

IN THE NEWS

Florida Still a Sea of Blue Tarps as Hurricane Season Looms

Many homeowners having to retarp as they wait in line for a new roof

In the wake of the 2004 hurricanes, thousands of Florida homeowners had no choice but to cover their damaged and leaking roofs with tarps supplied

by the Federal Emergency Management Agency. Eight months later, residents continue to suffer from a lack of supplies, labor, and money to repair the destruction caused by Hurricanes Charley, Frances, Ivan, and Jeanne. "There are still a lot of blue tarps around here. I get 10 to 20 calls a day; most are hurricane-damage related," says Bill Sueppel, owner and president of Central Florida Roofing and Aluminum in Lake Placid.

Unfortunately for homeowners and their bank accounts, roofers are finding that the methods used by the U.S. Army Corps of Engineers to install the FEMA tarps further undermined some roofs. Says Sueppel, "A person had a small area of damaged roof that would equate to about \$1,000 to repair. The corps put a tarp on the whole roof — they put these tarps on flat roofs with nailers; water ponds when it rains; and so you have leaks where there were none before — and now you have to pay for a whole new roof."

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JOHN ROBERTS

Blue tarps cover roofs that were damaged by Hurricane Ivan. Experts predict that it will be at least another year before all the damage from the 2004 hurricanes is repaired.

Reversing Course, California Chooses I-Codes

California's Building Standards Commission has reversed a crucial decision about updating the state's building code. The Commission voted 8-2 in March to recommend that California base its statewide building code on the International Building Code, which is published by the International Code Council. The ICC is the successor organization to the International Council of Building Officials (ICBO), which created the 1997 Uniform Building Code on which California's present code is based.

The California board's decision clears the way for state agencies and local governments to create any amend-

ments to the IBC that are needed to fit the code to California conditions. Once modifications are completed and accepted (a process that may take two or three years), California will begin enforcing the new code.

The March vote reverses the July 29, 2003, decision to recommend the NFPA 5000 building code, published by the National Fire Protection Association. NFPA rushed to offer its competing version after talks with the ICC broke down over a plan to cooperate in creating a single national model code. Had California gone ahead with adopting NFPA 5000, it would have been the first and only state in the nation to



choose that course; by contrast, more than 40 states and several federal agencies now implement the International Codes (or I-Codes).

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At the time, though, homeowners didn't have any good alternatives. According to Steve Munnell, executive director of the Florida Roofing, Sheet Metal and Air Conditioning Contractors Association, "You have to consider the circumstances. There was this frenzy for people's roofs to be covered



Time is running out for this weather-beaten tarp as the 2005 hurricane season threatens.

and the corps came in with contractors who were authorized to do the repair ... but the people were trained to get the roof watertight and didn't necessarily know how to walk on a tile roof or attach the tarp in the best way not to compromise the roofing system."

Munnell adds, "It's certainly going to be at least another year before the majority of the blue tarps are gone, primarily because of the shortage of bodies — qualified, legitimate, licensed contractors." Add this labor shortage to what Sueppel calls "an unbelievable amount of work to be accomplished," and simple economics predicts what Munnell confirms: "The cost of labor has skyrocketed."

The potential profits have created incentives for some to take advantage of homeowner desperation. The *South Florida Sun-Sentinel* reported in March that a number of licensed contractors were subcontracting business to unlicensed subs, and that one contractor admitted to investigators that he loaned his name and license number to unlicensed roofers in exchange for a percentage of sales. Some guys are simply collecting deposits, ripping up part of the roof, and disappearing. Penalties are high, however: Governor Jeb Bush has

increased the crime of working without a license from a misdemeanor to a felony. Still, roofer Sueppel believes the shortage of enforcement officials continues to put licensed, in-state roofing contractors at a disadvantage.

Shingle supply improved. At least the supply shortage of



The nailed strapping used to hold down tarps has compromised otherwise intact sections of roofs, say Florida roofers.

asphalt shingles has eased up. According to Munnell, it had been taking up to five to six weeks to get the shingles, but suppliers say the wait is down to one to two weeks. Clay-tile availability is about five to six weeks. On the other hand, the lead time for concrete tile, which before the hurricanes had been 12 weeks, is now running four to five months.

