



<b>Current Employer-Title</b>	Self-employed - Consultant
<b>Profession</b>	Real Estate Developer; Mediator; Arbitrator
<b>Work History</b>	Consultant, self-employed, 2008-present; Senior VP, Bristol Development, 2005-present; General Manager, Harper's Chrysler Jeep Dodge, 2001-05; Senior VP, Southern Assisted Living, Inc., 1996-01; Senior VP, Greystone Communities, Inc., 1986-96.
<b>Experience</b>	<p>Extensive experience in multi-family and senior housing construction and real estate development. Directly involved in this type of construction and development for the majority of the past twenty-five years as an owner's representative, developer and development consultant. Experience includes work with not-for-profit and for profit organizations. Has worked extensively with architects, geotechnical engineers, civil engineers, structural engineers, MEP designers, contractors, design/build firms, subcontractors, vendors, and material suppliers. Experience in damages for delay claims, HUD, bank workouts, change order analysis, schedule analysis and forensics, franchise agreements, conventional and tax exempt financing, condominium and homeowner associations, real estate liens, real estate purchase agreements, bank workouts, loan re-negotiations, receivership relations, and general financial workouts. Experience in facilities management, preventive maintenance, energy management systems, warranty management, homeowner relations, condominium and homeowner association formation and relations, sustainable development, and green development.</p> <p>Extensive knowledge of AIA and AGC contract forms and ConsensusDocs. Took responsibility for proposing and reviewing modifications and final drafts of numerous construction and design contracts.</p> <p>Have performed the full scope of owner representation services including design team and construction team selection, preparation of agreements, value engineering, construction administration, building commissioning, scheduling, and other associated duties. Extensive experience with change order analysis, delay claims, and related disputes.</p> <p>Experience in real estate sales, marketing, lending, mortgages, license issues, insurance, property line disputes, truth-in-lending issues, Interstate Land Sale Act issues, purchase agreement disputes, homeowner association disputes, and condominium association issues.</p> <p>Experience in mixed use development including development of two projects comprising over 650 condominium units with over 40,000 square feet of retail space. These projects include over 1,100 parking spaces in concrete parking structures. The retail includes restaurants, boutique, and specialty retail spaces.</p>

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*Neutral ID : 156193*

High rise building experience - one of the mixed use projects referenced above is a twenty-two story post tension concrete structure comprised of approximately one million square feet of elevated concrete.

Parking structures - served on an arbitration panel which examined the collapse of a concrete parking structure. Heard and examined significant expert testimony with regard to design and construction issues.

Homeowner and condominium associations - formulated and created HOA and COA documents, resolved disputes within organizations, developer relations, delivery planning and delays, maintenance requirements, facilities management, and warranty issues.

Automotive experience - served as General Manager of Chrysler Dodge Jeep franchise. Has extensive exposure to service, parts, sales, finance, and insurance. In addition, experienced in all back office operations related to automotive dealerships as well. Well versed in Truth-in-Lending issues, warranty, and consumer issues. Experience with many commonly used information systems including ADP and Reynolds and Reynolds.

Aviation - instrument rated single engine pilot and has purchased and sold several aircraft during aviation experience.

Commercial Diving Operations - Experienced commercial diver including saturation and mixed gas diving. Experience includes operations in the North Sea.

### **Alternative Dispute Resolution Experience**

Experience serving as sole arbitrator, panelist, fast track arbitration, and mediation.

Arbitration experience includes construction defect and payment claims ranging in size from \$10,000 to \$15,000,000. Areas addressed include liens and releases, proper notice, expert and forensic testimony, financial analysis and interpretation of contracts and construction documents.

Consulted with multiple attorneys to provide strategic input on claims pending arbitration and mediation.

Expert witness on waste water construction dispute including testimony in court.

Expert witness on senior housing construction claim including testimony in arbitration.

Completed meditations on construction disputes, property insurance and eminent domain cases. Range of issues include payment disputes, appraisal dispute, arson claims, and completed operations.

### **Alternative Dispute Resolution Training**

AAA Arbitrator Performance and Demeanor - Meeting Participant Expectations (ACE18); AAA ACE 14: Red Flags & Risk Areas, Challenges to Arbitrator Authority, 2017; AAA ACE 13 ~ Dealing with Difficult Attorneys in Arbitration,

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The AAA provides arbitrators to parties on cases administered by the AAA under its various Rules, which delegate authority to the AAA on various issues, including arbitrator appointment and challenges, general oversight, and billing. Arbitrations that proceed without AAA administration are not considered "AAA arbitrations," even if the parties were to select an arbitrator who is on the AAA's Roster.

2017; AAA eDiscovery - Arbitration in a Digital World (ACE012), 2016; AAA Avoiding Ten Common Missteps Arbitrators Make (ACE010), 2015; AAA Principled Deliberations: Decision-Making Skills for Arbitrators 2014; AAA Conducting Research & Investigations: The Arbitrator's Authority 2014; AAA "Exceeded Powers": Recent Trends in Challenging Arbitrator Authority, 2014; AAA Critical Elements of Construction Law for the Non-Attorney Arbitrator, 2013; AAA The Extent (or Limit) of Mediator Influence, 2013; AAA Advanced Mediator Training Series: The Extent (or Limit) of Mediator Influence to Effect Settlement, 2012; AAA Construction Professionals Guide to Conducting an AAA Arbitration, 2012; AAA Managing the Arbitration Process for Efficiency & Economy Following the Preliminary Hearing, 2012; AAA How to Become a More Innovative Neutral or Advocate: Applying Cutting Edge Innovation Management Techniques to Your ADR Practice, 2012; AAA Maximizing Efficiency & Economy in Arbitration: Challenges at the Preliminary Hearing, 2011; AAA Navigating the Construction Arbitration Roadmap, 2011; AAA, Discovery: When is Enough, Enough?, 2011; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2009; TACC Spring Conference on ADR, 2009; AAA Arbitration Fundamentals and Best Practices for New Arbitrators, 2009; Tennessee Supreme Court Rule 31, Listed Civil and Family Mediator Training; Special training in domestic violence issues. Annual CEU completed for mediation.

**Professional Licenses** Florida Real Estate Broker License.

**Professional Associations** Urban Land Institute; Naples Area Board of Realtors

**Education** University of Texas at Arlington (BS, Mathematics-1976); Texas Christian University (MBA, Finance-1983).

**Publications and Speaking Engagements** "Collect to Survive," article on use of arbitration and mediation to collect receivables, FIRE PROTECTION CONTRACTOR MAGAZINE, May 2009. Extensive self published newsletters on [www.rharperconsulting.com](http://www.rharperconsulting.com).

**Willing to serve without travel cost** Willing to serve without travel cost within 100 miles of Naples, FL.

**Citizenship** United States of America  
**Languages** English  
**Locale** Naples, Florida, United States of America

**Compensation**

Hearing: \$240.00/Hr  
 Study: \$240.00/Hr  
 Travel: \$120.00/Hr  
 Cancellation:  
 Cancellation Period: 0 Days  
 Comment: Willing to travel to Tennessee, Indiana, Georgia, Florida, Mississippi, Arkansas, Texas,

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North Carolina, South Carolina,  
Alabama and Kentucky. Travel  
time billed at 50% of hourly rate.

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