

CERTIFICATE OF COMPLETION

January 5, 2021 Update

INSTRUCTIONS FOR USE

(This form is not to be given to customers.)

DISCLAIMER: Our standardized contracts, forms, and instructions ("Material") are for general information purposes only and are not intended to be legal advice. Seek the advice of a licensed attorney in all legal matters, including verification of the fitness of this Material for your particular purpose. Edward H. Cross is licensed to practice law only in the States of California and Hawaii. The Material in this package are based on California law and is not for use outside California. The user receives our Material with the understanding that we are not rendering legal, accounting, or other professional services. Although we may periodically furnish updates, the law changes rapidly and without notice, so we do not attempt to distribute updates each time the law changes. Thus, we cannot warrant that any Material complies with current law. We do not warrant that the accuracy of the presentations, materials or communications, or represent them to be completely free of errors when delivered. Those who use the Material do so at their own risk. Verify statements before relying on them. The use of this material confirms the user's agreement to these terms. If you do not agree, do not use these forms.

Introduction: This Certificate is short and simple but very powerful, although it is not required by law. It is for use at the conclusion of the final walk-through of all projects, residential or otherwise. It provides an opportunity for the parties to discuss any outstanding issues. As a general rule, it good practice to continue working on a job (within reasonable limits) until the customer or customer's agent will sign a Certificate of Completion and Satisfaction.

A Powerful Collection Tool: These Certificates have meant the difference between victory and defeat in legal actions involving cleaning and restoration companies. Although the Certificate does not constitute a waiver of claims for latent (hidden) defects, it prevents customers from claiming they were dissatisfied with the work, at least as of the date they signed the Certificate. The Certificate can also help discourage an insurance adjuster from claiming deficiencies in the work.

The Bank Cares: When mortgage companies are withholding insurance proceeds, send them a copy of the signed Certificate and arrange an inspection so the mortgage company can inspect the work. When combined with a properly-executed Service Agreement and a clear invoice, the Certificate is an important component toward achieving the release of insurance funds (especially when sent with a Mechanics Lien). Cross & Associates has developed a systematic approach to encourage banks to release insurance funds; call (760) 773-4002 or send an email to ehc@edcross.com for more information.

Execution: Fill in every blank on the form (use “n/a” where the subject matter is truly inapplicable). Ask the customer to read the Certificate (see the Script for more information). Be sure to check the box for “Customer” or “Customer’s Agent” *before* requesting the signature. Do not expect the customer or agent to check one of the boxes. Give the customer or customer’s agent a copy of the completed, signed form. You have a number of options if the customer or agent refuses to sign, based on the circumstances; call Cross & Associates at (760) 773-4002 or send an email to edcross@edcross.com to discuss your options.

WE ARE HERE FOR YOU



Cross & Associates provides broad-based legal and consulting services to the cleaning and restoration industry. Please call (760) 773-4002 or email edcross@edcross.com for help with collections, customizing your contract forms, litigation and for all your legal needs.