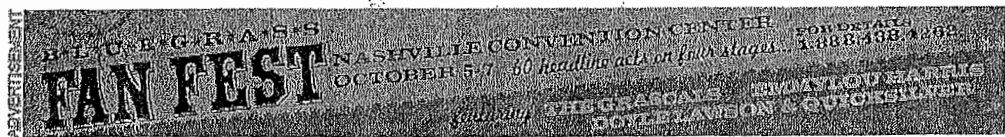




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### Builders opt to leave state after consumer complaints

By Colleen Creamer, ccream@nashvillecitypaper.com

Toll Brothers, a Fortune 500 company based in Philadelphia, will not be able to operate in Tennessee after August due to numerous complaints and lawsuits over what homeowners claim is shoddy construction. Complaints about the homes in the Brentwood Glen subdivision include leaking water inside the homes, weeping walls, mold, leaking roofs, detached walls and, in some cases, missing beams and wall studs. Brentwood Glen is located off Concord Road and Wilson Pike in Williamson County. Brentwood Glen resident Frank Primm bought the first house in the subdivision. "I knew the day after I closed I had made a mistake because there was a huge number of things wrong with my house," Primm said. Primm said his whirlpool bathtub did not work. The company, after failing to put a stud support system in his garage, had to tear the garage down and rebuild it. The house leaked in the living room, later causing mold and in the winter Primm discovered the gas heat did not work. "They didn't wrap these houses," said construction attorney Jean Harrison. Harrison is representing four litigants in Brentwood Glen. "Codes requires that you wrap a house with a sheeting material and a water resistant membrane material over it. These houses are some of the worst built that I have dealt with and I have seen a wide variety." The State Contractor's Board didn't get a chance to investigate because the company opted not to renew its license, said former state contractor inspector Gary Read. "We didn't get a chance to go do that," Read said. "They just decided not to renew. We have probably nine cases on them. The worst thing the state can do to somebody is to take their license away from them." Read said the state had an informal meeting with Toll Brothers on nine cases, part of a protocol which precedes a formal hearing. Toll Brothers then decided to not renew its license in Tennessee. "It got to where (fixing the problems) was not getting done," Read said. "The next thing we do is to write all the letters and tell them we expect this to be done or go to a formal hearing and discuss it and they decided they didn't want to stay in the state any longer." Harrison said it is the job of any codes department to make sure houses are built to minimum standards. "But that doesn't mean you got an A," Harrison said. "That means you got a D minus. That doesn't mean that every house that passes codes would get a D minus from me or an engineer. It just means that that is all you are aiming for, which is not a lot." Harrison said it's important to amend any contract with a builder to include inspection clauses that require the builder to pass inspections at certain points. "That prevents problems for the builder later. It prevents problems for the homeowner. There are no misunderstandings and there are certain things that can be caught early that are easy to fix," Harrison said. A spokesperson for Toll Brothers declined comment due to the impending litigation.

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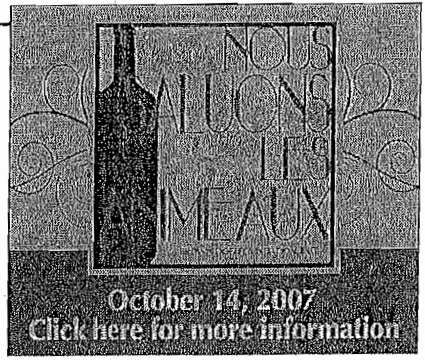
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