Meanwhile, tarps are beginning to wear out and leak, and free replacements won't be coming from FEMA. State chief financial officer Tom Gallagher advises Floridians that by state law, insurance policies must cover temporary protection; he recommends that homeowners file claims to have their worn-out tarps replaced with new ones as they wait to have more permanent repairs done.

With the 2005 hurricane season shaping up to be "above average," according to the latest report by hurricane forecaster Dr. William Gray of Colorado State University, there's little time to spare. Unless someone invents a 75-mph tarp in a hurry, it's a no-win situation for roofless residents who, according to predictions, face an 82 percent chance of a hurricane landing on the East Coast this season. — *Laurie Elden*

California Chooses I-Codes

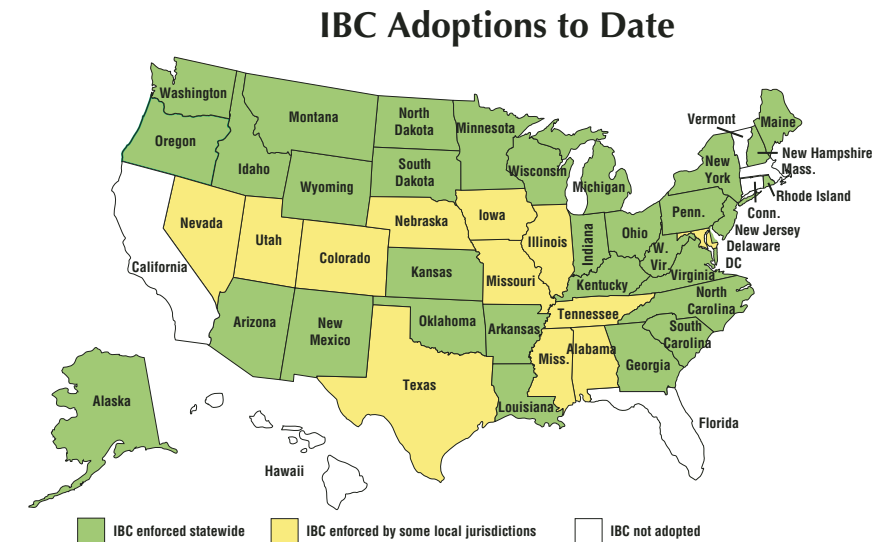
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NFPA 5000, which occurred under the administration of former Governor Gray Davis, was widely criticized at the time as ill-advised and politically motivated. Several board members had ties to firefighters and plumbers unions — groups that backed the NFPA code and were providing campaign support to Davis in his fight against a voter recall. After Davis lost his battle and several appointees of new Governor Arnold Schwarzenegger joined the board, the political balance shifted and the board reconsidered.

In voting for the I-Codes path, the board followed the advice of a coordinating council composed of seven state agency representatives. The council said that making the “massive number of amendments” needed to get the NFPA 5000 code ready to use would cost too much: Structural provisions required in California, said the report, were particularly deficient.

Further complicating the issue of amendments, the coordinating council said, was the discovery that the modifications offered by NFPA consultants included wording drawn wholesale from the competing International Codes — language over which ICBO and ICC claim copyright ownership. Copyright claims over code language are legally shaky, but even the threat of a protracted lawsuit over hundreds of pages of amendments was seen as a major drawback to pressing ahead with NFPA 5000.

The decision to drop NFPA 5000 in favor of the I-Codes was greeted with relief by code officials, builders, and plan checkers. Imad Naffa, a plan-review engineer whose firm, Naffa International, offers code-compliance software and consulting over the Internet, reflects the views of many: “We’ve been stuck using a code that is



not up-to-date, because of politics in Sacramento. Meanwhile, things have been changing in the industry.” But a switch to the IBC will be much smoother than one to NFPA 5000 would have been, says Naffa: “As a plan-review engineer, I find the IBC to be more user-friendly, more stream-

lined.” Plan checkers, he says, are “thrilled” about the idea of a single national model code: “That way, we can check plans from New York, or California, or anywhere else in the country, and we will all be in the same basic format.” — *Ted Cushman*

OFFCUTS

If you tend to blow through batteries on your cordless tools — and if you happen to live near one of 464 authorized Ridgid service centers — you might want to take advantage of the tool manufacturer’s new lifetime service agreement. According to company spokesman Paul Fitzmaurice, “The new service agreement is essentially a lifetime warranty, but we’re not calling it that, because users have to register their tools with Ridgid.” The new agreement provides free service and parts for unexpected repairs as well as for normal wear items like brushes, O-rings, and, amazingly, battery packs. Parts and service must be obtained at an authorized service center, although customers without a local facility can obtain some parts — like new batteries — without taking in the tool. The agreement applies to all Ridgid stationary and hand-held power tools and pneumatic nailers — as long as buyers register their tools. Tools purchased between February 1, 2004, and April 14, 2005, qualify if registration is post-marked by August 12, 2005. For details, call 866/539-1710 or visit www.ridgid.com.

