



Burr Alert: Florida Statute 95.11(3)(C) Has Been Amended to Address the Ruling in Cypress Fairway Condo. V. Bergeron Constr. Co.

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In Cypress Fairway Condo. v. Bergeron Constr. Co., 164 So. 3d 706 (Fla. 5th DCA 2015) the 5th District Court of appeals defined "completion of the contract" to mean completion of performance by both sides of the contract, not merely performance by the contractor. In Cypress Fairways, the Court ruled that means when payment occurred. This ruling is problematic because final payment can be disputed and occur years later - or never, which created the possibility that the Statute of Limitation could be extended by a payment dispute. The controversy over this ruling appears to have led to the recent legislative amendment to Florida Statute 95.11(3)(c) which provides:

Download the full article, "Burr Alert: Florida Statute 95.11(3)(C) Has Been Amended to Address the Ruling in Cypress Fairway Condo. V. Bergeron Constr. Co." written by Douglas K. Gartenlaub.

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