

## Cracked Houses

Art Nadler, Las Vegas Sun

*Unstable soil, faulty workmanship plague Las Vegas homeowners*

**December 29, 1996**

Sunday,

*Vickie Fort's house in North Las Vegas is covered with little yellow and green stickers that point out cracks to repairmen.*

You save for years to buy your dream home. Then, after months of walking through countless models, you select a house in a beautifully manicured neighborhood.

All is bliss.

But soon, maybe after a few months or a year, things start to go wrong.

Spider cracks mysteriously appear in walls. Kitchen countertops separate from the wall. The driveway starts to crumble. And when it rains, water drips from the ceiling.

You call the builder and he sends over some guys to plaster the cracks.

Just normal ground settling, typical with a new home, you're told.

Things will get better.

But they don't.

The cracks reappear and are wider. A Spanish tile or two shifts on the roof, and the water leaks leave permanent stains on the ceiling.

It seems wherever you turn these days, home construction defects appear to be riding heavily on the coattails of Southern Nevada's building boom.

Over a two-year period, from July 1994 to June 1996, close to 3,000 workmanship complaints were filed with the state Contractors Board.

Local attorneys, specializing in home construction defects, are conga lining with homeowners through court. California lawyers who built careers on similar problems in the Golden State in the 1980s are opening offices in Las Vegas in record numbers.

Fighting two fronts.

There are primarily two forces working against homeowners in Southern Nevada: shifting soils and shoddy construction.

Both are wreaking havoc on an explosive residential market that's trying to keep pace with 4,000 to 6,000 people moving into Las Vegas every month.

"When I bought my home, I was financially stable. Now I'm divorced and my savings are depleted," said Vickie Fort, who bought a \$135,000 home near Clayton Street and Gowan Road in North Las Vegas.

Nearly every wall inside the 4-year-old home, which she put \$65,000 down on, has cracks. The kitchen floor tiles are lifting, and she can stick her hand in a gap under the foundation. The cracks expand when it rains, leaving the walls in a constant state of patchwork.

"I'd like to hang the man who built this home," Fort said in frustration. "It cost me my relationship. No one should have to go through this with a builder."

Larry Simon, president of Horizons Communities, who built the homes in Fort's neighborhood, blames the problems on Mother Nature. Of the 1,100 homes his company has built in Southern Nevada, he points out that only 40 have had problems.

"The company has stepped up to the plate and taken care of homeowners," Simon said from his San Diego office. "We do the best we can. We are building according to the soil and structural engineers' recommendations."

VICKIE FORT says her house shifts so much she has given up trying to keep the pictures straight. She holds a copy of a homeowners protection bill that she and Leslie Chikato helped get passed at the last state legislative session.

### Cutting corners

But Leslie Chikato, Fort's neighbor in the Carnival development, contends the homes weren't built according to specifications. A copy of a North Las Vegas ordinance states that her footers (cement posts that the cement floor slab rests on) should be 18 inches deep. And in "critical areas," the footers should be 36 inches deep, the ordinance recommends.

Chikato says hers are 13 inches, just an inch over what the city considers low.

Chikato, Fort and several other homeowners are currently involved in litigation to have their properties repaired.

"You can literally hear your house moving, and you wake up and there are cracks in the walkway," Chikato says. "Some homes here have footers that are only 8 inches deep."

Chikato's attorney, Francis Lynch, is asking in his lawsuit for the builder to excavate 3 to 5

feet of expansive soil from beneath Chikato's home. He argues that the land wasn't prepared according to the architect's plans.

Simon denies Chikato's claim, contending that the homes were built to code.

John Bell, a research geologist with the Nevada Bureau of Mines and

Geology at the University of Nevada, Reno, said any part of Southern Nevada can be used for homes - as long as bad soil is removed.

He said residents in the northwest part of the Las Vegas Valley should be especially aware of how builders are preparing the land before development begins. Certain soils need to be removed before homes are built.

There are three conditions that exist in this area:

1. **Expansive Soils:** This consists of dried-out clay that expands with force when it becomes wet. Unsuspecting homeowners who water their lawns, or rainfall, can trigger expansive soils to move.
2. **Collapsible Soils:** This soil is also dried out. When introduced to water, it causes sinkage.
3. **Subsidence:** This is where the land sinks due to groundwater being pumped out. The main water table is located in the northwest area of the Las Vegas Valley. As more water is pumped out to support the growing population, the land becomes fragile.

Subsidence is the problem that homeowners in the Windsor Park subdivision near Carey Avenue and Martin Luther King Boulevard have struggled with for more than a decade. The city of North Las Vegas has a program under way to relocate the residents to homes on more stable ground.

