

FORENSIC & LITIGATION SUPPORT

# Construction Defect *Expert Witness* California

Independent forensic investigation and sworn expert construction defect disputes throughout California. C  
the evidence and applicable standards — serving pla  
counsel with equal rigor.

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## COMBINED EXPERIENCE

60+ Years

Multi-disciplinary construction expertise

## CA CONTRACTOR'S LICENSE

CSLB No. 1070436

Engineering, General, Electrical & Security

## GEOGRAPHIC REACH

All 50 States

Based in Danville, CA, Bay Area

ENGAGEMENTS ACCEPTED FROM

## Both Sides

PLaintiff's defense counsel, Objective analysis

LOCATION

STANDARD OF CARE ANALYSIS

BUILDING CODE COMPLIANCE

### CALIFORNIA CONSTRUCTION LAW

# The Legal Framework for Construction Defect Claims in California

Construction defect litigation in California is governed by a distinct body of statutes and common law that an expert witness must understand thoroughly — because the applicable legal standard shapes what forensic analysis is relevant and how opinions must be framed.

#### SB 800 · CIVIL CODE §§ 895-945.5

### The Right to Repair Act

For new residential construction sold after January 1, 2003, SB 800 establishes specific, codified functionality standards for building components — roofing, foundations, plumbing, electrical, mechanical systems, and more. Claims under SB 800 require a pre-litigation notice and repair process before suit can be filed, and expert analysis must evaluate components against the statute's enumerated standards rather than — or in addition to — general negligence principles.

New Residential    Post-2003    Pre-Litigation Notice

#### COMMON LAW

## Negligence, Breach of Contract & Strict Liability

For commercial construction, older residential properties, and claims not fully addressed by SB 800, California common law provides overlapping theories of recovery. Negligence claims require expert analysis of the applicable standard of care and deviation from it. Breach of contract claims focus on whether construction met the plans, specifications, and contract documents. Product defect claims may implicate strict liability for defective components regardless of contractor care.

[Commercial](#)   [Pre-2003 Residential](#)   [Standard of Care](#)

### WHAT WE PROVIDE

## Construction Defect Expert Witness Services

Danliv provides integrated forensic and litigation support at every stage of a construction defect matter — from initial case triage through trial.

### **Case Evaluation & Early-Stage Analysis**

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Pre-litigation review of plans, specifications, contracts, correspondence, photographs, and inspection reports to assess the technical viability of a construction defect claim before resources are committed to full forensic investigation. Early evaluation helps counsel understand what the evidence is likely to support — and what it will not.

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### **Forensic Site Investigation & Destructive Testing**

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Physical inspection of the subject property using appropriate diagnostic methods, including invasive and non-invasive testing where indicated. All site observations are documented with measurements, photographs, and contemporaneous field notes that form the evidentiary foundation for subsequent opinions. Joint inspections under Code of Civil Procedure Section 2034 are handled routinely.

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### **Expert Report Preparation**

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Comprehensive written expert reports that clearly distinguish facts, methodology, and opinions as required by California discovery rules. Reports identify the applicable standard of care, document observed deficiencies, explain the causal relationship between deficiencies and claimed damages, and render defensible opinions structured to withstand Sargon Enterprises scrutiny on methodology.

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### **Contractor Licensing Violation Analysis**

04

California Business and Professions Code Section 7031 provides that an unlicensed contractor may not recover compensation for performed work, and may be liable to the owner for all amounts paid. Danliv's principals have direct familiarity with California CSLB licensing requirements and can analyze whether the work performed was within the scope of the contractor's license classification — a potentially dispositive issue in many construction disputes.

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### **Cost of Repair Estimation**

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Independent, defensible estimates for the reasonable cost of repairing identified construction defects, including analysis of whether proposed repair methodologies will fully address the underlying deficiency. Repair scope opinions consider applicable

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CASE TYPES

## Construction Defects We Evaluate

Our forensic work spans residential, commercial, and public works construction across California, covering the full range of defect categories that appear in construction litigation.

### Water Intrusion & Building Envelope Failures

Defective roofing, improper flashing, failed waterproofing membranes, window and door installation defects, stucco and cladding failures, and inadequate drainage design that allow water to penetrate the building envelope.

### Structural Deficiencies

Foundation design and construction defects, framing code violations, inadequate shear wall construction, improperly supported beams, and structural failures that compromise the integrity or habitability of a structure.

### MEP System Defects

Mechanical, electrical, and plumbing system deficiencies including defective HVAC

### Building Code & Title 24 Violations

Deviations from the California Building Code, Residential Code, Mechanical Code, Electrical

installation, electrical code violations, plumbing failures, fire suppression system defects, and energy code non-compliance under California Title 24.

Code, Plumbing Code, Fire Code, and Title 24 energy efficiency requirements at the time of construction.

