Tucker Ellis LLP

Supreme Court of Ohio Upholds Enforceability of “Pay-if-Paid” Provisions Between Contractors and Subcontractors

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On July 17, 2014, the Supreme Court of Ohio reaffirmed the enforceability of “pay-if-paid” provisions in construction contracts. These provisions condition payment from the general contractor to its subcontractor on the receipt of payment from the owner. In doing so, the Court also approved specific language that should be used when drafting these provisions. Read more in the Client Alert here.

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