's treatise, it is the first resource for construction defect plaintiff and defense attorneys; as well as mediators, arbitrators and judges - or ought to be! This Fourth Edition from the Miller Firm represents a landmark in the progressive development of products liability law. Here the most salient issues confronting consumers and experts alike are addressed by the premier practitioner in this complex field of contract and tort claims. Together with the complementary discourses from California's leading construction defect attorneys, Miller's treatise comprehensively, if not definitively, spans nearly three decades of litigation and analyses effectively enabling both student and practitioner."

Thomas E. Miller, Rachel M. Miller, and Matthew M. Miler of The Miller Law Firm (www.ConstructionDefects.com) are also the co-authors of, “Home and Condo Defects: A Consumer Guide to Faulty Construction,” (Seven Locks Press, 2012), available online at www.amazon.com.

*Source: Community Associations Institute, Common Ground Magazine, January 2013.