

Carlton Fields Construction Attorneys Author Article in The Florida Bar Real Property, Probate & Trust Law Section's ActionLine Magazine on Florida's Construction SOL and SOR Amendments

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Carlton Fields construction attorneys Wm. Cary Wright, Jaret Fuente, Katherine Heckert, and Monica Strady authored an article in The Florida Bar Real Property, Probate & Trust Law Section's *ActionLine* magazine titled "Take-Two: Legislature Amends Florida's Construction Statute of Limitations and Repose Again in 2018," about the Florida Legislature's recent amendments to Florida Statute Section 95.11(3)(c).

The legislature attempted to address the timeliness of construction defect actions in the state's statute of limitations (SOL) and repose (SOR) last year, but still dealt with differing definitions on the date of "final performance."

One of the new amendments added a provision to address these lingering issues, refining the definition of "completion of contract" and further clarifying the time within which actions founded on construction defects must be brought.

The other amendment essentially extended the statute of repose, though only for "counterclaims, crossclaims, and third-party claims," contributing a cushion for claims that arise from even the most late-filed construction defect actions.

Wright, Fuente, Heckert, and Strady advise that this year's amendments are expected to lessen the litigation over the timeliness of construction defect actions under both the statute of limitations and repose.

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