



Todd C. Hayes

Harper | Hayes PLLC
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Areas of Practice:

- Insurance coverage
- Appeals
- Construction defect

Education:

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

Admitted to Practice:

- Washington state and U.S. District Courts
- Ninth Circuit Court of Appeals

Awards & Recognition:

- Washington “Super Lawyer”
- Washington “Super Lawyers” Top 100 List
- Washington Law & Politics Magazine “Who’s Who in Washington Appellate Law”
- Law clerk, Hon. Gerry L. Alexander, former Washington Supreme Court Chief Justice

HARPER | HAYES PLLC

Todd Hayes represents developers, contractors, and business and property owners in insurance coverage, construction defect, and appellate litigation.

Representative Cases:

- \$7.5 million judgment against property insurer for rain-damaged building
- \$2 million settlement for water-damaged condominium
- \$2.4 million settlement on behalf of former directors and officers in U.S. District Court lawsuit and related arbitration
- \$2 million settlement with property insurer of high-rise apartment building for damage to post-tension slab “tendons”
- \$4 million arbitration recovery on behalf of condominium owners association, including \$260,000 in “Consumer Protection Act” damages

Notable Appeals:

- *Williams v. Athletic Field, Inc.*, 172 Wn.2d 683, 261 P.3d 109 (2011)—reversing trial court and reinstating mechanic’s lien in favor of general contractor
- *Lakewest Condo. Owners Ass’n v. Tokio Marine*, 156 Wn. App. 1016 (2010)—reversing trial court and reinstating \$7.5 million judgment against property insurer
- *Seaman v. Farmers Ins. Exch.*, 140 Wn. App. 1026 (2007)—reversing trial court order denying property insurance coverage for “collapse” caused by “faulty construction”
- *Washington Greensview v. Travelers Prop. Cas. Co. of Am.*, 173 Wn. App. 663, 295 P.3d 284, 287 (2013)—reversing trial court and directing award of attorney’s fees to policyholder
- *J.D. Tan, L.L.C. v. Summers*, 107 Wn. App. 266, 26 P.3d 1006 (2001)—affirming dismissal of claim to execute judgment against business owner
- *DeWitt Constr. Inc. v. Charter Oak Fire Ins. Co.*, 307 F.3d 1127 (9th Cir. 2002)—seminal case establishing insurance coverage for “rip and tear” and “get to” costs under Washington law
- *Panorama Village Condominium Owners Ass’n Board of Directors v. Allstate Ins. Co.*, 144 Wn.2d 130, 26 P.3d (2001)—establishing coverage for “collapse” caused by “hidden decay” under property insurance policy
- *Mid-Continent Cas. Co. v. Titan Constr. Corp.*, 2008 U.S. App. Lexis 12663 (9th Cir. 2008)—amicus in case establishing “completed operations” coverage under CGL insurance policy