SHIN & KIM

Construction Disputes

Shin & Kim's Construction Disputes team has been at the forefront of many of the most complex and significant construction disputes. The team comprises of experts whom have the experience and industry knowledge to advise clients facing a dispute with respect to construction. The team is capable of analyzing the various complicated intertwined issues that arise in construction disputes and works closely with experts in real estate, project finance, PPP and arbitration. The Construction Disputes team understands that a construction project is an ecosystem that involves various stakeholders. Having advised many stakeholders over the years, the Construction Disputes team has a deep understanding of the commercial objectives facing all the stakeholders in a dispute. Through this experience Shin & Kim's Construction Disputes team has earned its reputation for being one of th e.

Key Services

The Practice provides advice with respect to the following :

- Construction cost payment (including overhead costs, design changes, etc.) and liquidated damages.
- Defects in buildings and structures.
- Joint ventures and subcontracts.
- Construction-related injunction cases, such as injunction for suspension of construction works.
- Re-construction, re-development, and other urban improvement and development projects.
- Rights to sunlight, the right to view, or environmental damages due to noise, vibration or inhalable dust.
- Real estate sales advertising.
- Construction permits and approvals, and other construction-related administrative matters.
- Safety-related accidents.
- Credit support such as letters of credit, guarantees, or surety bonds for construction works.

Experience

Shin & Kim handles a wide range of construction dispute cases. Its major litigations are as follows:

- Korail Jeolla Line v. Korail, seeking the rent increase of BTL (Build Transfer Lease) project resulting from price inflation and design change
- GS E&C v. Eleven D&C, claiming payment for construction works of new construction of apartment buildings in Seongbuk-dong
- SK E&C, etc. v. LH Corporation, related to the project financing on the relocation of Yeongdeungpo Correctional Institution and the development of the land left after the relocation
- Incheon Transit Corporation v. Hanshin Enginering Construction, related to payment for construction works and defect repairs of Wolmi Monorail
- SK E&C v. Korea Exchange Bank, et al., seeking preliminary injunctions to prohibit the payment of the letter of credit related to a local oil-refining facility construction in Mexico
- Hyundai Heavy Industries v. Incheon Airport Energy, related to damages to gas turbine blades
- Hanmi Global, etc. v. Samsung Fire & Marine Insurance, related to fire that broke out at the extension work site of Home Plus
- POSCO E&C v. LH Corporation lawsuit, related to cost-bearing for the plan to reduce noise coming from the construction of the Administrative City
- Taeyoung E&C v. SH Corporation, related to the adjusted amount of PS items
- Criminal case related to the accident in which a ventilation grate collapsed in Pangyo Techno Valley
- eTEC E&C v. Kumho T&L, related to an accident in which a silo collapsed in Yeosu
- Samho Development v. IAV Construction, related to design change on the volume of earth cut in a civil engineering work for a golf course
- SK E&C, Hanwha E&C, Doosan E&C v. Pyeongtaek Base Construction Project for Yongsan Base Relocation, claiming overhead costs
- Samha Architecture v. Bangbae Zone 5 Association, related to design outsourcing cost for the house re-construction project
- SK Incheon Petrochem v. local residents collective action suit related to environmental problems arising from a petrochemical plant
- Jamsil Jinju Apartment Complex Re-construction Committee v. the chair of the Committee, seeking a preliminary injunction for suspension of the execution of the resolution to dismiss the chair of the Committee made by the Re-construction Maintenance Business Committee
- Lawsuit related to the move and removal of obstructs for urban development projects in Gimpo Pungmu-2 District, Cheongju Homi District and Euiwang Baekun District
- An association A v. association B, seeking the cancellation of the disposition to designate the land reserved for replotting
- Hyundai E&C, etc. v. TEC Construction, related to a set-off between share refund payables of the members who left the Consortium (Busan International Finance Center Mixed-use Development Project Consortium) and the receivables of the remaining members
- KB Real Estate Trust v. Hwagok-3 District Association, claiming the return of rental security deposit under the Urban and Living Environment Improvement Act

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Awards and Rankings

- Construction and Real Estate Law Firm of the Year
  ALB Korea Law Awards 2019, 2020, 2025
- Ranked Band 1 Law Firm for Dispute Resolution - Litigation
  Chambers Global / Chambers Asia 2014-2017, 2021-2022, 2026
- Ranked Band 1 Law Firm for Dispute Resolution
  Asia Pacific Legal500 2015-2018, 2020-2026
- Third Korea Legal Awards in 2020, Grand Prize in Litigation for a lawsuit seeking cancellation of the license for creation of rebuilding association
  Money Today
- Litigation Law Firm of the Year
  ALB Korea Law Awards 2018

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