|  |
| --- |
| **Notes:** |
|  |
|  |
|  |
|  |

## Identification

\_\_\_\_Parties of the Contract

\_\_\_\_Building Site

\_\_\_\_Scope of Work

\_\_\_\_Plans & Specifications

## Site Considerations

\_\_\_\_Deed Restrictions

\_\_\_\_Architectural Review

\_\_\_\_Title Conditions

\_\_\_\_Utility Availability

\_\_\_\_Survey

\_\_\_\_Unknown Conditions

## Pricing/Payment

\_\_\_\_Purchase Price

\_\_\_\_Deposits

\_\_\_\_Progress Payments

\_\_\_\_Allowances

\_\_\_\_Changes & Extras

## Construction

\_\_\_\_Commencement Conditions

\_\_\_\_Permits & Approvals

\_\_\_\_Substitution of Materials

\_\_\_\_Selections

\_\_\_\_Construction Utilities

\_\_\_\_Walk-throughs

## Completion

\_\_\_\_Completion Date

\_\_\_\_Substantial Completion

\_\_\_\_Occupancy Provisions

\_\_\_\_New Home Orientation

\_\_\_\_Acceptance by Homeowner

\_\_\_\_Incomplete Items

\_\_\_\_Escrow Instructions

## Insurance

\_\_\_\_Risk of Loss

\_\_\_\_Coverage Limits

\_\_\_\_Evidence of Insurance

\_\_\_\_Distribution of Proceeds

## Miscellaneous

\_\_\_\_Warranties

\_\_\_\_Dispute Resolution

\_\_\_\_Notices

\_\_\_\_Defaults

\_\_\_\_Acceptance

\_\_\_\_Binding Effect

\_\_\_\_Attachments

## Financing

\_\_\_\_Construction Financing

\_\_\_\_Permanent Mortgage

\_\_\_\_Land Ownership

The following checklist is provided to help you identify many of the important elements found in a well-written agreement for the construction of a new home between a builder and a new home buyer. As site conditions, financing, land ownership and other details vary from project to project, this list can only suggest areas of consideration that may apply to your situation. In all cases, it may be advisable to secure the guidance of professional legal counsel experienced in real estate construction law.

FORM TB006 © 2025 Dennis J. Walsh

**Certified New Home Specialist™**

# **Construction Agreement Checklist**