

# Association Construction Contracts – What are Risks of That Waiver of Subrogation Term?

The U.S. Court of Appeals for the 4th Circuit held that a subrogation waiver provision in a construction contract barred an association's insurance company from seeking to recover from an allegedly negligent contractor, reports **Daniel Miske** in the Husch Blackwell **Association Alert**.

He describes the case of *United National Insurance Company v. Peninsula Roofing Company, Inc.*, which involved \$3 million in damages to a condominium complex caused by a contractor's generator. The association's insurer sued the contractor for negligence, gross negligence, and breach of contract.

After detailing the appellate court's ruling, Miske presents four lessons a practitioner can learn from the case.

**Read the article.**