



**Texas Residential  
Construction Commission**  
Quality Construction for Texans

# TEXAS RESIDENTIAL CONSTRUCTION COMMISSION



Stephen D. Thomas  
Executive Director

## Quarterly Newsletter

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### Commission Members

**Patrick H. Cordero, Jr.**  
Chair  
Midland, Texas

**Art Cuevas**  
Vice-Chair  
Lubbock, Texas

**Lewis Brown, CBO**  
Secretary  
The Woodlands, Texas

**Kenneth L. Davis, P.E.**  
Fort Worth, Texas

**Paulo Flores**  
Dallas, Texas

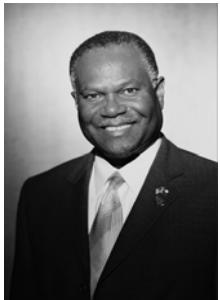
**John R. Krugh**  
Houston, Texas

**Glenda Mariott**  
College Station, Texas

**Scott M. Porter**  
Kerrville, Texas

**Mickey Redwine**  
Ben Wheeler, Texas

## Newest Commissioner Brings Three Decades of Residential Construction Experience to Commission



**N**ewly-appointed Commissioner Lewis Brown has a unique perspective on the work the Texas Residential Construction Commission does for Texas.

Appointed to the commission to fill an unexpired term and reappointed by Gov. Rick Perry in January 2005, Commissioner Brown brings to the commission almost three decades of experience as an independent residential inspector. He said that experience is invaluable to him as he joins discussions of commission business.

"We did one inspection, where the homeowner had his inspector, the builder had his inspector and the architect was there. There was so much anger there when we walked in the room," Commissioner Brown said. "We did our work, and talked to each (party) and by the end of it all, that (anger) was gone. They all had their say, and that was all they really wanted – to be heard. We all make mistakes. How you correct those mistakes is how you survive in business," he said.

"The process is a good one. Homeowners can have the problems with their home inspected by someone who is not compromised by whoever is writing the check. Before this process, the homeowner would hire their inspector and so would the homebuilder," Commissioner Brown said. "This program allows them to each say what's on their mind and what they think about the house and any problems it might have."

In February, Commissioner Brown was selected by his peers to be the commission's secretary. He said the extra duty is just another part of his overall service to the commission and the state.

*See Newest Commissioner page 2*

## Disciplinary Actions

### FINAL DISPOSITION

- ◆ Jaime Munera of The "G" Real Estate, Builder 7785, from Killeen, TX was fined \$2,000 for failure to update the commission that his real estate license was revoked.
- ◆ KGD Builders from Laredo, TX entered into a Settlement Agreement to pay late fees and educate himself on the requirements of builder and home registration.
- ◆ David L. Montgomery from The Woodlands, TX had his registration revoked for two years due to allegations of false advertising placed by his company. For more information, go to page 15.

### PENDING CASES AT STATE OFFICE OF ADMINISTRATIVE HEARINGS

- ◆ William M. Daffin, III; staff alleges that Daffin knowingly failed to register an entity as a builder.

## Executive Director Update



**W**ith the beginning of the spring season and the increased sounds of saws and hammers across the state, it is the ideal time to remind Texans about the state's newest agency, the Texas Residential Construction Commission.

The commission, created during the last legislative session, is designed to give homeowners and homebuilders an opportunity to resolve their differences through a state-sponsored inspection and dispute resolution process, or SIRP.

Since March 1, 2004, all homebuilders and certain remodelers have been required to register with the commission to legally do business in the state.

As of April 15, 2005, 17,152 builders and remodelers had renewed their registration with the commission or registered as new builders. About 2,700 builders and remodelers allowed their registrations to expire by failing to renew their registration. A full list of these builders is printed in this newsletter.

Despite the relatively high numbers of home and builder/remodeler registrations, we know it is likely that there are builders who have failed to register their companies or the projects they have completed.

When builders and remodelers skirt the commission's registration requirements, administrative actions are pursued, including the possibility of injunctions, suspensions or fines. The commission can levy fines as high as \$5,000 per violation. It can also issue reprimands or revoke or suspend a builder's registration, preventing the builder from operating in Texas.

In February, for example, the commission levied a \$2,000 fine against a Killeen builder for failing to update the commission with information that his real estate license was revoked by the Texas Real Estate Commission.

Additionally, an Austin-area builder was recently notified of our intent to impose a fine of \$500 per home for failing to register homes as required under commission rules.

The commission is aggressively investigating reports of builders/remodelers who are not registered. These investigations include close scrutiny of records from county appraisal districts, building permit offices, filings with the Secretary of State's Office, and various other governmental and private sector offices.

As investigations are concluded and commission staff believes a case can be effectively presented, these cases will be taken to the Attorney General's Office. If the Attorney General concurs with the commission, cease and desist orders can be issued to the offending builders, forcing them to end all business activities or

face penalties from the AG's office. These penalties would be in addition to any administrative actions or fines levied by the commission.

Besides the obvious financial reasons to comply with commission rules, there can also be an impact on a builder's reputation. Information on administrative penalties and sanctions is public information.