"If you are in a problem area, then make sure it has been adequately addressed," Bell said. "We know the northwest has sunk five inches since 1963. The worst area for subsidence is between Craig Road and Lone Mountain Road."

Bell suggested that anyone considering buying a home in the northwest area first obtain a copy of the Clark County Soil Guidelines map from the building department. It tells where soil trouble spots are located.

Cutting corners

Besides poor soil preparation, attorneys are also suing for faulty construction practices. A California roofer with 30 years experience, who requested anonymity, said most of the Spanish-tile roofs in the Las Vegas area are incorrectly installed.

Before tiles are nailed down, thin strips of wood called battens are supposed to be nailed to

the roof. The tiles are then overlapped and nailed into the battens. Many roofers in Southern Nevada simply nail the tiles directly into the roof decking.

Also, metal flashing is supposed to be nailed against the chimney and outside walls and the tiles nailed down over them. This way water will hit the pans and roll off instead of running under the tiles, which in time would rot the decking and insulation.

"People (roofers) get paid by piecework," the roofer said. "I know some roofers who go home at night and soak their nails in detergent so they can drive a nail with one hit. A good tile roof will last 80 years, but most of these around here have to be repaired in two years."

The roofer said many Spanish-tile roofs also leak along the top ridge because there is no wind-block material underneath. Rain blowing across the roof from the sides will run down behind the tiles. On some homes, you can actually see light coming through along the ridge.

"The best roofers are building the casinos," the roofer said. "All the dregs and losers are building people's dream homes." A piece of plaster has cracked off near a window frame inside Vickie Fort's house.

VICKIE FORT, above, points out a crack in her bathroom tile. She says at her house, the areas around the windows or at corners are especially prone to cracks.

Inspectors swamped

Gary Houk, assistant manager for the Clark County building inspectors, said his department turns down 20 to 30 percent of inspections a year. The 62 inspectors average about 1,300 inspections a day, he said. That's 21 inspections per inspector per day.

Still, Houk thinks the quality of homes built in Southern Nevada is very good. He estimates that in 98 percent of roofing jobs, battens are used.

However, Houk admits it's a problem that there are so many homes to inspect. The building department is seeking to hire more inspectors, he said.

"We are on a job site a short amount of time," Houk said. "If a contractor wants to subvert the code, there is no way we can catch him. In an inspection, a lot of work is covered by the time we see it, and they (builders) can subvert it."

James Sala, an organizer with the United Brotherhood of Carpenters and Joiners of America, thinks a lot of shoddy construction work is going undetected. He said no union labor is used in the residential market. Most of the people working on homes are unskilled labor hired to do piecework. Some are paid as little as \$200 a week.

"In a town like this, where you have 5,000 people a month moving in, it's really about getting things done," Sala said. "Homes are built to sell quantity."

Roy Granillo, a representative with Carpenters Local 1780, said he has seen homes where nails missed the framing and trusses because unskilled laborers go through so fast with nail guns. He said it takes about a year for a person to learn how to do a particular carpentry job correctly.

Reputable is best

According to Irene Porter, executive director of the Southern Nevada Home Builders Association, a lot of problems can be avoided by buying a home from a reputable builder. She suggests a background check and going into neighborhoods and asking homeowners if they are happy with the way their homes are built.

"A builder should be in town from five to 10 years, and that will tell you how good he is," said Ron Ruloff, vice president of sales and marketing with Lewis Homes, a company that has been in Las Vegas 34 years. "We build 1,500 homes a year. Check with the Better Business Bureau, and see how many complaints were settled."

Ruloff said there are about 150 home builders operating in Southern Nevada, and with this many, he expects some to be marginal.

Which is why California attorney Tom Miller recently opened an office in Las Vegas. He has handled construction defects in Southern California for 15 years.

Miller said he has seen builders in Las Vegas, some of whom are from California, make the same mistakes as in Southern California. He credits problems to lack of proper on-site supervision by the general contractor and not following the architect and soil engineers' designs.

"The projects are so new here, and there isn't a lot of rain hitting the property," Miller said. "Give these properties five or six years, and a lot of problems will start turning up."

Miller said he expects many homeowners will eventually see water intrusion around windows and from the roof. Cracks will also develop in the stucco, driveway and floor slab.

"Thirteen out of the top 25 builders in California are now building in the Las Vegas Valley," Miller said. "These 13 builders have had problems in California. We sued half of them successfully."

Miller advised any prospective new homeowner to have a thorough private inspection done while in escrow. "I think it would be money well spent," Miller said. "But make sure the inspector is insured."