

# Mitigating Construction Risks

*Industry stakeholders can work to defy project failures through comprehensive quality assurance protocols*

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Over the past 30 years, the prevalence of residential construction projects has improved dramatically in many regions of the United States. This is in part due to insurance companies mandating that independent peer reviews of critical architectural details, coupled with outside independent inspection of the construction process, be included in building contracts. This is similar to what was implemented decades ago by Underwriters Laboratories (UL Testing Laboratories, UL) on electrical devices.

Of course, many people building a new home have not taken the initiative to implement comprehensive quality assurance protocols. The proliferation of construction defect litigation (CDL) claims by homeowners and homeowners associations (HOAs) is a typical result. Typical defect claims have focused on critical assemblies such as concrete foundation, exterior framing, weatherproofing of the conditioned envelope (windows, walls and roof), HVAC systems and a variety of other technical building components. However, the ever-elusive maintenance component of maintaining common area elements, since CDL claims also arise from deferred maintenance.

The construction of building and common area is a high-stakes game. Whether owner-occupied or rental, the risks apply differentially to single-family homes, multifamily townhomes and mid-rise to high-rise condo towers.”

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