

April 9, 2011

Early Investigation of Construction Defects is Important for Homeowner Claims in New Mexico

Construction defects come in all shapes and sizes. Some are obviously very serious. Others may appear less serious. Then there are those seemingly minor issues that point to much more serious issues. It is important for a homeowner or other property owner to know early which variety of construction defect they have on their hands.

An early investigation of the issues is typically in order. The builder should of course be contacted and you should check your purchase documents for any written warranties. Your contract may prescribe steps that you must take to pursue a warranty claim.

A good builder will take all warranty claims seriously. However, sometimes builders either do not understand the seriousness of the problem or attempt to avoid their responsibilities. Sometimes the inability of the builder to fully recognize the issues is innocent. On other occasions, the refusal to recognize the problem is a deliberate ploy to escape liability for the construction defects.

Unfortunately for the property owner, a delay in addressing the problem can result in ever worsening problems with the property. This in turn can devalue the property or render the property completely unmarketable. Delay in addressing the problems may be in the builder's interest but it is most certainly not beneficial to the property owner.

It is important to investigate and address construction issues as soon as possible after you discover them. This will protect against worsening structural, foundational, water intrusion issues and other construction related problems. It will also protect the homeowner's or property owner's right to recover damages if litigation is necessary.

Prior to contacting an attorney or other investigative resource, the homeowner or property owner should photograph and inventory the visible construction defects. These would include cracking, sagging, changes in flooring or wall shape, drainage issues, and indications of water intrusion and mold. When taking photographs, you can use a ruler, coin or other common item to show the scale of the condition you are trying to capture.

DISCLAIMER

**Main Office:
400 Gold Ave. SW
Suite 500
Albuquerque, NM 87102
(505) 242-5958**

<http://www.newmexicoinjuryattorneyblog.com/>

A careful assessment of the visible issues will help more accurately assess the scope and source of the problem. It will also assist an attorney in the evaluation of possible liability and responsibility for the defects. A careful evaluation will determine the existence of possible claims against the responsible parties.

DISCLAIMER

**Main Office:
400 Gold Ave. SW
Suite 500
Albuquerque, NM 87102
(505) 242-5958**

<http://www.newmexicoinjuryattorneyblog.com/>