

房地产项目施工合同纠纷案例分析

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摘要:

关键词: ; ; ;
中图分类号: TU723.1 文献标识码: A 文章编号: 1000-2324(2015)03-0399-04

Analysis on a Case of the Construction Contract Disputes in the Real Estate

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Abstract: To analysis construction contract disputes by case-study way and use project management theory to discuss the core problem in project management. The real estate business company in this case was applied a model that was developed and constructed all by itself to pursue the goal of profit maximization. However, in this model the interaction between construction contract parties were complex and construction party could not clearly define its responsibilities so as to result in messy management and a lot of contract disputes. When settling construction contract disputes, it was always emphasizing the evidence and reality. So the contracting parties must be familiar with the priority of contract laws and cooperate with survey or in the survey and pay attention to communication with all the stakeholders to safeguard its interests in management of contract disputes. The contracting parties should submit its evidence according to law and contract items.

Keywords: The real estate; construction contract; contract disputes; case analysis

1 引言

2 案例介绍

2.1 项目概况与合同规定

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收稿日期: 2013-05-14 修回日期: 2013-05-22
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2.2 施工合同履行

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2.3 纠纷的产生

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2.4 纠纷处理

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3 案例分析

3.1 施工阶段不是房地产成本控制的关键阶段

3.2 合同干系人与干系人的角色划分

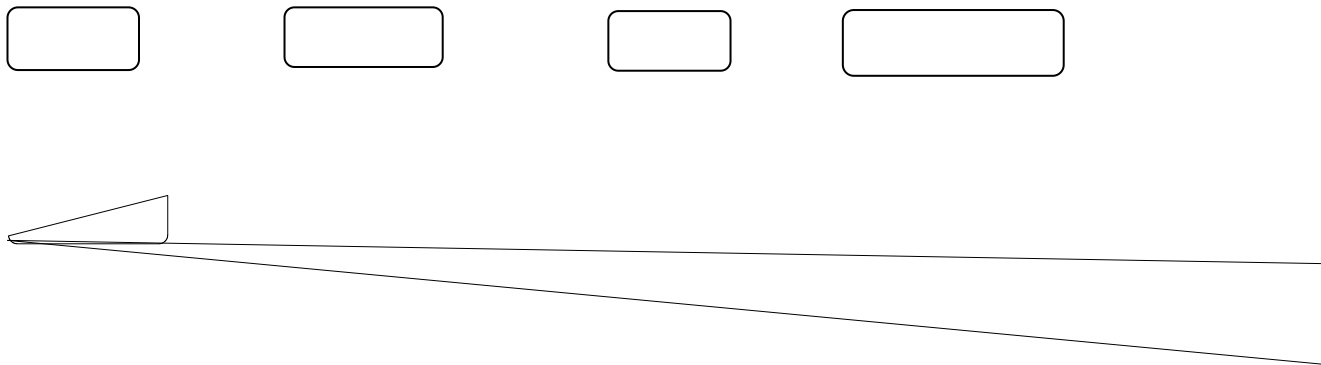


图 1 项目干系人示意图
Fig.1 Diagram of project stakeholder

3.3 危机处理中的沟通

500

3.4 纠纷处理的法律适用

107

4 结语

参考文献

- [1] . [J]. ,2007(3):33-35
- [2] . [J]. : ,2005(4):403-408