

Contract Danger Zone Checklist

12 clauses your pre-construction contract should include — and probably doesn't.
Use this before you sign anything.

⚠ Important: This checklist is a diagnostic tool, not legal advice. If you identify missing clauses, consult an independent attorney before signing.



CATEGORY 1 – CRITICAL CLAUSES

Absence of any of these is a major red flag. Do not sign without them.

4 items

Delivery date with developer penalty

Exact delivery date plus a monthly penalty if the developer misses it. No date = no accountability.

CRITICAL ISSUES

Rescission with full refund

You must be able to exit and recover all payments if the developer defaults. Without this you are trapped.

CRITICAL ISSUES

Detailed technical specifications

Materials, finishes, fixtures, and dimensions in writing. "Quality finishes" is not a specification.

CRITICAL ISSUES

Escrow or trust account for payments

Payments held by a third party until delivery. Without this your money funds the project with no guarantee.

CRITICAL ISSUES



CATEGORY 2 – HIGH-IMPACT CLAUSES

Frequently missing. Determine your rights as a buyer if something goes wrong.

4 items

Title transfer free of liens

Deed delivered free of developer's debts, mortgages, or encumbrances. Require notarial verification.

CONCERNS



Pre-delivery inspection rights

Right to inspect before receiving keys and document defects without consequences or penalty.

CONCERNS



Post-delivery warranty

Minimum 1 year on major structural defects. Dominican law recognizes this — your contract must specify it.

CONCERNS



Documented claims process

How to file, the developer's response timeline, and what happens if they don't respond.

CONCERNS



CATEGORY 3 – ADDITIONAL PROTECTION

Present in well-drafted contracts. Absence reduces your protection but is not critical.

4 items



No unilateral project modifications

Developer cannot change specifications, plans, or areas without your written consent.

REVIEW



Force majeure with defined limits

Must be specific. "Developer financial difficulties" is not force majeure under Dominican law.

REVIEW



Contract assignment rights

You must be able to transfer your contract to a third party before delivery without disproportionate penalty.

REVIEW



Mandatory mediation before litigation

Reduces dispute costs — but must not eliminate your right to litigate if mediation fails.

REVIEW

HOW TO READ YOUR SCORE

10-12

Strong Contract

Still review with an independent attorney before signing.

7-9

Gaps Identified

Negotiation required. Don't sign until gaps are addressed.

0-6

High-Risk Contract

Do not sign under any circumstances without legal advice.

Found missing clauses in your contract?

Our Contract Risk Review analyzes your contract clause by clause and delivers specific findings in 48 hours. Independent. No developer affiliations.

[Contract Risk Review →](#)