

\$4.7M settlement in condo defects case

Daily Journal of Commerce, Joe Nabbefeld - Journal Real Estate Editor

July 24, 2003 - A plaintiff law firm that specializes in condo construction defect cases says it landed a \$4.7 million settlement to repair damages to a large Seattle-area condo complex.

The settlement involves a 178-unit condominium project, said plaintiff lawyer Thomas E. Miller of the California-based Miller Law Firm. The settlement was reached during mediation with independent mediator Chris Soelling, Miller said.

"The names of the association and the developer, a prominent builder in the Northwest, as well as other terms of the settlement, are confidential," Miller said.

Condo developers have complained for several years that condo defect lawsuits have driven up the cost of construction liability insurance to the point that many developers say they won't risk building more condos until something changes that situation.

Developers claim that a proliferation of eager plaintiff lawyers sensing easy paths to big settlements are at the core of the problem.

The lawyers counter that the problem is shabby construction practices by some developers more interested in making fast money than producing quality products.

The Miller Law Firm's Web site address indicates the immersion of that firm in the practice of defect cases: www.constructiondefects.com.

The building industry has pushed bills during the last two state legislative sessions that would rein in plaintiff firms, and ultimately bring down the cost of liability insurance. Plaintiff lawyers called the bills anti-consumer, saying the best resolution is for builders to comply with codes.

A minimal-impact right-to-cure bill was signed into law two sessions ago, while a bill that would have reduced builder warranties didn't pass in the most-recent session.