### **CSLB Contractor Licensing Violations**

Analysis of whether contractors held the required California license classification for the work performed, whether work was performed within the scope of existing license classifications, and the legal and damages implications of unlicensed or out-of-classification work under California Business and Professions Code Section 7031.

### **Construction Management & Standard of Care**

Evaluation of whether general contractors, construction managers, or project owners met their respective standards of care in overseeing construction — including scheduling, subcontractor supervision, quality control, and administration of the contract documents.

### **Soils, Grading & Site Work Defects**

Improper site preparation, inadequate compaction, drainage deficiencies, retaining wall failures, and erosion control defects that affect the stability of structures or cause damage to adjacent properties.

### **Solar & Energy System Defects**

Photovoltaic system design and installation defects, roof penetration and waterproofing failures associated with solar installations, electrical code violations, inverter and interconnection issues, and performance shortfalls.

### **Multi-Family & HOA Construction Defects**

Common-area and unit-specific defects in condominium developments, apartment complexes, and planned unit developments — including class-action construction defect matters involving multiple units and shared building systems.

OUR CLIENTS

# Who We Serve

Danliv accepts construction defect expert witness engagements from attorneys and parties on all sides of a dispute.

PLAINTIFF REPRESENTATION

## Plaintiff Counsel & Property Owners

Attorneys representing homeowners, HOAs, commercial property owners, and school districts in construction defect claims rely on rigorous forensic investigation to document deficiencies, establish causation, and quantify the cost of repair. We provide analysis that is technically sound and clearly communicated.

- Homeowners and residential buyers
- Homeowners associations (HOAs)
- Commercial property owners and tenants
- School districts and public agencies
- Developers pursuing cross-claims against subcontractors

DEFENSE REPRESENTATION

## Defense Counsel, Contractors & Insurers

General contractors, subcontractors, design professionals, and their insurers need expert analysis that objectively evaluates whether claimed defects actually exist, whether they meet the legal threshold for a defect, and whether proposed repair scopes are reasonable. Our opinions follow the evidence — wherever it leads.

General contractors and construction managers

MEP and specialty sub-contractors

Architects and engineers (standard of care)

Commercial general liability carriers and TPAs

Builders and residential developers

**Insurance Companies**

Independent forensic analysis supporting coverage evaluation, claims investigation, and reserve-setting in construction defect and builder's risk matters.

**Mediators & Arbitrators**

Neutral technical consultation to support understanding of disputed construction issues during mediation, arbitration, or dispute resolution proceedings.

**Public Agencies**

School districts, municipalities, and public works departments evaluating construction defect claims on publicly funded projects, including DSA-inspected school construction.

**GEOGRAPHIC COVERAGE**

# Construction Defect Expert Witness Services Across California

Danliv, Inc. is headquartered in Danville, California in the San Francisco Bay Area — one of the most active markets for construction defect litigation in the state. Our principals are deeply familiar with Northern California construction practices, local building departments, and Bay Area construction law practitioners.

We regularly travel throughout California for site inspections, depositions, and court appearances.

Distance is not a barrier to engagement — we have worked on matters in every major California

metropolitan area and accept engagements statewide without geographic surcharges for travel within California.

We also accept engagements in other states on a case-by-case basis where our expertise in MEP systems, construction standards, and forensic methodology is relevant to out-of-state disputes.

<b>San Francisco Bay Area</b>	SF · Oakland · San Jose · Danville · Walnut Creek
<b>Sacramento Valley</b>	Sacramento · Roseville · Folsom · Stockton
<b>Central Valley</b>	Fresno · Modesto · Bakersfield · Visalia
<b>Greater Los Angeles</b>	LA · Long Beach · Pasadena · Orange County
<b>San Diego Region</b>	San Diego · Carlsbad · Escondido · Chula Vista
<b>Inland Empire</b>	Riverside · San Bernardino · Ontario · Rancho Cucamonga
<b>Other States</b>	Available nationwide on request

OUR PROCESS

## How a Construction Defect Engagement Works

Every engagement follows a structured, standards-based process designed to produce opinions that are reproducible, defensible, and clearly communicated to non-technical audiences.



### Initial Consultation & Conflict Check

A brief call to understand the matter, confirm there are no conflicts of interest, and assess whether the engagement is within our expertise. No charge for the initial consultation.



### Document Review

Comprehensive review of plans, specifications, contracts, correspondence, inspection reports, photographs, and prior expert reports. The document record establishes the contractual and regulatory standard against which installed work is evaluated.



### Forensic Site Inspection

Physical inspection of the subject property. Conditions are documented thoroughly with measurements, photographs, and field notes. Joint inspections with opposing experts are conducted pursuant to CCP 2034 where applicable.



