

Overview of Construction Defect Litigation in Colorado

Prepared by:



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I. CONSTRUCTION DEFECT PRACTICE DESCRIPTION

There has been an explosive increase in commercial and residential construction activity in Colorado in the last two decades. This construction activity has brought about a corresponding increase in construction defect litigation. Higgins, Hopkins, McLain & Roswell, LLC was formed as a specialized practice group to meet the needs of developers, builders, subcontractors, design professionals, and insurers that are faced with construction defect claims and lawsuits.

The lawyers at Higgins, Hopkins, McLain & Roswell, LLC have been directly involved in all aspects of construction defect litigation for many years. We have defended developers and builders in several of the largest class action suits filed in the state. We have handled cases involving expansive soils, steeply dipping bedrock, virtually every building material used in residential construction, grading, drainage, interior and exterior flatwork, streets and roads, waterproofing, and prestressed concrete, to name a few. We have mediated, arbitrated, and tried construction defect cases throughout Colorado. We have obtained settlements, including cash settlements, “performance” settlements, and “buy-out” settlements in cases involving thousands of structures. We have litigated cases brought by individual homeowners, condominium associations and townhome associations, businesses, and governmental agencies.

We have also drawn upon our experience in construction defect litigation to develop methods and strategies to help our clients avoid claims. For example, we provide advice to our clients on matters involving disclosures in purchase and sale agreements, contracting with subcontractors, and construction project quality control. In short, we provide an array of specialized legal services to the construction industry and its insurers.

II. CONTACT INFORMATION

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