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Attorney Jean Harrison said she's swamped with phone calls from unhappy homeowners and a stack of cases that continues to rise.

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MANDY LUNN / STAFF

Ray Pereira and his wife, Carrie, own this home in Rogershire Crest neighborhood in Franklin. They say that the builder left unfinished drywall and areas of home left unpainted and complain of a general lack of quality construction. Among other things, the Pereiras have invited prospective home buyers into their house to show them the problems.

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Franklin Codes Director Gary Luffman has had to ask his blueprint inspectors to drop what they're doing and inspect homes in order to complete an average of 9,100 home inspections a year.

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Brentwood resident Michael Guffy is suing the builder of his \$400,000 home, which he said is missing floor supports, losing shingles when the wind blows and cracking.

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Rick Bell, president of Turnberry Homes, has constructed mansions for celebrities, but said he can't seem to satisfy a Franklin man with a custom-built steam shower and a three-car garage.

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Harrison McCampbell, who repairs leaky roofs and specializes in "moisture intrusion," said he'll always have a job.

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The effects of Williamson County's continued residential growth boom may be different. But one thing is clear — more homes bring more work.

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'We feel victimized, what do we do?'

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Mike and Dana Fisher put signs on their cars and in their yard. Ed and Jennifer Donnelly started two Web sites. Ray Pereira handed out cards and invited people into his home. Michael Guffy hired a lawyer. These unhappy home buyers have chosen a variety of fronts from which to fight their builders.

"I wish with all my heart I would have walked away from it," said Victoria Abretske, who purchased a \$198,000 home in Spring Hill's Wyngate Estates built by Keystone Builders.

Abretske, who is now in a legal battle with Keystone, said her home was not built to codes. She put up signs in

her windows with frowning faces and phrases such as "Unhappy Keystone owner" and "Unfinished Warranty Work." She claims the home leaks, the windows are not properly framed, the floors are buckling, the cabinets are splitting, trim is pulling away from the walls and the whole house shakes whenever doors are shut.

She's been sued by her homeowners' association, which is controlled by the developer, for putting up the signs. Now she's suing to get Keystone to fix her house.

Abretske said she could have avoided litigation — and the legal fees she's facing — if she and her husband, Paul, would have walked away from the closing. They bought the house in December 2002 and noted several problems then, which Abretske said she was assured would be fixed.

"Once you close, your rights are limited," attorney Jean Harrison said. "If you see something wrong, don't give them any money until it's fixed."

Several builders offer the same advice. Debbie Psillas, owner of Prestige Homes, said she won't allow a buyer to go to closing until all imperfections or "punch list" items are complete.

Ray Pereira said walls weren't painted and drywall was still being worked on the day he was set to close on a \$279,000 home built by Prestige. Faced with losing his deposit and having to find a place for his family to stay until the work was completed, he decided to close anyway. Pereira said days after moving in, he and his wife, Carrie, noticed ripples in the walls, areas that weren't painted, cracks in the ceiling and a pile of dirt in the back yard that seemed to be there for good.

Pereira said he contacted Psillas and asked for repairs, but was told he'd have to live with it.

"We feel victimized; what do we do?" Pereira asked in December, two months after closing.

He decided to get the company's attention, and the attention of prospective home buyers, by putting signs on his car that read, "Don't let Prestige Homes victimize you, too." He also posted a message on the builder's Web site and started handing out cards with his phone number and an invitation to tour his house.

Psillas said what Pereira did was slander her company's name. She said she offered to fix the walls if Pereira would go back to the Web site and write a message praising Prestige, but the offer was declined.

"There are some people we can't do anything to satisfy," Psillas said. "We closed 280 houses last year and only have two unhappy homeowners. That should tell you something."

Pereira claims he was asked to e-mail everyone he complained to and take it back.

"We weren't going to play her little game and just paid to have walls fixed," Pereira said.

Nestled in a section of Franklin 's Rogersshire subdivision that's known as "The Crest," the Pereiras ' home now is on the market.

Mike and Dana Fisher, who bought a Spring Hill home from Wayne Dunn and Associates in 2001, are being sued for slander because they put up signs in their yard and on their cars. The signs were similar to the ones Abretske put up, and stated the home did not meet codes requirements. Dana Fisher said she moved the signs inside after being threatened with a lawsuit. Now the Fishers are suing Wayne Dunn and expect the case to go to court soon.

Ed and Jennifer Donnelly bought a Brentwood home built by Pulte Homes in 2001. They claim the house was built on a sinkhole and the roof leaks. They decided to use the Internet to voice their complaints and launched two Web sites — www.getpulteoutofn.com and www.lakepulte.com.

Harrison said beyond filing complaints with the Tennessee Board of Licensing Contractors or hiring an attorney, there's not much a homeowner can do to get a builder to fix their home.

Michael Guffy is fighting with Toll Brothers, which built his \$400,000 home in Brentwood . Guffy said he's already spent close to \$5,000 on experts and legal fees, but is no better off. He'll likely spend thousands more if the case goes to court.

'When I come in, the trust is gone'

His license plate reads "WATRBOY." He's built a career around keeping water out of people's homes. Harrison McCampbell has no problem finding work, especially in Williamson County. He doesn't go searching for homeowners with leaks; they find him.

"Usually when I come in, the trust is gone," McCampbell said. "The subcontractor or the contractor has fed the homeowner a bunch of bull. They've put on layer after layer of caulk and it's not fixing the problem."

McCampbell said he's worked on \$1 million homes in Brentwood and \$200,000 homes in Spring Hill. His services aren't cheap and he doesn't recommend quick fixes or "band-aids." The solution he most often proposes is to rebuild.

"I can't fix bad construction," he said. "I'm concerned with value, not with cost. If you have enough money and patience, I'll see your problem gets solved."