Also, the commission tracks each SIRP case to find out whether they have been resolved or are in the resolution process. Thirty days after the SIRP concludes, the commission contacts both the homeowner and the builder to determine if any further action on the commission's part may be warranted. Generally, we have found that most builders are working in good faith to resolve their cases. But we are keeping a vigilant eye on the process to ensure that it is working for all Texans.

If Texans have any questions about the Texas Residential Construction Commission or its rules and requirements, I invite them to visit the commission's Web site at [www.trcc.state.tx.us](http://www.trcc.state.tx.us) or call the commission toll-free at (877) 651-TRCC (8722).

## Newest Commissioner

*Continued from page 1*

"Watching the Texas Residential Construction Commission's start-up inspired me to become involved," Commissioner Brown said. "I want to contribute in any way that I can to help make sure homeowners and builders have a workable process to resolve their differences."

Commissioner Brown served for four years in the U.S. Air Force and did a tour of duty in Vietnam during the Vietnam War. He studied at the Springfield Technical Community College in Springfield, Mass., and has completed numerous professional building and construction seminars through the years.

Commissioner Brown serves on the Advisory Board to the Construction Science Department of Prairie View A&M, and is involved in recruiting students for this course of study. His firm specializes in code compliance inspections of one- and two-family dwellings. Commissioner Brown's wife, Mary, works with him. Their children, Derrick and Tori Brown, are both certified inspectors and also work for the family business.

## Denied Builder/Remodeler Registrations

This list identifies builders/remodelers who have been denied a certificate of registration because of failure to meet the Commission's requirements for registration:

**Christopher Braughton-Spring, TX; Thomas Lee Busch, Busch Custom Homes-** *China Springs, TX;*  
**Gordon Dade and PB Homes-** *Houston, TX;*  
**Gary Dakil, Gary Dakil Construction-** *Granbury, TX;*  
**Mathew O. Foster-** *Manor, TX;* **Don Gryder and Gryder Construction, Inc.-** *Austin, TX;*  
**Domingo Munoz, La Palma Homes-** *Houston, TX;* and, **Robert D. Stock-** *Denton, TX.*

# Withdrawn Builder/Remodeler Registrations

This list identifies builders/remodelers who are not registered with the commission. Those listed below applied for a certificate of registration but failed to complete the application with required information. Although the commission notified each applicant of the deficiency and each was given an opportunity to provide complete information, when they failed to respond, the commission administratively rejected the application for failure to meet the Commission's requirements for registration.

ABILENE
GARY SMITH CONSTRUCTION
ALLEN
NUBREY INC.
ARGYLE
INFINITY HOMES, LLC.
ARLINGTON
MORGAN CUSTOM HOMES
CDB INDUSTRIES
ALBERT CARDINALI
COUNTRY SITE BUILT HOMES, INC.
MARINA BAY
AUSTIN
KUBENA ENTERPRISES, INC.
SMLXL INC. DBA DOMUS CONSTRUCT
HITCHCO ENTERPRISES
GLEN DAVIS CONSTRUCTION INC
R.F.G DEVELOPMENT
LANCE STRUHALL CONSTRUCTION, INC.
PUNTES CONSTRUCTION COMPANY
HARTFORD RESIDENTIAL PROPERTIES, LLC.
BIANCO CONCRETE, LLC.
BAYTOWN
MONARCH GENERAL CONSTRUCTION
BEAUMONT
JONEROS INVESTMENTS
BOWIE
DALLAS HUTSON CO.
BROWNSVILLE
PETER HARRIS BUILDERS
ERIKA GONZALEZ
A & A CONSTRUCTION
BRYAN
ORION CONSTRUCTION
KNIGHT & WILKEN CONSTRUCTION
BUCHANAN DAM
IMAGE, INC.
BULVERDE
ADELL CONSTRUCTION CO., INC.
BURLESON
LISA TENNISON
BURNET
THE CLINO CO INC
CANYON LAKE
RCM INVESTMENTS
CELINA
NORTH TEXAS TRIM INC.
CLEVELAND
TRIPLE "W" CONSTRUCTION
CLYDE
SAVY INVESTMENTS
CONROE
JASON LAFITTE
BIG STATE HOME SERVICES
COLLETT CONSTRUCTION CO. INC.
CORPUS CHRISTI
MSTAR MANAGEMENT LLC
GUADALUPE J. GOMEZ
CROCKETT
A-FAST ROOFING
DALLAS
PARK CITIES AUDIO/VISUAL, INC.

