

**The Miller Law Firm Helps Boutique Homeowners Association
Recover for Construction Defects Without Ever Filing a Lawsuit**

July 15, 2014

July 15, 2014 – San Francisco County, Calif. – The Miller Law Firm has recovered \$910,000 for the 1635 California Owners' Association for construction defects without ever filing a complaint. This settlement was facilitated by William Nagle, Special Master & Mediator in only a year after putting the builder on notice under SB 800, California's Right to Repair Law.

The boutique 36 residential and 1 commercial unit building is located in the Nob Hill Neighborhood of San Francisco. It was completed in 2007, when many urban infill projects were constructed in the city. It was developed by L-J SF Investments LLC, & California Investments Co., Inc., with J.R. Roberts Corporation, the general contractor.

Independent forensic expert inspections revealed building standard violations ranging from improperly installed gutters resulting in water intrusion in the units project wide, active leaks, standing water and inadequate gutters resulting in staining and efflorescence on the garage walls, balcony, and tile grout, discoloration and extensive cracking in the stucco project wide, inadequate weather stripping with evidence of condensation staining at windows, window frames and adjacent paint, inadequate ventilation, and ADA violations including loose glass guardrails and in regards to accessible rooftop common areas.



William Nagle, Special Master & Mediator, observed, "This case settled prior to any formal mediation and I credit the diligence of both the Association and builder counsel. Tom Miller is one of the most knowledgeable and respected plaintiffs' lawyers in the construction defect area. And I compliment both counsel on their preparation and cost-effective handling of the case in reaching a fair and reasonable result for their respective clients."

According to Thomas E. Miller, CEO of The Miller Law Firm, "Associations with building defects are always faced with the dilemma of how to investigate and present SB 800 claims without creating a burden on the Association or its owners. A focused investigation, coupled with a realistic builder with experienced counsel, allowed us to present and resolve this claim without the cloud of litigation ever having been on the building."

Kevin Wiley, Co-Founder and President of CitiScape Property Management, who professionally manages the 1635 California Street Association, states, "Bringing a resource like The Miller Law Firm to our Association client to give an honest assessment of the issues and a real world approach to a resolution, all without even filing a lawsuit, simply benefits all parties involved."

According to Rachel Miller, Senior Partner of The Miller Law Firm, "While an Association board of directors has a fiduciary duty to investigate and repair common area issues, the owners also deserve to see relief in sight and this board helped guide a timely resolution that benefited the entire community."

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