McCampbell said most of the homes he works on are less than five years old. Some are worth millions, some are worth thousands. What they have in common, according to McCampbell, is "shoddy workmanship."

He said more and more builders are hiring unskilled laborers. He's seeing building plans that weren't followed and building codes that were loosely interpreted. He thinks building codes need to be written more clearly and codes inspectors need more training.

"But you shouldn't have to rely on codes for quality," McCampbell said. "That should be up to the contractor."

McCampbell said builders shouldn't take all the blame, though.

"You'll never be able to protect homeowners against themselves," McCampbell said. "They want homes built fast and cheap. They think bigger is better."

Codes: 'We're doing the best we can'

Codes officials across the county are struggling to keep up with rapid residential growth. Codes departments in Franklin and Brentwood are in the process of changing the way they organize and conduct inspections to bring more efficiency to the process.

Gary Luffman, director of Franklin's Codes Department, said one thing to keep in mind is that homes are inspected to the minimum codes.

"Our job is to make sure you have a safe, livable place," Luffman said. "We don't have control over cosmetics, things like paint and trim."

Franklin's Codes Department handles an average of 9,100 home inspections a year. Luffman said that at a minimum, a home being built in Franklin is inspected 13 times. He said an average of 700 homes are built in Franklin each year.

Approximately 600 homes were built in Brentwood last year. Homes there are inspected seven times during the construction phase. Brentwood Codes Director Joe Lassus said inspectors spend a total of eight hours checking a home during the construction.

"We're not out at the site throughout the building process," Lassus said. "That would be an impossible function for the city to do. We ensure homes are built to the minimum standards."

In Spring Hill homes go through eight codes inspections, according to codes director Ferrell White. Spring Hill recently hired a third codes inspector, but last year the city's two inspectors averaged 963 inspections a month.

"Yeah, it's a packed load," White said. "We stay busy all the time. If you know what you're looking for, an inspection doesn't take long."

Inspectors check foundations, frames, plumbing, electrical connections, drainage, gas lines and insulation.

"If we miss something we miss something, but we're doing the best we can," Luffman said.

The city of Fairview is looking for a new codes inspector after their inspector, Howard D. Johnson, resigned. Assistant City Manager Shirley Forehand said Johnson's last day was March 26.

Forehand said Johnson and George King, a county inspector, will inspect homes until a new codes official is hired.

There were 82 single family dwellings built in Fairview last year.

'Nothing in the world will make them happy'

Harrison said she works on an average of 50 cases a day and puts in 90 hours a week dealing with builder complaints.

"I only hear from unhappy homeowners," she said. "People don't call me to say they love their builder."

Harrison admits she's a bit jaded when it comes to builders, but said she believes there are good builders out there. "You just have to find them," she said. Harrison said some cases do have happy endings, but warns home buyers that "builders are out for one thing — your money."

Luffman said that fewer than 10 people filed complaints with Franklin 's Codes Department last year. He said some of the complaints come from people who move into homes that were more than three years old.

Rick Bell, president of Turnberry Homes, said he thinks some people can't be satisfied. He said this is the case with Trevor Hubert, who bought a Turnberry home in Franklin last summer.

Hubert, on the other hand, said he's only trying to get what he paid for — a \$522,000 custom-built home. He said he has a list of complaints, which includes a \$20,000 steam shower that doesn't steam. He claims that the windows don't fit properly. He said he has trouble pulling three cars into his three-car garage.

"We know no home is perfect, but they sold this to us as a custom-built, high-quality home, and I haven't seen it," Hubert said.

Bell said his company already has addressed three complaint lists from Hubert. He spent \$3,000 to dismantle and rebuild the steam shower and said it wasn't broken in the first place.

"I don't know who the greatest builder in America is, but nobody could ever live up to the criteria of Trevor Hubert," Bell said. "Last year we closed 136 homes and Trevor Hubert is the only homeowner complaining."

Bell said he knows there are bad builders, but said his company prides itself on a "spotless business record." In 1985 he built the royal residence for England 's Prince Charles and Lady Diana in Palm Beach . He's also built mansions for several Hollywood celebs.

"The fact is 87% of home buyers are easygoing, 10 to 15% are tough as can be," Bell said. "The other 3% or so make you want to jump off a cliff. Nothing in the world will make them happy."

Joe Bars , president of Pulte Homes, said his company has measures in place to assure all home buyer concerns are addressed. He said Pulte tries to educate home buyers during the building process. Bars said home buyers are encouraged to come to quality inspections and ask any questions they have.

"Before we close on a home every light is turned on, every cabinet is opened, every toilet flushed," Bars said. "If a home buyer has issues we'll take care of them to 100% satisfaction."

Since Jan. 1, 2003 , the Tennessee Department of Commerce and Insurance has taken six complaints against Pulte, which completed about 200 homes last year. There were seven complaints against Toll Brothers, one against Prestige, three against Turnberry, and two against Wayne Dunn. Prestige completed 280 homes last year. Turnberry finished 136 homes. Figures from Toll Brothers and Wayne Dunn were not available.

Doddie Jessup said her complaints are being taken care of by Toll Brothers. Jessup and her husband Bill, Brentwood residents, bought a Toll Brothers home in 2001. She said the \$550,000 home had windows that

weren't installed properly, skylights that didn't have flashing around them, a granite countertop that fell off, a leak over the dining room ceiling and a driveway that was too steep.

Toll Brothers has come back to fix many of the problems. Jessup said she thinks that's because of the way she handled things.

"I was very methodical," Jessup said. "I made lists of everything. I wasn't belligerent with them. I haven't ranted and raved, cried or thrown a temper fit. I just said this is what needs to be done and asked them to fix it."

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