

How Timing Plays a Role on the Real Estate Baseline Survey

by Isaac Benmergui, Esq on May 30, 2014



Real estate can be as unpredictable as a storm when you think about it. It's the environment. In fact, I'd wager to say that whatever happens around us, also happens under us. The land *always* changes. As we speak, even, land is shifting and new land is erecting before our naked eye, much oblivious as we are. That's why timing is crucial when it comes to conducting a baseline survey for a site to determine conditions.

Typically, a specific area is selected for drilling and trial pits, analyzing data and samples in a lab to come up with the accurate results. It's key to get the baseline survey completed – all the indoor analysis and everything – as quickly as possible, though. You can expect a minimum of four to eight weeks on average; unfortunately, that can present some difficulties as to ensuring the accuracy of the survey.

Hence, here's the main advisement as far as baseline surveys are concerned – get them done earlier than normal. The sooner, the better. You'd want an accurate schematic as close to the time of closure for the sale of the property or real estate. Why is this important? You want that accuracy to provide the what, when and why of any potential contamination. If the contamination has been stated to occur *during* a tenancy when in fact due to the improper timing of the survey it occurred *before*, that can present some legal problems.

Oftentimes, though, getting to 'agree' on the evidence of the survey between both parties can be a stretch, because we had already mentioned: real estate is unpredictable. Professional documentation is essential. There will always be some margin of error. Overall, though, compromise can help matters move along with the help of a baseline survey.

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