OFFCUTS

It can be costly, not to mention embarrassing, to fire an employee who is on jury duty. Ask Sam LeComte, owner of Multi Building Inc. in Lewisville, Texas, who made just this mistake. According to an April 8 article in the *Houston Chronicle*, U.S. District Judge David Hittner accepted that the firing was unrelated to the jury service but ordered the builder to pay his former framing superintendent Mike Borowski \$200 per day for the duration of the trial. Not satisfied with just the fine, Hittner further took LeComte to task for showing up in court dressed in jeans and a work shirt.

Unless she allows the contractor to try to fix what she calls substandard repair work done on her fire-damaged condominium, Sandra Moose will not be granted a disciplinary hearing by the licensing board, the *Charlotte Observer* reported on April 18. The condo owner refuses to let the contractor enter her home to attempt to resolve the alleged problem; for its part, C.N.E. Services of Greensboro, N.C., disagrees that there was anything wrong with the work to begin with. Moose is going to apply again for a hearing, but in the meantime she has also filed a lawsuit against the company.

“Hundreds of thousands of families” are being priced out of the housing market, says a bipartisan group of 47 members of Congress who sent a letter to President Bush in April urging the repeal of tariffs on Canadian lumber. The duties were originally imposed in 2002 to protect the domestic lumber industry from what was perceived as unfair competition with government-subsidized businesses in Canada. According to lawmakers, however, the tariffs have caused high lumber prices that have in turn boosted housing costs by as much \$1,000 per home.

Second-Home Sales on the Rise

A certain percentage of home buyers have always been looking for a second home, and a certain segment of the remodeling market has always involved repair, maintenance, or improvement of houses that are rented out. But a recent report from the National Association of Realtors (NAR) indicates that the size and importance of that second-home market may be much greater than previously thought.

The NAR report is based on surveys mailed to thousands of homeowners. In past studies, says NAR, second homes were undercounted because few of the questionnaires mailed to second-home addresses ever came back: Either the houses were vacant, or the tenants just threw the surveys out.

This time, researchers specifically asked about homes that respondents might own other than the one to which the survey was mailed. A follow-up questionnaire asked further questions about any reported second homes. Data was then cross-checked against information available from government agencies. The resulting picture shows a national market in which second homes are a major factor.

The study concludes that more than a third — 36 percent — of all homes purchased last year were second homes. Nearly a quarter — 23 percent — of all purchases were homes bought as an investment, while 13 percent were bought as vacation homes. Of the nation’s total housing stock, said the report, 38 percent — nearly 44 million homes — are second homes. Of these, more than 37 million are owned as an investment, and nearly 80 percent of those investment properties are rented out.

This trend toward second-home ownership, and especially toward investment-home ownership, could be changing the market in ways that are important to contractors. For one thing, it may cut the downside risk builders traditionally have faced in a hot market. Second-home investors who are helping push today’s busy market typically bring equity or cash to the table, and builders are more likely than in past booms to have down payments or buyer financing in hand before starting a project. As NAHB economist Michael Carliner remarked recently, “In a way, we have outsourced building speculation.”

