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Real Estate Law - From the Ground Up®

Attorneys Score Unanimous Jury Trial Decision Defending Real Estate Agent

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Following an eleven-day jury trial, attorney Charlie Bronitsky secured a unanimous decision in favor of his real estate agent and broker clients against claims of fraud and negligence.

The case was tried in the San Mateo Superior Court, in which the plaintiff brought forth multiple counts of intentional misrepresentation, negligence, and unjust enrichment against a real estate agent for recommending an unlicensed contractor. Ashlee D. Adkins, of the Law Offices of Peter N. Brewer, assisted attorney Bronitsky in fending off aggressive claims made against the defendants.

In 2013, a real estate investor purchased a fourplex in Menlo Park that required significant remodel work, and the seller's real estate agent recommended a contractor that turned out to be unlicensed. The buyer sued the seller's agent, claiming the defendant committed fraud or negligence in recommending the contractor.

The jury unanimously held that the defendants were neither fraudulent nor negligent, handing the plaintiff a loss on every single count.

"A lot was at risk for our clients, and we are absolutely thrilled that we were able to defend them outright from some very serious claims," said prevailing attorney Charlie Bronitsky, who also serves as the mayor of Foster City. "It came down to the fact that, every day, real estate agents refer vendors to clients and prospective clients; establishing a duty for the realtors regarding the validity of those vendor recommendations would create an undue burden."

Real estate attorney co-counsel Ashlee D. Adkins reflected that "it was an honor to have the opportunity to diligently litigate on behalf of our clients. Although most cases settle outside of court, when a trial is necessary, it is vital to have attorneys that have an unwavering determination to fight for their clients". She added, "unanimous jury decisions do not come often, especially in real estate conflicts, so we are very excited."

Charlie Bronitsky has over 30 years of experience practicing law in California. He has both an undergraduate degree and law degree from UC Berkeley, and is the current mayor of Foster City. Ashlee D. Adkins is an associate at the Law Offices of Peter N. Brewer, and practices commercial and residential real estate matters in the San Francisco Bay Area.