



SHEET METAL, AIR CONDITIONING & ROOFING CONTRACTORS ASSOCIATION

To: All Minnesota SMARCA Contractors
Re: Webinar - How Do I Collect My Retainage
When: February 17, 2021 at 12:30 p.m.
RSVP: ashley@smarca.com or call Ashley at 763/593-0941

We have received calls and reports from contractors that collecting retainage continues to be a problem, even with the new Minnesota law that is more favorable to subcontractors. To assist with this industry problem, we have arranged a 90 minute webinar presented by two attorneys with a busy construction litigation practice. We have included time for questions and answers with no legal fees. We hope you can take advantage of this free education opportunity.

“I Am Off The Job – How Do I Collect My Retainage?”

All contracts entered into after August 1, 2019, are subject to Minnesota’s revised retainage law that requires prompt payment of retainage. In practice, however, Minnesota’s revised retainage law has not uniformly had its desired effect and release of retainage can still end up being a lengthy process. This webinar will address Minnesota’s recent statutory changes on retainage, and discuss steps to take when retainage is not being promptly released on a project. Learn about these common issues complicating payment of retainage.

- How to defeat proposed backcharges that are proposed as part of the release of retainage.
- Monetize the punch list. Avoiding serial punch lists as excuses for non-payment.
- No withholdings for warranty claims. Pay now, not later.
- Demanding the undisputed amount owed and pursuing statutory Prompt Payment claims.

Presenters Aaron Dean and Elise Radaj are construction lawyers at Moss & Barnett, P.A. Both represent subcontractors, are licensed to practice law in Minnesota and North Dakota, and both have served in leadership positions with the Construction Law Section of the Minnesota State Bar Association.
