

Jenifer Harrison
777 Mendolia Way
Central Point, Oregon 97502

October 31, 2005

Construction Claims Task Force

Re: November 1st Meeting

Dear Construction Claims Task Force,

In April of 2000, my husband and I purchased a home from Mark Owen, a licensed contractor and partner in Viewcrest Construction. Mark told my husband and I that he built the home for himself to occupy, but after occupying it for approximately 3 months, decided to put it up for sale.

One day we found our garage flooded with water. The water was coming from the wall behind the hot water heater. We opened up an adjacent wall in our laundry room to explore the problem. Behind the wall we discovered a pool of water and mold. We also discovered the flexible tube from the dryer had actually been slipped over a modified 90 degree angle tube. We contacted the builder, Mark Owen and asked him to come and review the damage in our home. My husband pointed out the improperly installed dryer hose to Mr. Owen, who responded "I can't believe that I didn't hook that up right, I will be back in a few days to fix the damage." He never returned.

We have investigated the cause of the damage. The builder was negligent by ignoring a city inspection report on 5-21-99 that specifically said "Connect Dryer Duct and Then OK." It was never connected and there is no record that a city inspector came by to re-inspect and verify that it was connected.

An improperly installed hot water circulator unit caused further water damage. The installation did not meet the manufacturer's recommendations. The builder also neglected to install a timing unit on the system. Without a timing unit on the hot water circulator, the water flowed through leaky pipes 24/7. The builder's negligence led to stachbotrys (black mold) growing in our home. We have small children.

The Construction Contractors Board protects Viewcrest Construction and other incompetent builders. If there is a complaint on new construction, it must be filed within one year of the date the structure was first occupied, or two years after completion of the structure, whichever comes first. Allowing builders to move into a home for the period of time not only presents a way of getting

around the home warranty law, but also shortens their victim's time to file a claim with the Construction Contractors Board.

The recent "right to repair" law does nothing to help victims like us. In our experience the builders ignore problems they create and ignore their "duty to repair."

Now we have to hire an attorney. The law should provide consumers like us a right to be reimbursed for our costs and attorney fees in disputes with builders.

Thank you.

A handwritten signature in black ink that reads "Jenifer Harrison". The signature is written in a cursive, flowing style.

Jenifer Harrison