



**CAROLINE C. VINCENT, ESQ.**



## **REAL ESTATE/CONSTRUCTION**

Caroline C. Vincent, Esq., a pioneer attorney neutral in Southern California, has mediated and arbitrated more than 500 real property related disputes, including over 200 construction defect claims of all sizes. During her 25-year legal career, she devoted several years to high-end transactional practice, with significant experience in commercial, residential and industrial development, construction and permanent financing (representing developers, tenants, lenders and borrowers), insurance, syndications, acquisitions, sales and exchanges, leasing, landlord/tenant, condominiums, shopping centers, hotels, office buildings, commercial and industrial centers, owner's associations, CC&Rs, title and title insurance, foreign acquisitions and dispositions, work outs, CERCLA and related environmental matters.

### **PROFESSIONAL EXPERIENCE**

- Specialized in corporate, finance, securities, real estate and commercial transactions at:
  - Carlsmith Ball
  - Morrison & Foerster
  - Rogers & Wells
- Private practice, specializing in large and small business matters, real estate matters, probate, employment and personal injury law
- Professional mediator, arbitrator for 10 years at JAMS, 6 years at ADR Services

### **REAL ESTATE & CONSTRUCTION EXPERIENCE**

Ms. Vincent has been mediating and arbitrating claims for a total of 25 years; the past 16 years she has been engaged as a full time, professional neutral, resolving over 2,000 cases.

- **Multi-Party Construction Defect Claims:** Mediation with specialty subcontractors and plaintiff homeowners association in association with lead mediator in several large construction defect cases. Several day long mediations between specialty subcontractors, including tile, flooring, roofing, window and door flashings and plaintiff homeowners. Construction defect issues involved major flooding and water damage due to numerous alleged causes, including poor workmanship of defendant subcontractors.

- **Failure to disclose defects:** Numerous arbitrations involving sales of residential property, alleging negligent and intentional omission of material facts. Factual issues involved inspections, latent and patent defects, water damage, mold, leaking roofs, drainage issues, failure to notify of past repairs, negligent past repairs.
- **Mediation of defective condominium and other planned unit development claims:** numerous multiparty claims involving subcontractors issues; insurance coverage issues; destructive testing and various legal issues including negligence by contractors, developers and design professionals; negligent maintenance by professionals and homeowner's associations, broker liability and causation.
- **Fraud/Negligent Misrepresentation/Breach of Contract:** Mediation and Arbitration of dozens of claims involving buyers, sellers, and their respective brokers over failures to disclose information, and affirmative representations pursuant to residential purchase and sale agreements, including disputes involving the size and boundaries of property purchased, latent and patent defects in the property, undisclosed title matters, future development in the neighborhood affecting property values, failure to fulfill financial contingencies.
- **Title, easement and boundary disputes:** Dozens of claims involving alleged title insurance errors concerning utility easement, encroachments, and boundary line errors; disputes between adjoining landowners over boundary disputes, ownership rights, easement disputes; fences; tree overhangs.
- **Lender fraud:** Recently, numerous claims by borrowers of fraudulent representation and inducement by lenders, mortgage brokers, investment advisers and others, including claims of failure to follow regulatory disclosures in lending, failure to follow commitment letter representations, failure to provide loan modifications. Parties include third party servicers of securitized mortgages, private parties, employment related loans.
- **Economic downturn claims:** Numerous claims involving mechanics liens, guarantees, commercial unlawful detainers, failed financing, uncompleted projects in all phases, arising primarily from a lack of credit and potential income because of the economic downturn commencing at least as early as 2008.

## **EDUCATION**

- UCLA Extension, Certificate in Environmental Law, 1993
- J.D., University of Southern California Law Center (*Law Review*), 1978
- B.A., Newcomb College of Tulane University, 1971