

DATE: [Date]

TO:

[Subcontractor Name]

[Subcontractor Address]

[City, State, Zip Code]

VIA: [Certified Mail / Email / Hand Delivery]

RE: NOTICE TO PRESERVE EVIDENCE AND FORMAL NOTICE OF DEFECTS

Project Name: [Project Name]

Project Address: [Project Address]

Subcontract Agreement Date: [Date of Agreement]

Dear [Contact Person Name],

This letter serves as formal notice regarding construction defects identified in the work performed by [Subcontractor Name] at the above-referenced project. The identified defects include, but are not limited to: [Brief Description of Defects, e.g., water intrusion in Building B, cracking in concrete slab, etc.].

LEGAL NOTICE TO PRESERVE EVIDENCE

You are hereby directed to immediately take all necessary steps to preserve and maintain all evidence related to your scope of work on this project. This request includes, but is not limited to:

- Electronic data (emails, text messages, CAD files, and internal server data).
- Physical samples or materials removed from the project site.
- Daily logs, reports, inspection records, and photographs.
- Purchase orders, delivery tickets, and manufacturer specifications.
- Subcontracts and communications with lower-tier vendors or suppliers.

INSPECTION AND REMEDIATION

You are further notified that a formal site inspection will take place on [Date] at [Time]. You are invited to attend with your legal or insurance representatives. Failure to attend shall not delay any necessary emergency repairs or forensic investigations.

Be advised that if you fail to preserve the requested evidence, [Your Company Name] will seek all available legal remedies, including a "spoliation of evidence" instruction in any future litigation.

Please confirm receipt of this letter and provide the contact information for your insurance carrier and legal counsel within [Number] business days.

Sincerely,

[Your Name]

[Your Title]

[Your Company Name]

CC: [Project Owner / General Contractor / Legal Counsel]