DALLAS (CONTINUED)
W. BROWN, CUSTOM BUILDER
PRISMA CORPORATION
KURTZ CONTRACTING
FIXING HOUSES & COMMERCIAL BUILDINGS
OLSHAN FOUNDATION REPAIR
CREATIVE BUILDING SOLUTIONS
VERA HOMES, LLP
S & R SKINNER, LTD.
HATLEY BROTHERS ROOFING & CONSTRUCTION
ALFRED HERNANDEZ JR.
DEL RIO
T & R CONSTRUCTION
DENISON
ADAM KEITH
DENTON
C & M CONSTRUCTION
MATTHEW C JOHNSON CONSTRUCTION
DESOTO
CHRISTOPHER HENDERSON
LOUIS M. THIBODEAUX
EAGLE PASS
ERNESTO MOLINA
EL PASO
M & M CONSTRUCTION CO.
RIO VERDE CONSTRUCTION, INC.
PAYLESS BUILDERS AND REALTY, INC.
ETER
NATIONAL STORM ROOFING
FORNEY
S.R.S. SERVICES, INC.
FORT WORTH
A K CUSTOM BUILDER
B & B CONSTRUCTION
MARTIN LOZANO
GALVESTON
HOWETH CUSTOM HOMES
GEORGETOWN
JOHN MALMQUIST CO.
GODLEY
HOOD CONSTRUCTION
GRAND PRAIRIE
ANTONIO ELIAS
GREAT REALTY DEV. & CONSTRUCT
GROVES
JEFF THEIS CONSTRUCTION
HEWITT
STAN WILLHOITE
HOUSTON
KDH PROPERTIES
CRAFTMASTER INNOVATION, INC.
CONSTRUSERVICES
CIDECOL, INC.
UNITED BUILDERS & DRYWALL LLC
LEA HOMES
MOMENTUM HOME BUILDERS LLC
POST ROCK PROPERTIES
ROY L. OWENS, SR.
D ARM HOMES, INC.
PHILLIP TRAVIS
RESCON GROUP, LLC.

HUMBLE
JABES CONSTRUCTION
LAKE DALLAS
RON BROWN CONSTRUCTION, INC.
LAMPASAS
CMSC BUILDING & MAINTENANCE INC
LITTLE ELM
JOHNSON PROPERTIES II
LIVINGSTON
BACKYARD OASIS
LOCKHART
BURRION KEMP
WYATT DIETZ
LUBBOCK
RICHARD D OBENHAUS INC
MCALLEN
J T CONSTRUCTION
VELASCO CONSTRUCTION, INC.
R M CONSTRUCTION
CIRCLE "P" LLC
MCGREGOR
ARROWHEAD WOOD SHOP
MIDLAND
BELLA VISTA HOMES
BRYANT REMODEL
MINERAL WELLS
RON SAIN
MISSION
LUGO HOMES
LEO OLIVAREZ
RGV CONSTRUCTION, INC.
LEONEL RUBEN VILLAR REAL
MONT BELVIEU
UNIVERSAL AQUARIUM SYSTEMS
MONTE ALTO
RIVERA CONSTRUCTION
MONTGOMERY
JEFFREY SHAWN ADAMS
MTP VENTURES, LLC.
MOUNT VERNON
M & R MARINE CONSTRUCTION, INC.
PHARR
MARIO ALBERTO GARZA
PLANO
L & R DEVELOPMENT
MADISON DEAN CUSTOM BUILDERS
PORRTLAND
MAS CONSTRUCTION INC.
ROCKDALE
SAMMIE LEE JOHNSON, JR.
ROCKWALL
TEXAS SPECIALTY CONTRACTORS, INC.
ROUND ROCK
WILBORN HOMES, LLC.
ROYSE CITY
STEVE DENNIS

SAN ANTONIO
JUNEK HOME BUILDERS
FERNANDO ROSAS CONSTRUCTION
AMCON CONSTRUCTION COMPANY LLC
ADERO CORPORATION
JOHN CARDONA
A.D. WILLEMS CONSTRUCTION, INC
RICARDO GUIJARDO CO, INC.
ROBERT MCNEILL
SAN BENITO
NOELS CONSTRUCTION
SCHERTZ
RICK LEAL
COYOTE EQUITY GROUP
SHERMAN
TRICON SHERMAN I, L.P.
ST. PETERSBURG
B.D. CONSTRUCTION MANAGERS, INC.
SUGARLAND
DCA DESIGN CONSTRUCTION ADMINISTRATION
B. L. CONTRACTING
TAYLOR
CASA BUILDERS OF TEXAS
TEAGUE
EDWARD HILL
TEMPLE
L C CORNERSTONE
COLEMAN/WOOD CONSTRUCTION
TEXARKANA
ROGER SWEET BUILDERS
BONDCO ENTERPRISES
ADKISON QUALITY HOME CONSTRUCTION
TROPHY CLUB
DKBJ HOMES
WESLACO
DKIII CONSTRUCTION, INC.
WHITEHOUSE
TOMLIN CONSTRUCTION
WIMBERLEY
SANDRA BOOTH
WOFFORTH
G. G. CONSTRUCTION
WYLIE
SOUTHWEST MECHANICAL

Para información  
en español, visite nuestro sitio  
de web al  
[www.trcc.state.tx.us](http://www.trcc.state.tx.us)

## New Residential Construction Warranties and Building and Performance Standards Presented to Texans

In the next several weeks, the Texas Residential Construction Commission will be holding seminars in 22 cities throughout Texas. These sessions are designed to answer questions from homeowners and other interested parties about warranties and building and performance standards that go into effect on June 1, 2005.

For the first time in Texas, all homeowners will have written guarantees that detail how the components of their newly built or remodeled home should perform while under warranty.

Builders and remodelers are welcome to attend, but the information presented will be informational and not technical in nature. These seminars are geared toward helping the general public understand the state-sponsored inspection and dispute resolution process (SIRP) and how the warranties and standards will be used.

For more information about these seminars, the warranties and building and performance standards, or other commission operations, practices and services, please go to [www.trcc.state.tx.us](http://www.trcc.state.tx.us).

