
**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549**

FORM 8-K

CURRENT REPORT

**Pursuant to Section 13 or 15(d) of the
Securities Exchange Act Of 1934**

Date of Report (Date of earliest event reported): February 26, 2010 (February 24, 2010)

Comstock Homebuilding Companies, Inc.

(Exact Name of Registrant as Specified in its Charter)

Delaware
(State or Other Jurisdiction
of Incorporation)

1-32375
(Commission
File Number)

20-1164345
(IRS Employer
Identification No.)

**11465 SUNSET HILLS ROAD, FIFTH FLOOR
RESTON, VIRGINIA 20910**
(Address of principal executive offices) (Zip Code)

Registrant's Telephone Number, Including Area Code: (703) 883-1700

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (See General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
 - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
 - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
 - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-
-

Item 8.01 Other Events

On February 24, 2010, the United States District Court for the Eastern District of Virginia, Alexandria Division, issued a Memorandum Opinion and Order awarding Plaintiff Comstock Potomac Yard, L.C., (“Comstock Potomac Yard”) a subsidiary of Comstock Homebuilding Companies, Inc. (the “Company”) a total of \$11,733,002 from the Defendant, Balfour Beatty Construction, LLC, successor in interest to Centex Construction (“Balfour”). In addition, Comstock Potomac Yard is entitled to recovery of certain attorney’s fees in an amount to be determined at a future date. Balfour was the general contractor for Comstock Potomac Yard’s Eclipse on Center Park Condominium project (the “Project”) in Arlington, Virginia.

The judgment resulted from litigation initiated by Comstock Potomac Yard in September of 2008 against Balfour to recover its actual and liquidated damages due to construction delays and additional costs incurred by Comstock Potomac Yard with respect to the Project and to invalidate mechanics liens improperly filed by Balfour against the Project on July 28, 2008. The mechanics liens had been previously removed from the Project by a court order dated April 20, 2009.

On February 26, 2010 the Company issued a press release regarding the Memorandum Opinion and Order, a copy of which is attached hereto as Exhibit 99.1.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

<u>Exhibit Number</u>	<u>Description</u>
99.1	Press Release by Comstock Homebuilding Companies, Inc., dated February 26, 2010

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Company has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Date: February 26, 2010

COMSTOCK HOMEBUILDING COMPANIES, INC.

By: _____ /s/ Christopher Clemente
Christopher Clemente,
Chief Executive Officer

NEWS RELEASE

Court Awards Comstock Homebuilding \$11.7 Million Judgment in Potomac Yard Litigation

RESTON, VA, February 26, 2010 (MARKETWIRE via COMTEX) — Comstock Homebuilding Companies, Inc. (the “Company”) (Nasdaq: CHCI) announced that on February 24, 2010, the United States District Court for the Eastern District of Virginia, Alexandria Division, issued a Memorandum Opinion and Order awarding Plaintiff, Comstock Potomac Yard, L.C., (“Comstock Potomac Yard”) a subsidiary of Comstock Homebuilding Companies, Inc. (the “Company”) a total of \$11,733,002 from the defendant, Balfour Beatty Construction, LLC, successor in interest to Centex Construction (“Balfour”). In addition, Comstock Potomac Yard is entitled to recovery of certain attorney’s fees in an amount to be determined at a future date. Balfour was the general contractor for Comstock Potomac Yard’s Eclipse on Center Park Condominium project (the “Project”) in Arlington, Virginia.

The judgment resulted from litigation initiated by Comstock Potomac Yard in September of 2008 against Balfour to recover its actual and liquidated damages due to construction delays and additional costs incurred by Comstock Potomac Yard with respect to the Project and to invalidate mechanics liens improperly filed by Balfour against the Project on July 28, 2008. The mechanics liens had been previously removed from the Project by a court order dated April 20, 2009.

“We are pleased with the decision of the Court because of the potential significant positive impact to our balance sheet.” said Christopher Clemente, Comstock’s Chairman and Chief Executive Officer. “We are appreciative of the effort of Stephen Seeger of Seeger, Faughnan, Mendicino, P.C. for his expert handling of this complex construction delay claim. We continue to be focused on capitalizing on emerging attractive opportunities in the Washington, DC market and we are 100% committed to enhancing shareholder value in the near and long term.”

About Comstock Homebuilding Companies, Inc.

Established in 1985, Comstock Homebuilding Companies, Inc. is a publicly traded real estate development firm with a focus on a variety of for-sale residential products. The company currently actively markets its products under the Comstock Homes brand in the Washington, D.C. metropolitan area. Comstock Homebuilding Companies, Inc. trades on NASDAQ under the symbol CHCI. For more information on the Company or its projects please visit www.comstockhomebuilding.com.

Cautionary Statement Regarding Forward-Looking Statements

This release contains “forward-looking” statements that are made pursuant to the Safe Harbor provisions of the Private Securities Litigation Reform Act of 1995. Forward-looking statements involve known and unknown risks and uncertainties that may cause actual future results to differ materially from those projected or contemplated in the forward-looking statements. Additional information concerning these and other important risks and uncertainties can be found under the heading “Risk Factors” in the Company’s most recent Form 10-K, as filed with the Securities and Exchange Commission on March 31, 2009. Comstock specifically disclaims any obligation to update or revise any forward-looking statements, whether as a result of new information, future developments or otherwise.

Contact:
Jeff Dauer
Chief Financial Officer
703.883.1700 ext: 1229

SOURCE: Comstock Homebuilding Companies, Inc.