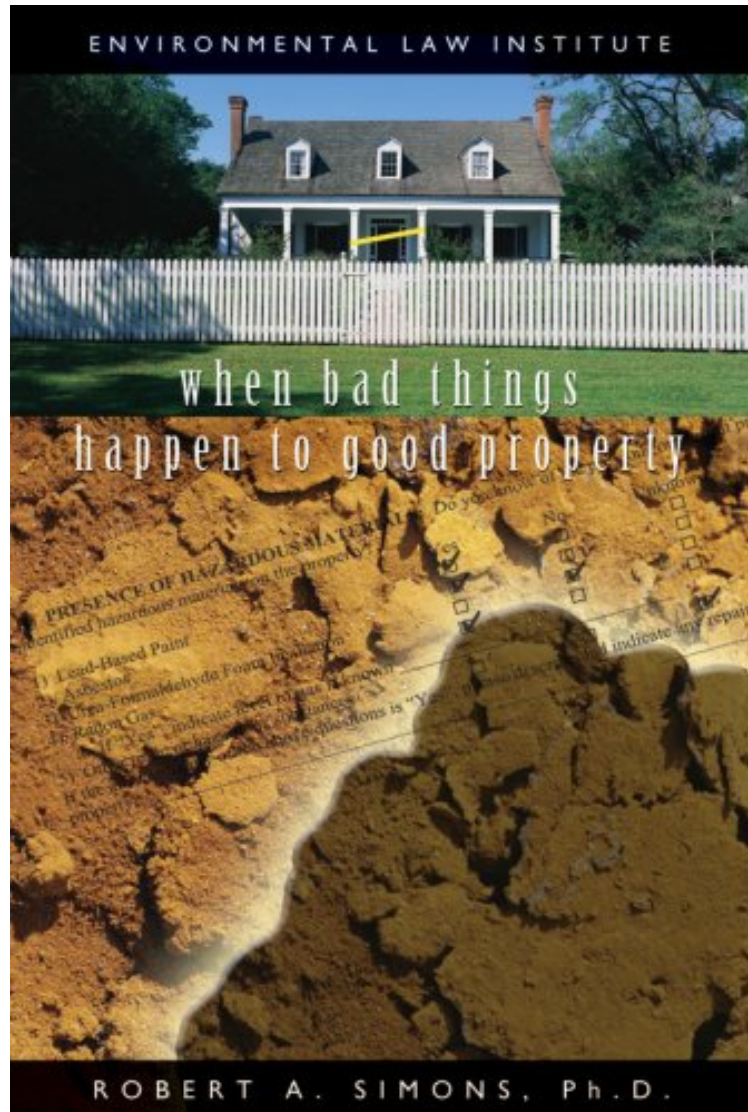


[Download] When Bad Things Happen To Good Property (Environmental Law Institute)

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Robert Simons

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Robert Simons : When Bad Things Happen To Good Property (Environmental Law Institute) before purchasing it in order to gage whether or not it would be worth my time, and all praised When Bad Things Happen To Good Property (Environmental Law Institute):

0 of 0 people found the following review helpful. YES, BAD THINGS COULD HAPPEN TO YOUR PROPERTYBy jeff of Hamilton Truly excellent. Well thought out. Well written. Major sections by Dr. Simons with important essays

from other experts. To do waterproofing repairs behind my oil tank, I paid my oil company to move my oil tank, and-- in a series of mistakes--three days later an employee of that same oil company delivered 244 gallons of oil that made my house a toxic oil dump. {Oil traveled 16 to 18 feet down BELOW my basement floor. To remove it, specialized contractors had to dig it all out in a process requiring frequent testing, building sub-basement walls, and sub-basement supports. A total of 450 cubic yards of material was removed from my property.} In the nine month process of remediation, I have learned that many others suffer similar problems, but there is a dearth of relevant info. Understandably, victims need to consider legal recourse in the face of this crisis--and the book presents many dimensions of legal issues from many points of view. However, even people who rarely think about legal recourse SHOULD think about how toxic spills in--or near--their homes may impact their real estate. And this book could be a critical prod to thinking about both legal issues and real estate evaluation. Very importantly, the book separates "the stigma" of toxicity from the issue of remediation. B/c it has been nine months since the oil spill in my home, I have talked with a broad range of people about "stigma" and remediation. Most are aware that a home with a past history of an oil spill would be difficult to sell; only a few start with the assumption that remediation resolves issues of sale. This book clarifies the problem: "stigma" is a "post-remediation" concept: it is what persists after toxic chemicals have been "remediated" to relevant standards. (And standards do vary enormously, a fact not mentioned in the book.) As I have said to many: "Where would you rather invest your life's savings: At a home in 'Love's Canal' or 'Pleasant Valley?'" I usually get a chuckle, but all have understood the point. I have read every word of Simon's book--and re-read many sections. To be sure, not all sections are directly applicable to my crisis; however, by reading all very closely, I have gained much insight into both the unique aspects of my toxic spill as well as its common denominators and divergences from other toxic invasions. An essential read for anyone facing any dimension of a toxic spill. Finally, I would make a pitch to legislators (and people interested in legislation.) No one thinks that toxic spills will happen on their property, yet the reality is that we all are dealing with risks as we use any form of energy at home. The risks are widespread to the public at large, but are neither understood nor often covered at all by home owner's insurance. Just one toxic spill can devastate anyone's life and finances. There ought to be a fairer way of addressing the legal and financial implications of toxic spills for the rare citizen who--by the random hazards of life-- "pulls the short straw" of a toxic spill. 0 of 0 people found the following review helpful. Five Stars By jim helped clarify some tough property issues! Jim

When Bad Things Happen to Good Property features a review of economics and theory of real estate environmental damages, empirical results from peer-reviewed literature, and legal outcomes of environmental contamination litigation in the United States. It also includes chapters written by plaintiff and defense lawyers on litigating environmental cases and addresses the role of the real estate expert. In addition, the book analyzes outcomes with respect to frequency of lawsuit activity, evaluates litigious approaches for multiple damages cases, and discusses the plight of the small claims plaintiff. It concludes with a review of a number of case studies of actual toxic tort cases. When Bad Things Happen to Good Property is packed with various tables, figures, appendices, as well as a very large reference table (the BIG MATRIX) that assists residential property owners (exposed to different types of contamination) and their attorneys find out what kind of damages may be typical when contamination has affected property values.

...for participants on either side of environmental litigation, this book provides hands-on experience of market-making activity to the legal arena, and empowers a smaller-case plaintiff with the knowledge and tools to pursue litigation against culprit polluters --David O'Neill, Managing Director, Colliers OMDr. Simons' new book is a must-have for anyone confronted with issues relating to contaminated property. It is a virtual "how to" manual written in plain English that successfully guides the reader through the minefield of bringing claims for contamination of real property. --Charles Speer, Speer Law Firm, Kansas City, Missouri For the first time in my experience, the adequacy of litigation is summarized for the benefit of single litigants without resources normally associated with major corporate or governmental agencies...When Bad Things Happen to Good Property should be must-reading for both defense and plaintiff counsel practicing environmental tort law. --James Webb, Professor of Finance, Nance School of Business, Cleveland State University