



**Todd C. Hayes**

**Areas of Practice:**

Insurance coverage  
Appellate law  
Construction defect law  
Condominium law

**Education:**

University of California,  
Hastings College of the  
Law, J.D., 1996  
University of Washington, B.A.  
in Business, 1990

**Admitted to Practice:**

Washington State Courts  
Washington's United States  
District Courts  
Ninth Circuit Court of Appeals

Todd Hayes represents developers, contractors, and business and property owners in insurance coverage disputes and appeals.

**Representative Cases:**

- \$7.5 million judgment against property insurer for water damage to condominium
- \$2 million settlement for water-damaged condominium (based on 18-year old insurance policy)
- \$2.4 million in settlements on behalf of former directors and officers in Federal lawsuit and related arbitration
- \$4 million arbitration recovery on behalf of condominium owners association, including \$260,000 in “Consumer Protection Act” damages

**Notable Appeals:**

- *Queen Anne Park Homeowners Ass’n v. State Farm Fire & Cas. Co.*, 183 Wn.2d 485 (2015)—Holding “collapse” in a property insurance policy means “substantial impairment of structural integrity”
- *Panorama Village Condominium Owners Ass’n Board of Directors v. Allstate Ins. Co.*, 144 Wn.2d 130 (2001)—Recognizing “suit limitation clause” does not run while “collapse” damage remains “hidden”
- *Seaman v. Farmers Ins. Exchange*, 2007 Wash. App. LEXIS 2603 (2007)—Reversing trial court order and establishing property insurance coverage for “collapse” caused by “faulty construction”
- *DeWitt Constr. Inc. v. Charter Oak Fire Ins. Co.*, 307 F.3d 1127 (9<sup>th</sup> Cir. 2002)—Seminal case establishing insurance coverage in Washington for “get to” costs
- *Mid-Continent Cas. Co. v. Titan Constr. Corp.*, 2008 U.S. App. Lexis 12663 (9<sup>th</sup> Cir. 2008)—Recognizing “completed operations” coverage for contractors and developers under CGL insurance policy (represented AGC as amicus curiae)

**Awards & Other Experience:**

- “Who’s Who in Washington Appellate Law,” Washington Law & Politics Magazine
- Law clerk to the Honorable Gerry L. Alexander, former Chief Justice of the Washington Supreme Court
- Washington *Super Lawyer* —2005, 2007-2015