— Ted Cushman



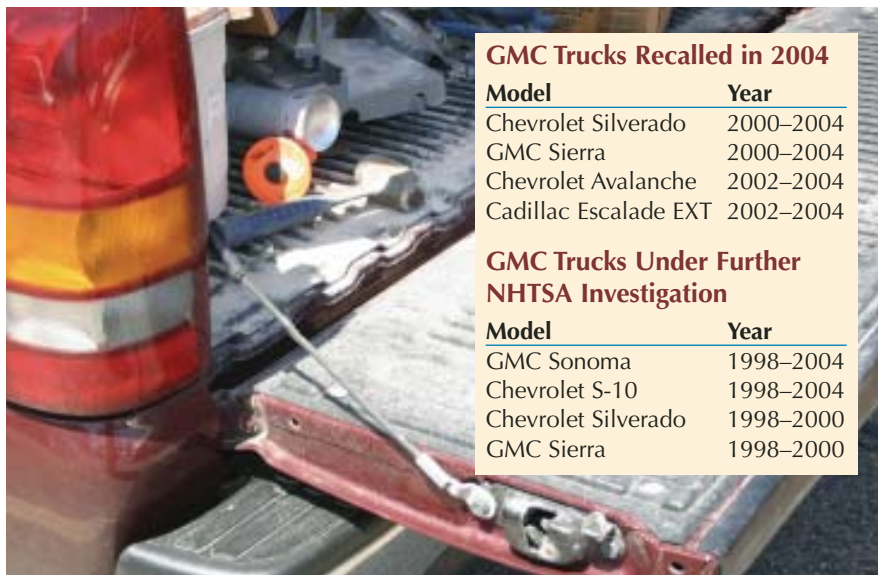
GM Truck Tailgates Blamed for Injuries and Deaths

The National Highway Traffic Safety Administration announced in April that it has widened an investigation into tailgate problems on millions of pickup trucks made by General Motors. In April 2004, GM recalled 4 million pickups from model years dating back to 2000 because of reports that tailgate cables could deteriorate from corrosion and metal fatigue and snap suddenly, causing tailgates to fall off. The government's newest probe adds two new truck brands to the list of models under investigation, and broadens the range of model years for some trucks already being scrutinized.

"On some of these vehicles," GM said in its 2004 recall letter, "the galvanized steel tailgate cable that supports the tailgate in the full open (horizontal) position may corrode, weaken, and fracture. ... If the remaining cable is sufficiently weakened by corrosion, it could fracture within moments of the first cable fracturing, especially if there is a load on the tailgate. ... Anyone sitting or standing on the tailgate when both cables fracture could be injured by falling from the tailgate."

That's exactly the scenario that one family blames for the death of 19-year-old Timothy Michaud. According to an *Associated Press* report, attorney Ste-

phen Schwarz filed a wrongful-death lawsuit against GM after Michaud died of head injuries allegedly caused by falling from the tailgate of a 2000 Chevrolet truck owned by his employer. Chicago NBC affiliate WMAQ-TV says as many as six deaths have been linked to the tailgate defect.



GMC Trucks Recalled in 2004

Model	Year
Chevrolet Silverado	2000–2004
GMC Sierra	2000–2004
Chevrolet Avalanche	2002–2004
Cadillac Escalade EXT	2002–2004

GMC Trucks Under Further NHTSA Investigation

Model	Year
GMC Sonoma	1998–2004
Chevrolet S-10	1998–2004
Chevrolet Silverado	1998–2000
GMC Sierra	1998–2000

While the original recall letters for the first batch of tailgate problems were mailed in April 2004, GM needed time to get replacement cables to dealerships. By September 30, fewer than 1 percent of the millions of trucks eligible for a free repair had actually been fixed, according to the *AP* story.

Jacqueline Glassman linked the wiper problem to a larger pattern of lackadaisical behavior at GM. Wrote Glassman, "GM's recent history with regard to the timing of defect determinations has been, and continues to be, a matter of significant concern to the agency." — *Ted Cushman*

OFFCUTS

So, what are the odds of being struck by lightning twice? Roughly one in 9 million. Emory Johnson got his second shot on May 4 when lightning struck a tree and bolted through a window, *The Associated Press* reported. Ironically, he had just moved inside to get out of the rain. His first encounter occurred nearly 20 years ago when he got hit sitting in his truck at an intersection. Maybe the

Florida hvac worker should think about buying a lottery ticket.

A Bronx, N.Y., bartender served more than drinks when he delivered cash to improperly hired workers, according to a May 6 story in *The New York Times*. Walter Mack, federal monitor of the New York City carpenters union, found that Boom Construction Enterprises of

Long Island City, N.Y., hired carpenters at lower than union wages, paid them cash off the record, and then bribed shop stewards more than \$80,000 to turn a blind eye. Just a week before his report on the scheme was issued, Mack was relieved of his investigating duties by Judge Charles Haight, who agreed with the carpenters that the monitor's two-year appointment had run out.