

Work Samples

Example #1 Quality of Construction

A builder, with the foundation for a new home in place, sells his upper end project. He commits in writing to finish the home to specifications defined in a set of blue prints. Additionally, he agrees to provide a product built to standards of "high quality". The home is completed. Several years later, the owner decides to sell his property. A prospective buyer is found. This prospective buyer purchases a home inspection and the final report raises significant questions regarding compliance to the original specs and quality of work. Consequently, the prospective buyer withdraws her offer to buy the home. The owner sues the builder believing the house was not delivered as agreed.

As an expert witness, my work in this case included: an analysis of data collected from the site; a study of compliance issues; a report which included a discussion of common construction materials, standards and practices; and deposition testimony.

Example #2 Mold

A home inspector inspects a newly built home for his client, the buyer. In his inspection report, he makes several observations about moisture and potential moisture related issues. He recommends these issues be addressed and provides a list of items for repair. The sale is consummated. The new owner is attentive to some of the inspector's recommendations but not all. Two years later, the owner undertakes several remedies for moisture related issues as well as remediation for non-systemic mold growth which has occurred since the time of purchase. He argues his health may have been effected as a result of his exposure to this mold and/or its by products. Ultimately, he sues both the inspector and the builder.

As a consultant, my work in this mediated case included collecting and analyzing data from the site and interviewing the owner, several of his service providers, the home inspector, and his legal counsel. My written report documented a series of observations which, in turn, led to my proposed list of remedies with an estimated cost for remediation. I also provided documentation of current and common inspection standards defined by several national home inspection associations. This documentation was used to define what should be expected from a home inspector within an acceptable standard of care.

Example #3 Home Inspector Error

A home inspector inspects a home for a buyer as part of a listed real estate sale. The exterior skin of this structure was made of cementitious stucco. Some level of moisture is normal and appropriate in this material. But the inspector's report improperly identifies the building skin as a latex based EIFS (Exterior Insulation Finish System) complicated by moisture issues. He then provides, at additional cost to his client, an infrared camera analysis of the "moisture" content in several exterior walls. No exploratory observations are performed for verification. His final report sites potential significant structural repairs and possible mold. The buyer withdraws from the sale. The realtors involved disclose this negative information to the marketplace. The seller is not able to countermand the inaccurate information presented in the inspector's report. And after a significant delay, he finds another buyer but now his price is deeply discounted. He sues the inspector for the difference between the original expected market value and the final sale price.

As a consultant, I provided an analysis of this inspection report, its' associated documents and photographs. My report included a discussion of the building materials involved, a description of their physical properties, a discussion of common installation errors and a list of the manufacturer's current recommended installation procedures. A study of inspection ethics and standards was included so that an acceptable standard of care could be defined.

Example #4 Non Disclosure of Previous Basement Flooding

Three weeks after moving into their new home, the owners wake to find their basement flooded. Significant restoration work is required. During these repairs, several "flaws" are observed that were not documented in the home inspection report completed just prior to their purchase. They sue the home inspector for negligence claiming several items were missed during the inspection. And they sue the realtor and the previous owner to rescind the sale.

From a thorough study of the site, discovery materials and several depositions, I created a chronological list of events that included an additional flooding incident not reported by a previous owner. I provided a detailed study of the national inspection Standard used by the home inspector and an analysis of his sales contract and inspection report. My final report addressed the specific issues "missed" by the inspector and how they should be interpreted given this Standard. I also provided a commentary on potential remedies for this complex issue of flooding.