<b>AUSTIN</b> April 20	<b>CORPUS CHRISTI</b> May 9	<b>LAREDO</b> May 10	<b>SAN ANGELO</b> May 3	<b>WACO</b> May 9
<b>ABILENE</b> May 4	<b>DALLAS</b> May 9	<b>LUBBOCK</b> April 28	<b>SAN ANTONIO</b> May 17	<b>WICHITA FALLS</b> May 12
<b>AMARILLO</b> May 5	<b>EL PASO</b> April 26	<b>LUFKIN</b> May 23	<b>TEXARKANA</b> May 10	
<b>BEAUMONT</b> May 24	<b>FORT WORTH</b> May 11	<b>McALLEN</b> May 11	<b>TYLER</b> May 19	
<b>BROWNSVILLE</b> May 12	<b>HOUSTON</b> May 26	<b>MIDLAND</b> April 27	<b>VICTORIA</b> May 25	

## Expired Builder/Remodeler Registrations

Builders or remodelers in expired status are those who failed to renew their registrations with the Texas Residential Construction Commission by the February 28, 2005 deadline. The following builders or remodelers are no longer registered and cannot legally work in residential construction in the State of Texas. This information is as of 4/15/05. An updated list is available from the commission website at [www.trcc.state.tx.us](http://www.trcc.state.tx.us).

BUILDER #	COMPANY
<b>ABILENE</b>	
3172	DYNASTY HOMES INC OF ABILENE
5850	FIVE J BUILDERS
16272	KEVIN TURNER
17641	MARK HORN ENTERPRISES, INC. MARY STRADER SULLIVAN INTE DESIGN
3779	MCLEAN HOMES
2410	PORTER'S CONSTRUCTION
8910	VALIANT CUSTOM HOMES
10359	WOLFE CONSTRUCTION
<b>ADDISON</b>	
11071	MARK WAINGSCOTT CUSTOM HOMES LTD.
<b>ALAMO</b>	
5645	BLUE BOX BUILDERS
1822	DURPO HOMES
18004	EDGAR M. GONZALEZ
11086	HOMES BY ERNIE GARCIA
11985	J & P CONSTRUCTIONS
4511	J R M HOME ALTERATIONS INC
14019	ORTEGAS CONSTRUCTION
17954	REYNALDO GONZALES
1833	TCS INDUSTRIES, INC.
<b>ALEO</b>	
9306	BRANDON FLOWERS HOMES
6265	HAMPTON-KELLEY CUSTOM HOMES
5891	HETZLER CONSTRUCTION INC
9342	KINNEY BUILDERS
13043	TRINITY BUILDERS
17635	TRINITY BUILDERS
<b>ALICE</b>	
15148	GTI INVESTMENTS INC.
15246	LOZANO HOMES INC.
<b>ALLEN</b>	
8821	BENTACOURT HOMES, INC.
13511	HOLMES & IMPROVEMENTS
18077	JOSEPH NELSON

BUILDER #	COMPANY
<b>ALLEN (CONTINUED)</b>	
17038	LARRY G. BROWN
18783	LESLIE ARNOLD
1735	MICHAEL MARLOW
14152	RR ENTERPRISES
18395	SAMSON CONSTRUCTION, INC.
5449	TREVOR MORGAN CONSTRUCTION
<b>APINE</b>	
16236	JOHN R. GRIFFIS
12993	PAINTMASTERS
<b>ALTON</b>	
10838	JEWEL HOME BUILDERS
17046	MRP CONSTRUCTION
<b>ALVARADO</b>	
11305	D K GENERAL CONSTRUCTION
<b>ALVIN</b>	
12232	ANGUIANO CONSTRUCTION
6890	BILL CRONK CONST
16994	DAVID ALEJANDRO RODRIGUEZ
12625	LEASEOPTION LLC
<b>ALVORD</b>	
6331	THOMPSON INVESTMENT BUILDERS
<b>ALZIN</b>	
17590	4 JS SERVICES, INC.
<b>AMARILLO</b>	
17530	A SAM COURLU
2835	BENTON-SANFORD PROPERTIES INC
9420	CARNES & COMPANY
9759	COLDWATER CREEK CONST CO LLC
<b>ANGLER</b>	
14387	CONRAD CONSTRUCTION COMPANY
11042	DANNY BURCH BUILDER
11849	GILMARC CONSTRUCTION COMPANY
18474	JCK ENTERPRISES, INC.
6873	JONES BUILDERS LLC
5479	KEYNER & MCKINNEY CUSTOM HOMES

BUILDER #	COMPANY
<b>AMARILLO (CONTINUED)</b>	
8307	L & A BUILDING SYSTEMS
9343	MILLENNIUM BUILDERS LP
15589	MILLINNEYUM BUILDERS
12777	OTIS M. SCOTT
12880	STROUD CONSULTING
11806	TEDCO BUILDINGS "N" THINGS
7744	TOWN & COUNTRY CUSTOM HOMES
<b>ANDERSON</b>	
11209	KARONKA CONSTRUCTION COMPANY
<b>ANGLETON</b>	
6308	CERTIFIED GENERAL CONTRACTORS
4029	JR CONSTRUCTION
6506	LANDON ENTERPRISES LTD
5769	S. OFARRELL BUILDERS, INC.
15068	STARR CONSTRUCTION COMPANY
15108	TIME MANAGEMENT
<b>ANNA</b>	
8746	POWELL & ASSOCIATES
<b>ANTON</b>	
12649	ADCLOCK CONSTRUCTION & REMODELING
<b>ARANSAS PASS</b>	
12233	ANTHONY DOWNUM, INC.
3567	ARANSAS BUILDERS LLC
9953	E G HECKMAN CONSTRUCTION
9628	HILL SERVICES
5672	THE ZONA GROUP LLC
<b>ARGYLE</b>	
5869	ARGYLE CAST STONE INC
8422	RAINMAKER HOMES, LLC.
12531	TRUE NORTH CONSTRUCTION
<b>ARLINGTON</b>	
6024	ANVIL CONTRACTORS INC
11926	B. HALL CONTRACTING, INC.
14021	CONSTRUCTION SERVICES & INSTALLATION

