

Construction Law

The Legal Tools to Build Success



The Right Tool for the Right Job

If you are involved in the construction industry, you understand hard work. However, hard work is often not enough to ensure the success of your business. You also need to work smart.

Attorneys often do not fully understand the conditions under which your business operates. Documents need to be simple to read, customer-friendly and yet protective of your business's key interests. Response time needs to be prompt and solutions often need to be provided immediately.

How Epiphany Law Can Help

The key to success in the construction industry is prevention. Epiphany Law advises business owners in the construction industry on preventing legal problems, principally through intelligent contract preparation and subsequent contract administration.

Epiphany Law works closely with start-up and growing businesses in the construction field. Epiphany Law advises developers, general contractors, trade contractors and material suppliers on their legal needs. We understand the need to protect your interests while still maintaining simplicity. Our services include:

- Construction Contracts
- Terms and Conditions
- Subcontract Agreements
- Construction Liens
- Development Agreements
- Warranties





The Legal Tools to Build Success

Q My attorney drafted a 27-page construction contract but my customers won't sign it. What should I do?

A Particularly in the construction industry, you need to strike the right balance between attempting to include "everything but the kitchen sink" and making a form that is understandable to your customer. While a 27-page contract may be appropriate for a \$20 million project, it doesn't make sense for a \$10,000 job. Generally, you should be able to cover the vast majority of risks in very few pages. Often, simply including one page of terms and conditions addressing the most critical issues is the best solution. Thus, a written contract is a necessity, but it has to be clear, customer-friendly and concise.

Q My business is considering a joint venture on a development project. What paperwork do we need?

A First, you need to take affirmative steps to limit your company's exposure. Usually, you will form an LLC or S Corporation. From there, you need to define what each party brings to the deal and what each party is going to get out of the deal. While many details are involved in these issues, it can generally be that simple.

Q I have a contractor who owes us some money. I've heard the contractor is in financial trouble. What should I do?

A Clearly, it would be better to be paid. However, the law provides you a number of tools to collect your money. First, you can file a lien against the owner. A construction lien allows you to collect from the owner money owed by the contractor. In addition, the law provides severe penalties for contractors who are paid by the owner and fail to pay subcontractors. It's called "theft by contractor" and can subject the owners of the contractor business to personal liability. In short, there are solutions if you use an experienced business law firm such as Epiphany Law.

Rely on Epiphany Law as your source of business law expertise for your growing organization.



P. 920-996-0000 | F. 920-996-0001 | Toll. 800-297-8613
www.epiphanylaw.com