



**State of Connecticut**  
**HOUSE OF REPRESENTATIVES**  
STATE CAPITOL  
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**MEMBER**

AGING COMMITTEE  
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LABOR COMMITTEE

Good Morning Senator Osten, Representative Miller, Senator Linares, and Representative Aman, I am Representative Kelly Luxenberg, proudly serving the people of Manchester's 12<sup>th</sup> District, and I am here today in support of HB5180: An Act Concerning the Documentation of Concrete Foundations.

When my husband and I bought our home three years ago, one of the houses in the neighborhood was on stilts with no foundation underneath it. It was on those stilts for months as a new foundation was poured beneath it. Naively, we didn't think much of it other than terribly for our new neighbors who had to spend more than \$100,000 to have a new foundation repoured and who were displaced from their home for six months. What unfortunate bad luck for them, but it just must have been a bad batch of concrete.

Eighteen months, another neighbor came forward to my husband, who was then serving in this seat, with similar foundation issues. You will hear from him later today. His insurance company had denied his claim. They worked to try to find a legislative fix somewhere but for one person, it was impossible. From the street, you can see the spider cracks in his foundation

Flash forward to now. We're here. There have been hundreds of homes in Eastern Connecticut whose concrete basements are now failing. People are being pushed out of their homes – a life's worth of investment gone. There is no recourse in many of these cases without serious resources, which is not the reality for many of our constituents in eastern Connecticut. I have at least three separate neighborhoods in the district who have affected foundations.

After George Colli and Troubleshooters broke the story in early July, Representative Davis and I sat down together to create a bipartisan work group of legislators in affected areas so we could work together at finding potential solutions. We met several times over the course of late summer and early fall to discuss this issue. I applaud DCP, the Governor's Office, the Attorney General's Office, and the Department of Insurance for getting involved to investigate this issue and see what potential government fixes there could be – if any. I know that investigation is not through and we do not know the full scope of the issue. I don't want to put the proverbial horse before the cart in making recommendations, but I know that something needs to be done for these homeowners who are affected and **we must act soon.**

The thing that is most disturbing to me as more people have come forward that there is little to no regulation of the concrete industry. I cannot go to the Town of Manchester and pull records on my home to see who poured my concrete, but I can see who built it.

The foundation – which even my two year old knows is the key to a strong structure any time she builds with blocks – is the most important piece of a home and should not be considered a consumable product.

While we may not be able to take immediate action to remedy the issue for homes who are already affected, I think the legislature needs to take prospective action to make sure that in 15 or twenty years after new homes across the state are being built that another set of homeowners is not in the situation. I respectfully ask that the committee includes language in this bill to:

1. Permit DCP to regulate concrete purveyors, ready-mix and transit mix purveyors. Similar to what currently exists for licensing the Home-Improvement Contractors. All funding generated from licensing fees would be available to assist homeowner's experiencing problems to file claims against.
2. Mandate the collection of, and filing of, concrete batch tickets as a permanent record within each municipality building department. Same location where building permits and inspection reports are kept on record.
3. Require the concrete purveyors to obtain and file a surety bond for a duration no less than 30 (thirty) years. The bond would be retained as a permanent record with the local municipalities; kept and recorded with the building permit, and inspection reports.

I appreciate the opportunity to come here today on behalf of my constituents and I hope that we will be able to work together to find a solution for all those who are affected.