BUILDER #	COMPANY
<b>ARLINGTON (CONTINUED)</b>	
11719	HARDING HOME BUILDING & RENOVATION
17280	HUNTER BUILDERS, INC.
18099	J & R CONSTRUCTION SERVICES, L.P.
14475	J. R. HOMES & CONSTRUCTION
16447	JOE E. MILLER
1824	KYLE WATSON HOMES, INC.
3854	LEMONADE PROPERTIES INC
7915	MASTER TOUCH CUSTOM HOMES INC
1803	MATLOCK CONSTRUCTION CORPORATION
14948	MALIMUS CUSTOM HOMES
8769	MEDFORD CONSTRUCTION
15599	MR. QUALITY REMODELING
16297	NABIL KHATIB
7144	PARK RUN DEVELOPMENT LLC
6366	QUORUM DEVELOPMENT
17325	RAMIREZ CONSTRUCTION
17712	RENAISSANCE PEOPLE DEVELOPMENT
15635	RIDGEMONT DEVELOPMENT CORP.
8020	RUDY SALINAS
13141	SILVERFERN STEEL
13141	SILVERFERN STEEL
18060	TAK ENTERPRISES, INC.
13991	TERRANCE CONSTRUCTION LLC
14545	TOBLER ENTERPRISES
7911	WATERWOOD TOWNHOMES LP
17653	WILCOX CUSTOM BUILDERS
<b>ARP</b>	
11009	MAHAFFEY & ASSOCIATES
<b>ARTHUR CITY</b>	
8490	TNT CONSTRUCTION
<b>ASLTON</b>	
14425	SOLIS CONSTRUCTION
<b>ATHENS</b>	
10780	PURSELLEY CONSTRUCTION COMPANY
4858	RANDY WARD CONSTRUCTION



