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SCHOOL CONSTRUCTION - NEW YORK

New York City School Const. Authority v. Ennead Architects, LLP

Supreme Court, Appellate Division, First Department, New York - March 28, 2017 - N.Y.S.3d - 2017 WL 1136846 - 2017 N.Y. Slip Op. 02387

City school construction authority brought professional malpractice action against architect concerning alleged faulty design of custom etched-glass windows.

The Supreme Court, New York County, granted architect's motion to dismiss on statute of limitations grounds. Authority appealed.

The Supreme Court, Appellate Division, held that:

- Authority's professional malpractice claim against architect accrued, and three-year statute of limitations period began to run, when architect completed its performance of significant, non-ministerial, duties under the parties' contract, and
- Continuous representation doctrine tolled three-year statute of limitations period.

City school construction authority's professional malpractice claim against architect accrued, and three-year statute of limitations period began to run, when architect completed its performance of significant, non-ministerial, duties under the parties' contract.

Continuous representation doctrine tolled three-year statute of limitations period for city school construction authority to bring action against architect for professional malpractice regarding allegedly faulty design of custom etched-glass windows. Architect attempted to remedy faulty design of custom etched-glass windows within three years of action being commenced.