



CONSTRUCTION BLOG

# Subcontractor Win in Illinois

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The Illinois Supreme Court rendered a very important decision on December 28th impacting the real estate and construction industry. In *Sienna Court v. Champion Aluminum*, the Court determined that the purchaser of a newly constructed home may NOT assert a claim for breach of an implied warranty of habitability against a subcontractor who took part in the construction of the home, where the subcontractor had no contractual relationship with the purchaser.

This is great news for subcontractors; but makes it even more important that general contractors have a well drafted contract and obtain an informed waiver of the implied warranty from the purchaser or have a reserve established to cover the risk exposure.