# Expired Builder/Remodeler Registrations (Continued)

BUILDER #	COMPANY	BUILDER #	COMPANY	BUILDER #	COMPANY	BUILDER #	COMPANY
	BROWNFIELD		BRUCEVILLE		CANTON		CLARKSVILLE (CONTINUED)
9253	ED STOKUM CONSTRUCTION	17322	BILLY E. GURLEY	II026	MATHIS CONSTRUCTION		CHARLIE CLARK CONSTRUCTION CO INC
	BROWNSBORO		BRYAN	10924	RHETT PLANK CONTRACTOR		9626 CURTIS PHELPS REMODELING
15957	BARRETTINE CONSTRUCTION & DESIGN	3043	BEST CONSTRUCTION	12982	ROYSE PHILLIPS BUILDERS		CLEBURNE
	BROWNSVILLE	14663	CMARC HOMES		CANYON LAKE		
14235	AMIRA BUILDERS COMPANY INC	17584	JIMMIE E. BROWN	3415	COUNTRYWIDE BUILDERS		15115 MACHINE TECH
15645	ARTDECON	15280	JIMMY JACKSON	17353	DAN BYNUM		12297 RAINTREE HOMES, INC.
17065	AUGUSTUS CONSTRUCTION	5754	JUAN MALDONADO	5441	KUYRKENDALL CONSTRUCTION COMPANY		4548 STEELMAN ENTERPRISES LLC
18675	CESAR COVARRUBIAS	14402	MARC GARRETT CONSTRUCTION	10746	PHIL RIHN CUSTOM HOMES		13098 T J MCPHERSON
	BROWNSVILLE (CONTINUED)	5923	MIKEAL CONSTRUCTION GROUP LLC	2681	RAYMOND HOMES		CLEVELAND
2905	DANACHE DESIGNS CUSTOM HOMES	6845	R MILLS CONSTRUCTION CO		CARROLLTON		5580 C & M CUSTOM HOMES & REM
17839	DAVID S. RAMIREZ	8941	RALPH MORGAN CUSTOM HOMES	3983	JAY GRIFFIN CONSTRUCTION		EMPIRE RESTORATION & CONST, INC.
15200	DELGADO'S CUSTOM HOMES	III97	S & G HOME BUILDERS	16324	NEW IST HOME, INC.		14032 NORTH PARK INDUSTRIAL INC
10580	DREAMHOME DEVELOPMENT LP	12803	SALINAS CONSTRUCTION	16957	PENNY LAYNE CONSTRUCTION		5209 TIMBER DREAM HOME LLC
15681	EDDIE DWYER HOMES		SHERIDAN'S PAINTING & HOME REPAIRS	17393	RICHARD MCANINCH		CLIFTON
18621	EVERARDO PENA	7866		15613	RKM GENERAL CONTRACTORS		7610 BRIDGES SEAMLESS GUTTERING & HM REMOD.
4354	F V L CONSTRUCTION	8286	SKRIVANEK HOME BUILDING INC	14909	S&S CONTRACTING		CLINT
11516	FUENTES FRAMING CONTRACTORS	15310	STAFFORD CONTRACTORS LLC	17075	WILLIAM KNIGHT		FAMILY WEST - THE SERVICES GROUP
14694	G & S CONSTRUCTION	14796	WALTON FAMILY HOMES		CARTHAGE		13957 CLYDE
13365	G CONSTRUCTION			6682	JERRY HUDSON BUILDER		4898 JOY CONSTRUCTION
11902	GASA HOME CONSTRUCTION	9873	FLEMING BUILDERS	6761	TRACY BRIDGES		COLDSPRING
15062	GERS CONSTRUCTION & DESIGN	16344	MIKE HUSER		CASTELL		5320 VISION BUILDERS
13432	GRACE CONSTRUCTION			5425	JANICE A JENSEN		COLLEGE STATION
16558	GULF COAST QUALITY HOMES, LLC.	4941	BOUPROP INC		CAT SPRING		17331 BEAN CONSTRUCTION
15582	HGT CONSTRUCTION	4116	C&L CONSTRUCTION & PROPERTY MGT	17567	BEN L. JACK		4772 BISSETT DESIGNS & CONS. INC
II934	HOMES OF MARINA ENT.	13284	COMPTON+ELLIS HOMEBUILDERS, LLC	12072	BEST TRADITIONS		12095 BURTON CONSTRUCTION
10919	JIG ENTERPRISES / GARCIA HOMES	14980	HAROLD LEWIS	8104	MALCOLM DITTERT		18810 DAVID HALL & SON CONS.
12950	INNOVATIVE CREATIONS CONSTRUCTION	13933	JOHNEY E. ENLOE		CEDAR CREEK		4731 EXPERIENCED BUILDERS
II612	INTERNATIONAL INVESTMENTS	16433	RONNIE M. COCHRANE	6836	DREAM MAKERS CONSTRUCTIONS		13100 JAY BURCH CONSTRUCTION INC
7803	J. CADRIEL	6687	TSI CONSTRUCTION	16522	LAWRENCE PEREZ		5395 NEW CONCEPT CONSTRUCTION INC
14626	J.C.H. BUILDERS LLC				CEDAR HILL		4036 NEW VISION CUSTOM HOMES INC
13842	JIREH BUILDERS LLC	7458	BOSS HOMES	11239	ABEL ALCAZAR CONSTRUCTION		13864 ROGER G. RUSSELL, SR
9414	JOE PADILLA	II821	G ALLYN HOMES AND COMPANY	9181	BEACH CUSTOM BUILDERS, LLC		6778 SHARON CONSTRUCTION
15140	JORGE A. MACIAS	13869	MTL-MILLENNIUM DEVELOPERS	8794	COLE DAVIS BUILDERS, INC.		13745 W.R. TUBBS CONSTRUCTION, INC.
18339	JOSE GUADALUPE FLORES	15227	POWERS CONSTRUCTION	18131	GRACIELA CUELLAR		18610 WILLIAM O. BRUNSON, JR.
15608	JUAN GARZA			12234	MAHOGANY HOMES, LLC		COLLEYVILLE
III74	LUIS TORRES CONSTRUCTION	III96	CUSTOM HOMES	2360	RBH INC		6681 HERNANDEZ-MOORE, INC.
II247	MAGANA HOMES, INC.	II932	HILLIN CONSTRUCTION		CEDAR PARK		14746 J. J. WENNLIUND CUSTOM HOMES
13847	MARCELINO DE LOS SANTOS	15212	JIMMY CARRELL CUSTOM HOMES, INC.	II710	ABSOLUTE CUSTOM HOMES		6685 MILLENIUM PARTNERSHIP INC
17212	MICHAEL CISNEROS			13784	AMERICAN PREMIERE HOMES		COLLINSVILLE
12251	MICHAEL CUSTOM HOMES	13035	INSTYLE CONSTRUCTION LLC	12230	ANGELS CONSTRUCTION PLUS		12112 CIRCLE M CONSTRUCTION
17664	MS CONSTRUCTIONS	14228	SPRINGBUCK SERVICES & CONSTRUCTION	12096	BUTLER AND ASSOCIATES INC.		8257 COLLINSVILLE DEVELOPMENT COMPANY
12266	OMNI CONSTRUCTION				CENTER		14801 PAFFORD CONSTRUCTION
9899	ORTIZ BUILDERS	12110	CHARLES V. MIGURA	10612	EDDIE J CHISENHALL BUILDING CONT		17270 TABATHA POLLEY
II227	PARADISE HOMES	6624	CJS ROOFING & STEEL CONSTRUCTION	10472	MELVIN WALLER CARPENTRY		12095 COLUMBUS
17077	PEDRO HUGO LUNA	17045	DANIEL R. MORGAN		CHANDLER		7395 SHUPAK CONSTRUCTION
II347	PETE SCHAECHLIN-GENERAL CONTRACTOR	12915	J&B CONSTRUCTION	13654	HULL CONSTRUCTION		15154 COMANCHE
8176	PRIME DEVELOPMENT	II357	LAMAR STUTTS	10817	VERNON JENNINGS CONSTRUCTION		II554 ROWDY WILKERSON CONSTRUCTION
13473	R & S DESIGN AND CONSTRUCTON, LLC.	15018	RICHARD A COMBS	1156	DRYWALL AND MORE		11451 COMBINE
6820	RAFAEL CHAVIRA	9817	SEAWRIGHT FAMILY DEVELOPMENT	15707	SOUTHERN CROSS HOMES		8507 COMFORT
17410	RICARDO PINEDA	6991	WATTS CONSTRUCTION	12967	HENRY GONZALEZ		17451 MARK WHITEMORE
16104	ROBERTO VASQUEZ			12107	CHILTON		12715 COMMERCE
5141	SAENZ HOMES	13530	BOBBY BIRD CONSTRUCTION	18145	SPECIAL CONSTRUCTION, INC.		12095 MORNING DOVE INC.
16150	SOUTHERN COMFORT BUILDERS	5763	GARY L. MARTIN CONSTRUCTION	14493	CHINA SPRING		12095 CONROE
1647	TJ ROWLES BUILDER, INC.	II573	SAMMY BURTON SERVICES, INC.	7746	DAVID RAY CONSTRUCTION		7613 ACCURATE REMODELING CO.
18073	TREVINO'S RESIDENTIAL CONST CO			4764	ELITE CUSTOM CONSTRUCTION		2485 ALCO CONSTRUCTION
13308	ZAMORAS CONSTRUCTION	17342	TRADEMARK CONTRACTORS INC.	13496	KROLL CUSTOM HOMES		3270 ALTON LANE HOMES INC
14687	ZUNIGA CONSTRUCTION				MORGAN GUMMELT		6568 BROOK HAVEN HOMES
13430	ISRAEL GUERRA	11840	MONTY BRUTON CONSTRUCTION		CHRISTOVAL		4271 BROUSSARD HOMES, LLC.
13742	VILLALBA CONSTRUCTION GROUP LLC	12532	CALDWELL	6809	GAINES QUALITY BUILDING		3592 BURL L. TANNER
	BROWNWOOD	7085	CM NICHOLS CONSTRUCTION CO	14679	M & M REMODELING		15048 CHRIS DAVIS
5764	DAVID SHERO BUILDER	3035	KEYSTONE HOMES, INC.	9552	ACE ROOFING AND RMDLNG, INC.		10479 CONROE CUSTOM CONSTRUCTION
5701	JOHNNY MCBEE				CIBOLO		13342 ELECTRIC CONSTRUCITION
6407	L X K HOME IMPROVEMENT	12026	A-TEX CONSTRUCTION CO.	7835	ALAMO RESTORATION		15987 FINAL TOUCH CONSTRUCTION
5784	RICHARD CONSTRUCTION & ROOFING			11258	DUANE DAVIS		
6673	SHADE TREE CONSTRUCTION	8311	CAMP VERDE	12857	BATTIES DESIGN		
		15101	CAMPWOOD	7637	CLARKSVILLE		
			CANADIAN		AVILA CONSTRUCTION		
			ALLEY WOODWORKS				
			R. J. FRANCOIS				

















