

THE SACRAMENTO BEE

The Miller Law Firm Recovers over \$18,000,000 for Six Oakland Homeowners Associations with Construction Defects

October 24, 2017

Oakland, California – In the last year alone, The Miller Law Firm has recovered in excess of \$18.355 Million on behalf of six Oakland Condominium Associations for numerous and serious construction defect claims. Well into the eight figures, one of these Associations received the largest construction defect recovery Alameda County has seen in recent years.

The identity and location of the properties, builder entities, and insuring parties are strictly confidential under the terms of the final settlement agreements for the majority of these condominium projects.

According to Thomas E. Miller, CEO of The Miller Law Firm, “When insurance companies pay out tens of millions of dollars for construction defect claims, they require a full and complete release for all current and future claims as well as strict confidentiality. Secrecy becomes the norm and it prevents consumers from knowing which Builders have a pattern of shoddy workmanship, which results in unsuspecting and often disappointed buyers. In the end, Homeowners Associations are willing to accept these terms in order to receive these large recoveries that are required to rebuild their communities.”

Unbound by a confidentiality clause, the 428 Alice Owners Association hopes to bring awareness to the community about the poor construction of their building by well-known developer Pulte Home Corporation. Located in the popular waterfront neighborhood of Jack London Square, the 93 Residential and 4 Commercial unit association was completed in 2006. The Board of Directors contacted The Miller Law Firm for a second evaluation of their case 18 months after Pulte was put on Notice of Building Standards Violations by other legal counsel.

Otherwise known as Senate Bill 800 (SB 800), The Right to Repair Act is a process that should take no longer than 6-8 months. Concerned about their delayed claim timeline, the Board retained The Miller Law Firm to represent the HOA in their claim against Pulte for various sub-standard performance issues concerning the curtain walls, exterior cladding, flashing, waterproofing, roofs, windows, doors, vents, mechanical and electrical systems, subgrade waterproofing, elevators, plumbing, sprinkler and fire protection systems.

A settlement was reached in only 1 year after The Miller Law Firm took on the Association’s claim, and with the settlement now fully funded from the Developer’s Insurance Policy, the Board of Directors is equipped to commence the reconstruction process.

States Miller, “Consumers should know that construction defect claims are a highly complex specialized area of the law, and we outline and adhere to a strict deadline with the court in order to fast track to the insurance coverage and resolution process.”

According to Rachel M. Miller, Senior Partner of The Miller Law Firm, “Restoring and rebuilding these communities is vital for homeowner investment and morale, and Association Managers and Board of Directors are relieved to hear that they have a viable alternative in getting these claim resolved favorably, and within a reasonable timeframe.”