Contractual Waiver of Subrogation Applied to Owner's Non-Work Property

Considerable litigation has arisen as to whether a waiver of subrogation provision in a construction contract applies to bar an insurer's subrogation claim against a contractor to the extent the insurer covered damage to the owner's "non-work" property under the owner's existing property policy, writes **Robert Barrack** in Robinson Cole's **Construction Law Zone blog**.

He explains that a majority of jurisdictions have held that the waiver of subrogation provision in the construction contract applies to bar subrogation claims where the owner's property policy covers the damage to "non-work" property.

In his article, he explains waiver of subrogation provisions and discusses some cases that address the subject.

Read the article.