# Expired Builder/Remodeler Registrations (Continued)

BUILDER #	COMPANY
<b>WIMBERLEY</b>	
5092	BRODRICK CUSTOM CONSTRUCTION
12655	CENTEX REMODELERS INC
10166	CHESTER WAGNER GENERAL CONTRACTOR
4721	DESIRABLE PROPERTIES, INC.
7916	FORTRESS BUILDERS
5345	K M CUSTOM HOMES
5416	OLLE ENTERPRISES INC

BUILDER #	COMPANY
<b>WIMBERLEY (CONTINUED)</b>	
6260	SELECT CUSTOM HOMES, INC.
8979	STRUCTURES OF STRENGTH LLC
4049	THE SIMECHECK COMPANY
13452	TRICO MANAGEMENT
8973	TRI-STARR HOMES OF TEXAS LLC
8867	WIMBERLEY FLOORS & MORE, INC.
<b>WINNIE</b>	
11496	GIROLARD HOMES
4571	HARPER'S CONTRACTORS INC

BUILDER #	COMPANY
<b>WINNIE (CONTINUED)</b>	
17976	SCOTT CAMPBELL
13766	THOMAS D. CRAYCRAFT
<b>WYLIE</b>	
10428	LOHMANN CONSTRUCTION INC
13852	SUPERSTAR HOMES
<b>YANTIS</b>	
1577	FINLEY CONSTRUCTION
<b>ZEPHYR</b>	
9432	LOYD CONSTRUCTION

## Commission Sanctions Builder From The Woodlands

### *Builder's Registration Revoked for Minimum of Two Years*

**(AUSTIN)**—The Texas Residential Construction Commission recently revoked the registration of David Montgomery, Inc., and its agent David L. Montgomery, a builder from The Woodlands, Texas.

Montgomery agreed to forfeit his builder registration rather than fight staff allegations that he had falsely advertised engineering services, though he is not a licensed engineer.

Commissioners approved settlement terms with Montgomery during a regular commission hearing Wednesday.