### Standards & Code Analysis

Each observed condition is evaluated against the applicable standard of care — relevant codes, manufacturer requirements, industry standards, and CSLB licensing requirements — at the time of original construction.



### Expert Report

A clearly written report distinguishing facts, methods, and opinions. Structured to meet California evidentiary requirements and formatted to serve as the foundation for deposition and trial testimony.



### Testimony

Deposition preparation and appearance, arbitration hearing support, and trial testimony with demonstrative exhibits — all grounded in the forensic record and delivered in accessible language for any fact-finder.

## INDEPENDENCE & CREDIBILITY

# Our Analytical Process Is Objective by Design

Our forensic opinions are grounded in the evidence and applicable standards — not in the preferred narrative of the

## retaining party.

An expert witness is only as valuable as their credibility — and credibility is built on demonstrated objectivity. Danliv accepts engagements from both plaintiff and defense counsel in construction defect matters. Our analytical process is designed from the outset to produce opinions that can withstand rigorous cross-examination: grounded in site evidence, referenced to applicable codes and standards, and clearly documented so that every conclusion can be traced back to an observable fact or an authoritative standard. We do not shade opinions toward the outcome preferred by the retaining party. Our value to counsel is in providing an accurate picture of what the evidence shows — including its limitations.

### **Evidence-first methodology**

Opinions are formed from site observations and documents — not from counsel's preferred narrative.

### **Standards-based analysis**

Every opinion is referenced to the applicable code, standard, or manufacturer requirement in effect at the time of construction.

### **Both sides welcome**

We work for plaintiff and defense counsel alike — the same analytical process applies regardless of who retains us.

### **Cross-examination ready**

Reports and testimony are structured to withstand rigorous questioning — every conclusion is traceable to a documented fact or authoritative source.

*"Joe is a highly qualified and competent contributor to the field of MEP and construction defect."*

## FREQUENTLY ASKED QUESTIONS

## Construction Defect Expert Witness — California

Common questions from attorneys and parties evaluating a construction defect expert witness engagement.

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### Q What does a construction defect expert witness do in California?

A construction defect expert witness inspects and analyzes allegedly defective construction, evaluates compliance with applicable codes and the standard of care, prepares written expert reports, and provides sworn testimony at deposition, arbitration, or trial. Their role is to translate complex technical issues into clear, accurate analysis that a judge, jury, or arbitrator can understand and apply.

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### Q What laws govern construction defect claims in California?

New residential construction sold after January 1, 2003 is primarily governed by Civil Code Sections 895–945.5 (SB 800 / the Right to Repair Act), which establishes specific functionality standards for building components and a mandatory pre-litigation notice and repair process. Commercial construction and older residential projects are typically pursued under common law theories of negligence, breach of contract, and strict liability. The California Building Code, Title 24, and CSLB licensing requirements establish the standards against which construction is measured in both contexts.

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### Q Does Danliv work for both plaintiff and defense counsel?

Yes. Danliv accepts engagements from plaintiff and defense counsel alike. Our forensic opinions are grounded in site evidence and applicable industry standards — not in the preferred narrative of the retaining party. This objectivity is the foundation of credible testimony that withstands cross-examination, which is ultimately what makes an expert useful to any client.

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**Q How early should I retain a construction defect expert?**

As early as possible — ideally before any repairs are made to the subject property. Early retention allows the expert to inspect original defective conditions, participate in joint inspections under Code of Civil Procedure 2034, and help counsel develop technically informed discovery strategy. Conditions that have been remediated before inspection are significantly harder to evaluate, and the evidentiary record is correspondingly weaker.

**Q What areas of California does Danliv serve?**

Danliv is based in Danville in the San Francisco Bay Area and serves construction defect matters throughout California — including the Bay Area, Sacramento Valley, Central Valley, greater Los Angeles, San Diego, and the Inland Empire. We travel statewide for site inspections, depositions, and court appearances, and also accept engagements in other states on request.

**Q How do I initiate an engagement with Danliv?**

Call us at (925) 434-5154 or email [Info@danlivinc.com](mailto:Info@danlivinc.com). For new matters, please be prepared to describe the nature of the dispute, the types of construction defects involved, the current stage of the litigation, and any relevant deadlines such as expert designation dates. We will respond promptly, conduct a conflict check, and assess whether the engagement is a fit before any formal retention.

READY TO DISCUSS YOUR MATTER?

## Request a Confidential Consultation

Whether you are evaluating a potential construction defect claim or preparing for trial, Danliv is available for an initial consultation at no charge. We will assess the technical issues, discuss the scope of expert services that may be needed, and help you understand what forensic analysis can and cannot establish.

(925) 434-5154

[Info@danlivinc.com](mailto:Info@danlivinc.com)

696 San Ramon Valley Blvd., Suite 290, Danville, CA 94526

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