

The Dotted Line: 6 Ways a Construction Contract Can Become Unenforceable

“Most contractors are well aware that they must abide by the performance standards and scope-of-work requirements in their contracts or potentially face legal action. What they might not realize is that there are situations that could render their contracts or a portion of those contracts unenforceable,” writes Kim Slowey in *Construction Dive’s News*.

“In the legal world, there are affirmative defenses available to someone being sued for breach of contract, said attorney Quinn Murphy with Sandberg Phoenix in St. Louis. If those affirmative defenses are established, he said, it could mean that the parties no longer have an enforceable agreement.”

“Contractors must keep in mind, though, that the issue of whether a contract is unenforceable is a nuanced one and dependent on the facts specific to each contract, according to attorney Brian Wolf of Smith, Currie & Hancock LLP in Ft. Lauderdale, Florida. This is why it’s important to seek legal counsel when faced with a potential contract issue.”

Read the article.