"Under the terms of the settlement agreement with Mr. Montgomery, we have revoked his registration to operate as a builder in Texas," said Commission Executive Director

Stephen Thomas. "Further, he has agreed not to apply for registration as a builder or as the agent of a registered builder in Texas for a period of two years."

The commission notified Montgomery of its intent to take disciplinary action against him and his company last Oct. 14, 2004, when the commission's investigation into allegations that he was presenting himself to the public as a licensed engineer provided sufficient evidence to pursue a contested case against him.

Montgomery requested to settle the matter rather than undergoing a hearing on the allegations of the violation before the state's Office of Administrative Hearings. The commission negotiated settlement terms with Montgomery that were commensurate with the legal action filed.

Texans can research potential builders by going to the commission's website, <http://www.trcc.state.tx.us/>. There, consumers can discover whether or not a builder or remodeler is registered and authorized to operate in Texas, how many projects they have registered with the commission, or the status of a builders' or remodelers' registration, including whether it was administratively withdrawn.

## Status Report Issued by the Commission

**(AUSTIN)** — The Texas Residential Construction Commission, in response to published reports and numerous requests for data and other information about the agency and its programs, recently released statistics and summaries covering various agency processes, complaints and operations.

The commission began processing written complaints in September 2004 and has received 502 complaints to date, via postal mail, email or fax. This figure includes requests to participate in the State sponsored Inspection and Dispute Resolution Process (SIRP). The SIRP is the process where alleged construction defects are inspected by a neutral, third-party inspector, who then makes recommendations about how the defects should be addressed.

After non-SIRP complaints are received, letters are sent to the builder/remodeler and the homeowner to gather information and urge resolution of the issue(s) as quickly as possible. All complaints about builders/remodelers, even issue(s) not directly within the agency's jurisdiction, are currently tracked and revisited within 30 days of the initial complaint. There is no cost associated with filing a complaint.

- ◆ Twenty-six complaints that potentially were eligible for the SIRP were resolved before a SIRP request was filed by the homeowner.
- ◆ To date, 206 SIRP requests have been filed with the commission. Of these, 137 were determined to be eligible under statutory or regulatory guidelines.

Of the remaining 69 SIRP requests, 29 were ineligible because they involved defects discovered before the agency's creation or dealt with ongoing construction issues that are properly handled within the local jurisdiction; seven were resolved or with-

drawn before an inspector could be assigned; 16 are in review by commission staff or are in the builder's 30-day review period and 17 are awaiting additional information to be provided to the commission from one or both of the parties.

Individuals that go through the SIRP are provided an expert, unbiased technical review of the alleged defect(s). These reports provide guidance to builders/remodelers needing to repair items and provide homeowners with evidence that can be used in future litigation, if necessary.

Workmanship and materials-related construction defects are assessed by International Code Council (ICC) Certified inspectors, with no less than five years experience. These inspectors are paid \$350, which is a pass-through fee remitted by the requestor. If any of the alleged defects are confirmed by the inspector, any fees paid by a homeowner are refunded to them, and the commission seeks repayment from the builder.

Licensed engineers or architects, with no less than ten years experience, are contracted to review all SIRPs dealing with structural issues. These inspectors are paid \$450, which is a pass-through fee remitted by the requestor. If any of the alleged defects are confirmed by the inspector, the commission pays an additional \$550 to the inspector to provide the parties with a recommended remedy of repair. Any fees paid by a homeowner are refunded to them, and the commission pursues repayment from the builder/remodeler. If the defects alleged contain both structural and unrelated workmanship items, the fee to hire a combination inspector is \$650.

If defects are affirmed by the inspector, fees are refunded to the homeowner, even if the builder is no longer in business. If any additional expenses are incurred by the inspectors, the commission pays for them and recoups payment from the builder.

- ◆ Of the 137 eligible SIRP requests filed by homeowners, 26 requested fee waivers.
- ◆ Of those 26 fee waiver requests, 23 were granted total or partial fee waivers – about 88.5 percent of all fee waiver requestors.
- ◆ Additionally, nine builders volunteered to pay the SIRP fee upfront, and one builder agreed to split the cost evenly with the homeowner.

To date, including fee waivers and instances where the builder volunteered to pay all fees, 30 homeowners incurred no upfront fees to file a SIRP request; three homeowners only paid partial fees.

- ◆ Of the 137 eligible SIRPs, 86 alleged workmanship and materials issues; 21 alleged structural issues; and 30 alleged a combination of workmanship and structural issues; Sixty-nine SIRP files have closed; 68 are in various stages of the evaluation and reporting process.
- ◆ Of the 69 completed SIRPs, 64 were found in the homeowner's favor, and all fees paid by these homeowners were refunded – this is 92.75 percent of all completed SIRP cases.

Thirty days after the SIRP concludes, the commission contacts both the homeowner and the builder to determine if the issues have been resolved. Of the 51 SIRPs concluded more than 30 days ago, five were found in the builder's favor and 46 were found in the homeowner's favor. Of the SIRPs found for the homeowner, five have negotiated repairs and 35 are either still in the process of being repaired, a solution is being negotiated between the homebuilder and the homeowner or the commission is seeking additional information from one or more of the parties. In six cases, litigation is pending between the parties.



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