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## Resolved Question

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# I'm having a problem with my home builder toll brothers. They can't figure out why my window leaks!?

I bought this townhome about 3 years ago and this has been going on since then. I noticed when it rains hard with some wind there is water leaking down from my large picture window in the back of my room. It is kind of random however when it only leaks when it rains hard and a bit windy. I've had the builder come out here at least 12 times since then and everytime they claim they think they fixed it only to find out it really isn't fixed because it keeps leaking! They keep saying they taped the windows up and it should be ok. I'm growing very tired of this and I'm wondering what are my alternatives? They tell me they can't figure out whats causing the leak.. I find that disturbing considering toll brothers is a luxury home builder and if they can't figure it out who can? Do I have any legal recourse on this? If I let this keep going they'll just keep comming back over and over and but not actually fixing a thing.

- 5 years ago
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## Additional Details

I'm not asking how do I fix it, I'm asking how do I get toll brothers to go beyond just taping my window? This is really legal advice I'm looking for.

5 years ago



by [tmkng200...](#)

Member since:  
August 15, 2006

Total points:  
718 (Level 2)

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## Best Answer - Chosen by Voters

Water leaks can be nearly impossible to track. The leak at the window may be coming from a flashing at the window or from some flashing many feet away.(70% of leaks happen at flashings)

Basically it requires inspection of the roof, the attic and possibly removal of the drywall above the window in order to get an idea what direction and ultimately where the leak is coming from.

The builder does not want to pay his man for the number of hours and work required to find that leak. They just want to throw in some silicone caulking here or there and hope for the best.

Good luck. The project may mean you do some intrusive investigation on your own. Keep track and document and MAYBE you just might recoup some of the cost from the builder.

REMEMBER: unrepaired leaks can cause SERIOUS mold issues which can make for health problems on top of structural issues.

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mtamobil...

I to am owner of a Toll built property and have been experiencing the same type of problem as well as many others. Unfortunately Toll is very non-responsive to issues once you have closed on the property. Seek legal action.

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## Other Answers (4)

Show:

-  by [Chainsaw](#)

Member since:

July 28, 2006

Total points:

24,171 (Level 6)

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Contact the BBB. I can offer some solutions to fix this. I have worked in the business for a while. I suspect it is the window itself.

There are a few questions that I need answered if you are looking to fix this.

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-  by [Tom-SJ](#)

Member since:

July 15, 2006

Total points:

12,025 (Level 6)

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I think you may have to use every tool in the tool book for complainers.

Document everything you have done to date - all the problems, take pictures, copies of correspondence and/or notes of phone calls you've made to Toll Bros.

You might want to have the window manufacturer send out a field service technician to evaluate your window and offer suggestions. There is the possibility that the window had workmanship problems when it left the factory.

Send TB a demand letter to fix the leaking window, up to and including removal and replacement of the entire window. Send copies to your local newspaper or television 'action line' or consumer ombudsman. And send a copy to your county district attorney as well as your state department of consumer affairs. Include CC's on your letter to TB so they know you have notified the above named groups.

If the above steps do not get this resolved, then talk with a lawyer to discuss your options, and pay them to write you a letter to TB on your behalf.

You might have to take matters into your own hands and hire a window installation contractor to fix the problem (install a drip edge flashing, or even tear out the old window and install a new one with proper flashing.) Then you would have to sue TB to recover all your expenses.

Installing a window is not rocket science. Doing it right just takes paying attention to all the details.

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• [by steviewa...](#)

Member since:

April 01, 2006

Total points:

3,103 (Level 4)

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I'll tell you an experience of a neighbour with the same problem: they had a picture window, the bay type that juts out in a crescent, and the same thing happened. As it turned out, the roof had a steep slope with no eavestrough, and water would gush off to the point that the fascia would leak onto the soffit and allow water to trickle into the top of the window and inside the house. The solution: install eavestroughs. But make sure to keep them cleaned out, or they clog and the same thing would happen with the overflow. If your window is the same type, this kind is notorious for leaking from the top where it faces the elements. If it is flush to the house, then it could simply need proper caulking with the appropriate exterior window caulking. Make sure the surrounding area and the window are stable (not in need of repair or replacement) and dry first, or you'll be sealing in moisture and cause mould. If they have been there 12 times and can't figure out the problem, I think you need an independent opinion from someone in the know. Keep all

receipts of payments over this problem, in case of legal action, which I would seek as a last resort. If you have it fixed independently, you might try having them pay the bill (assuming it was repaired properly by someone else); if the original builder refuses, then I would consult a lawyer. Document everything, from square one to the time of repair, if you go that route. And sue for additional expenses, such as legal fees and time off work. Why can't people just do things right in the first place, without forcing people's hand? Good luck!

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- [by normy in garden city](#)

Member since:

May 02, 2006

Total points:

11,418 (Level 6)

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Have a building inspector look at it. It may not be the window that's leaking. Could be that no one is looking any higher. Along the roofline it could be blowing in around the fascia or up under some loose or old roofing and finding it's way down the beams to the window. I have seen leaks travel to the basement from a roof leak on the far end of the house.

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