

IN THE NEWS

EDITED BY TED CUSHMAN

Builders Face Public Heat in Quality Probes

New Jersey agency, Florida paper target sloppy work

High-profile investigations in two states have shined an unusually harsh spotlight this winter on quality control problems in the home building industry. In November, New Jersey's State Commission of Investigation slammed the state's builders at high-profile public hearings. Releasing the results of an 18-month probe into building practices, commission chairman Francis Schiller didn't mince words: "Builders large and small, their bottom lines increasingly defined by speed and volume rather than quality and craftsmanship, are churning out second-rate structures assembled by unsupervised subcontractors using unskilled, untrained laborers," he said

in a prepared statement. "Rampant code violations go undetected because individuals charged with conducting inspections are unqualified or corrupt or, sadly, both — or are simply overwhelmed by their workload."

A Florida newspaper used strikingly similar language in November in a multipart series of articles based on an 18-month inspection of the area's new homes. *Orlando Sentinel* reporter Dan Tracy wrote that a team of engineering students supervised by two professors and an experienced home inspector had uncovered "a systemic lack of quality control by builders who are producing too many homes too fast, with not enough trained workers and

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Engineer Michael Pierce stands knee-deep in a sinkhole in this photo, which ran in a number of newspapers after it was displayed at hearings held by New Jersey state investigators. The cause was traced to an unconnected drain pipe joint, which Pierce believes was overlooked by town inspectors.

Playing Local Politics, Opponents Slow I-Code Advance

A steady wave of state-level adoptions has put the International Codes in a strong position nationally, with more than 30 states using the *International Building Code* statewide, and many states adopting the entire I-Code series.

But opponents, organized around a core of local and state plumbing and electrical trade organizations, are fighting a determined rearguard action in small political arenas.

By applying pressure at the city council or legislative committee level, NFPA advocates have held up the I-Code advance with a series of small local victories.

Arizona: define "consensus." In

Phoenix, Ariz., the city Development Advisory Board voted 9 to 6 in favor of the *NFPA 5000* code, reversing a vote two months earlier to recommend the *International Building Code (IBC)*. The reason: pressure from lobbyists based on a city council directive from 1997 that instructed the board to consider competing "consensus" codes — a term that NFPA backers insist does not include I-Codes.

Only state or local building officials can vote on language in the International Codes, while NFPA code committees, like ASTM or ANSI committees, follow a "consensus" process that allows interested parties such as unions and corporations to appoint

voting members. In Phoenix, consensus meant that the city's advisory board had only one code to consider: *NFPA 5000*.

St. Louis: a flood of plumbers. In St. Louis, Mo., the city council had to choose a new plumbing code based on conflicting advice: Building department staff preferred the *International Plumbing Code*, while the appointed Plumbers Examining & Appeals Board favored the *Uniform Plumbing Code* authored by NFPA ally IAPMO. Sixty people, mostly plumbers, attended the council meeting, and a show of hands indicated strong support for the IAPMO code.

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inadequate oversight." Surveying 406 homes, Tracy wrote, the inspection teams found "leaks, cracks and bad weatherstripping around windows and doors in 64% of the houses; major wall, floor and deck cracking in 61%; significant cooling/heating system problems in 50%; mold in 20%; and poor drainage in 18%." Just four houses — 1% of the sample — were found to be defect free.

The *Sentinel* also criticized "over-



Engineer Edward Betz testified at a New Jersey hearing about home defects such as this house's floor frame, which misses the foundation by 2 or more inches. The flaw was found after stucco was removed to investigate leaks. Final grading left soil in contact with one house exterior a foot above the foundation, according to Betz.

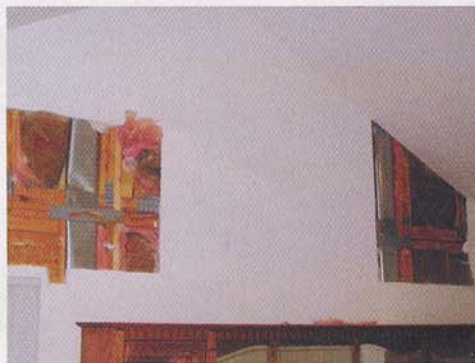
Disregarding plans that called for balloon framing in this wall, the builder used a truss atop an 8-foot wall, creating a hinge joint that weakens the wall, according to engineer Betz. This is a critical flaw in New Jersey coastal wind zones. The wall's integrity was further compromised when the plate and bottom truss chord were hacked out to make room for hvac ducts.

worked and uncritical" building inspectors, citing "numerous examples of inspectors checking 60 houses a day — triple what's considered a reasonable workload." In Osceola County, Fla., said the paper, inspectors pass houses after the first inspection an average of 94% of the time.

The New Jersey hearings went a step further, charging actual corruption of building inspectors and a widespread pattern of gifts and payoffs. His face and voice disguised, a confidential witness appearing via closed-circuit television described pressure from town officials to come through with gifts and favors in return for easy inspections — or even no inspections at all. The anonymous witness said it was common for his supervisors to hand



Architect and engineer Michael Pierce found piles of snow in the attics of houses in one development, sucked in by unbalanced ridge vents. According to Pierce, the builder advised residents to spread plastic in their attics to catch the snow.



him blank inspection forms from the town, telling him to forge the signatures. After the hearings, Monmouth County prosecutors brought a warrant to the town hall in Manalapan, N.J., and seized all the building records for the Manalapan Chase development built by Calton Homes. "We're boxing up the records, bringing them back and analyzing them," prosecutor John Kaye told the *Maplewood (N.J.) News Record*, "then we'll go from there."

Builders stonewall. Facing homeowner lawsuits as well as state investigations, New Jersey tract builders had little to say beyond a general defense of their homes' quality. In Florida, most of the production builders named by the paper — a list that includes virtually all of the nation's biggest builders — declined to talk to *Sentinel* reporters.

But with the market booming and with houses, however flawed, continuing to appreciate in value, contrition and repentance were not on the Florida builders' agenda. Calling the reported defects "minor," builder spokesmen said the student inspectors were unqualified and that homeowner maintenance was to blame for many problems. Orlando Homebuilder Association director Tom Lagomarsino told the paper, "This is the biggest single investment you are going to make in your life. And you walk into it and just roll the dice? Say, 'Here's the down payment and give me a Tudor 410 on lot 63'? I think you're real stupid."

The HBA has taken a similarly confrontational approach to the press: Soon after the report appeared, the association canceled its contract with the paper's publisher to produce this year's Parade of Homes display book.

As a second round of New Jersey hearings approached last month, officials announced plans to extend the probe to more developments and to hold more hearings in May, this time with testimony from builders. 