

APPENDIX 2

Sample of Comments from Comptroller Strayhorn Survey

Builders Fail to Repair Defects

Nothing was fixed. We have structural damage to our new home, which gets worse everyday.

Entire inspection findings ignored by builder.

Builder did not repair defects; we mediated the case and settled on an amount builder would pay.

The builder has not been seen or heard – TRCC doesn't seem to care that the builder didn't become involved.

None repaired.

Not yet repaired. Concerned since I am living in an unsafe environment...

Nothing has been repaired... The house's structural and material workmanship problems are worsening day by day.

All items have not been repaired.

The cracks in the walls/ceiling/brick returned... I bought a \$130k brand new home & have been screwed.

In short has done nothing and made no offer.

Builder completely ignored the inspection results.

No repairs were made.

No, the builder was not willing to agree that problems existed in our house, even after the inspector verified the conditions existed.

Nothing has been fixed on our house the builder refuses to fix our house...

Refused to acknowledge ruling and knew there was no recourse. He [builder] thought the whole process was a joke!!!

What good is an inspection that finds the builder "not in compliance" and no repairs result.

Nothing was repaired.

Because the TRCC has No Real authority, our builder simply laughed at their findings & rulings and ignored the TRCC.

He [builder] did not come back to fix any of it...

None of the items were repaired. The builder like before has not contacted me.

Nothing was fixed.

None repaired.

No! The builder seemed un-phased [sic] by TRCC and their correspondence to him.

No, still waiting for appeal process.

None, no use to me. Nothing got fixed.

Builder has refused to make any ordered repairs.

Nothing was taken care of because the TRCC can't force a builder to take care of any repairs...

No resolution!

Legal Status of Homeowners

Right now, we are starting to file suit against our builder.

Nothing repaired, having to sue.

We have had to sue in order to acquire adequate representation. The TRCC was to avoid litigation, but since it did not, we have had to use the judicial system.

I am now suing builder to enforce findings.

I had to file in small claims court and still in process now.

He [builder] has not responded will take him to court.

We had to go to a lawyer after all. As it stands, the TRCC and SIRP are merely a roadblock to a quicker, more effective way of handling disputes.

We have already been to mediation & preparing for arbitration. This process is very slow & has left our house in disrepair for almost 2 years.

I thought TRCC would do something to help me get the repairs made, but it didn't happen. I was very disappointed. The only thing TRCC said was, I need to hire a lawyer.

Inspection/ Home Registration Fee Reimbursement

We still do not have our inspection fee back! I have called the TRCC office three times...

Still have not received my refund. (*For registering the home.*)

We have not received our refund...

How do I know if the complaint was confirmed and what is the refund procedure?

Have not heard from TRCC as to refund of fee.

We have not received our money back for more than 4 weeks.

We had to keep calling to remind of refund.

Not refunded.

Wasted \$350 we could have used that for repairs to our house.

Never received any refund.

I still have not received my SIRP fee yet that I sent in months ago.

Usefulness of the TRCC Process and Agency

The TRCC has no enforcing authority; the process is sort of just an extra step, with extra expense.

The department did not have any authority to make the builder correct the problem... There is no need for this department if a builder can reject their findings.

Our fear is that the TRCC/SIRP will not demand that the *builder* repair or rebuild this house, as they said they would.

Poor, poor regulation – it does not work and is not worth the very premise it was established to uphold!

Apparently TRCC has no “teeth” to get builder to do anything.

I am sure they are designated to limit the number of people filing complaints.

The experience with TRCC was terrible.

The process stinks! It has no teeth. If the builder ignores the findings, there should be an immediate penalty.

I had to pay the \$30 registration fee to register my home – even though that is the responsibility of the builder.

Process is slow and there are no repercussions for a builder who does not complete repairs according to the TRCC.

Basically what I see is an agency with virtually no real power – which really is useless.

TRCC just added 6 months to an already too long process, and even though they ruled in our favor, they did absolutely nothing for us but cause additional expense.

Not working.

TRCC has no enforcement power. They cannot make your builder fix your problems...

TRCC needs to be overhauled, with more consumer representation!

No, builder did not come to inspection and has not been back since... because of TRCC they let builder steal over \$20,000 from us.

They have no teeth to enforce findings. They are for the builder – not for buyers...

TRCC has no follow-up prosecute crooked builders and make the legal system more complicated.

TRCC appears to just be an added prolonging step to delay things so crooked builders can leave the state and avoid obligations/promises.

We were led to believe that the TRCC was going to protect homebuyers.

The TRCC needs to be able to go after these deadbeat builders.

We have been informed that TRCC has no enforcement power and can only encourage builders to comply. We remain hopeful that our builder will correct the issues with our home.

Not worth the taxpayers money to staff it.

TRCC has no “teeth.” TRCC should be given the power to award damages to the injured party! Or should in some way be able to discipline or jail or fine the dishonest builder.

We were under the impression that the TRCC had the authority to coerce the builder into

repairing his mistakes. We simply are out more money!

I only wish that the TRCC could have more authority. I am at a dead end.

Without the ability to force the builder to fix issues (or pay) the process is just more work for the homeowner.

The whole thing is a fraud.

When dealing with TRCC it just prolonged the repair process on my home.

My major concern is that the TRCC has allowed my builder to change agent names and now show that there are 0 complaints against them...

I hope other homeowners got treated better. It was a very bad experience.

I don't think this law was necessary. I see it more as a “contractor's relief act.”

I feel the TRCC was a waste of time and money considering they can't force a builder to correct any problems. Again the homeowner loses no matter what.

Having the TRCC is a waste of taxpayer money. They're not doing anything to force the builder to live up to his end of the contract.

It appears your purpose is to protect the builder not the guy that is paying the bills.

There is no direct link, to whether your builder is registered or if that builder has had SIRP complaints filed against them, and the outcomes.

Builder Bankruptcy

The builder declared bankruptcy and now we are stuck with a LEMON!

Nothing was repaired since the builder filed bankruptcy.

We could not take it further, our contractor filed for bankruptcy...

Third-Party Inspector Concerns and Fees

The inspector... still missed over half of the structural, material workmanship problems that were in the letter sent to the TRCC/SIRP.

I was not happy with the inspector he treated things very lightly that I thought were important.

The inspection process is a joke.

Where else in the state do you pay for such a service? [referring to inspection]

Should be no fee to consumer/customer, rather the builder.

Why should a "new home" buyer have to pay any money to ensure their home is completed properly!

The builder should pay the fees not the homeowner....

We paid \$350 to have someone come to our house just to confirm our complaint. That is too much of a fee.

Inspector missed first appointment and camera didn't work.

The builder should pay, it's the builders error not the homeowner.

The inspector was for the builder all the way.

Unhelpful TRCC Staff

TRCC staff [was] very rude to my wife's telephone inquiries.

TRCC staff needs lessons on etiquette.

Sometimes I felt as if some staff members (general counsel) had a dismissive attitude.

I have written TRCC three times about concerns and they have not responded at all.

We wish they would have returned call more promptly...

Speed of the SIRP Process

We were disappointed at how slowly the SIRP process proceeded. The flowchart provided by TRCC indicates a much shorter timeline than what we've experienced.