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AN ACT CONCERNING THE DOCUMENTATION OF CONCRETE FOUNDATION APPLICATIONS.

To whom it May Concern:

Should the individual or entity that pours a concrete foundation be documented? YES, but documentation should not be limited to new residential or commercial buildings. Any significant concrete foundation pour, regardless of whether new or old building, should be documented. Documentation should not be restricted to just the individual or entity, but should include the origin of the concrete mix and any aggregate.

Foundations can fail for a multitude of reasons. Full documentation, including origin and content of concrete mix, would allow the cause to be determined. That would appear to be a necessary element prior to seriously entertaining corrective action. Not unlike EU food chain regulations, individuals and entities through the production and installation chain should bear primary responsibility for the safety and integrity of the final product, in this case concrete. This would provide an effective instrument to identify and manage any future concrete crisis. The above would assist greatly in identifying problem contractors and material in the future, and is a necessary component to determine action and restitution.

Unfortunately, the clarity that full documentation could provide is sorely lacking for foundations in Connecticut that are failing now. Ancillary evidence points to a single entity in the supply chain, J. J. Mottes and pyrrhotite contamination. George Colli and NBC are to be congratulated for shining such a bright light into the dark corners of our state government where important information goes to whither and die. Were it not for their excellent investigative coverage, homeowners like myself with failed foundations, would never have known that we are far from alone in facing this catastrophe.

Anyone with a failing foundation will go through the following stages:
• Notice doors not closing property, bulges and cracks in sheetrock walls
• Notice cracks in their foundation
• Be told that all foundations have cracks by contractors and building officials
• Be told by a neighbor that it's more serious than you think
• See or read the "Crumbling Foundation" articles by George Colli (NBC)

At this point things diverge a bit. Some people call their insurance company to place a claim; others contact knowledgeable contractors or civil engineers for advice. Insurance companies will eventually have the foundation inspected and then deny coverage because of the excellent exceptions that they were able to write into their policies after the 2002 meeting at the state level that included insurance company representation. An additional insult is their question on when you first noticed the cracks with an implicit assumption that you should have known that these particular cracks were a true indication that the foundation was failing.

Those who contact contractors and engineers rapidly find that there are two basic ways to "fix" the problem. The least expensive is to install a retaining wall inside the foundation. That new retaining wall is connected to the floor joists above to support the house. An unfortunate reality is that many of the foundations failing now are also rising like bread with too much yeast. Imagine what happens to those

floor joists when the exterior foundation continues to push the house perimeter walls higher while the retaining wall is holding the interior walls and floors in place. It doesn't help that the pace at which the foundation rises increases as the problem progresses. I chose not to have my house torn apart as the exterior walls continued to rise.

Replacing a foundation can cost anywhere from $125,000 to $250,000. Full cost is higher if you don't reside in the house during replacement and packing/moving costs are included. The second issue encountered by people trying to fix their foundation invariably involves banks because very few people will have $125,000 - $250,000 cash in a sock drawer. Assuming a mortgage is involved, there will be an inspection ordered by the bank and the failing foundation will be identified. Banks don't really want to make mortgages for homes on failing foundations.

How are homeowners supposed to make such a costly repair without access mortgages? Perhaps a better question is what will banks do with houses that they cannot sell as homeowners decide to simply walk away from homes that they cannot repair or, in some cases reside in, and in which there is little to no equity? How are towns and neighbors going to react to the vacant property left behind? These questions are hardly academic in nature, but rather the reality for those in neighborhoods facing this catastrophe. There are 12 out of the 17 homes on my street alone facing these questions.

I strongly suggest that the State arrange a funding source to insure mortgages that would be made by banks to repair failed foundations. A better if unlikely solution would have the State set up an emergency fund as Canada has done to pay for the hundreds of homes with crumbling basements. There is culpability at the State level that should support such an emergency fund creation. That the State was warned of this issue back in 2002 by then Representative Michael Cardin from Tolland and did nothing is a travesty requiring answers. Where has the Consumer Protection Agency been hiding all those years since, and why did the Insurance Commissioner evidently decide that he works for the insurance industry and not the citizens of Connecticut? Insurance policies today are written in such a way that homeowner rights to legal redress are dithered away as insurance companies delay their inevitable denial of claims. It is appalling that the only result from the meetings in 2002 was modification of homeowner insurance policies to specifically deny coverage of foundations. While the Consumer Protection Agency and the Attorney General utterly failed to protect or warn the public, it is only too obvious that insurance companies understood the risk. There is a component of state culpability that needs to be addressed before trust can be restored.

Concerning civil engineers, there should absolutely be no conflict of interest. Any engineer or engineering firm retained by the State to work on this issue should not have ties to insurance companies and being paid to assist in their ultimate denial of claims. Special mention should be made to avoid civil engineers and firms selling "fixes" for failed foundations in the form of retaining walls who state that such repairs are not fixes later in insurance claim denials. These special segments of the civil engineering world are selling modern day snake oil and should be punished for doing so to such a vulnerable population.