

08/02/06

Re-Inspection Report of 945 Fleming Way Stuart Florida 34997 Prepared for Dr Warren



The State of Florida requires the builder to build in compliance with the Florida Building Code.

Florida State Statutes 455 & 489 requires builders to build in accordance with the Florida Building Code. The building department inspectors are only trying to assist the builder in meeting the contractor's code compliance requirements and make it easier to deliver a safe, quality built home to the client. The building department accepts no liability for defects in the quality and workmanship at your house. If a problem is not visible or not viewed by the local building official it does not relieve the builder of his responsibility to correct the problem.

Note: Manufacturer's specifications can take precedence over codes. If there is a conflict over a specific requirement and a general requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of the code specify different materials, methods of construction or other requirements, the most restrictive governs.

Note: Photos were taken of many of the items in the house and are to be considered as part of this report. The photos may be representative of many instances of the same problem, but not each and every problem. One photo could be representative of 1 to 10+ locations of the same problem. It is the responsibility of the builder/qualifier to construct the house in accordance with the requirements of their licenses.

Note: This is a limited visual inspection of the building at 945 Fleming Way Stuart, Fl 34997. The inspection and report are not intended to be used as a guarantee, warranty, or insurance policy, expressed or implied, regarding the adequacy, performance or condition of any inspected structure, item, component or system. This is not a code compliance inspection. Some codes are provided for clarification. The purpose of the inspection is to observe the visible problems associated with the building at the time of the inspection.

Other Statutes may also apply:

The State of Florida Statute 95 gives consumers purchasing newer homes rights to a quality product regardless of any restrictive warranty offered by a builder. Under the Statute, the workmanship & materials are actionable for four years after the completion of construction, and latent defects for fifteen years. You may want to have your attorney review the details of this document. The web address for the section found below is:

http://www.flsenate.gov/statutes/index.cfm?App_mode=Display_Statute&URL=Ch0095/ch0095.htm

The page contains the sections which apply to new construction contract obligations as defined in Florida State Law. (Chapter 95, Title VIII, 95.03 & 95.11 3a&c apply.)

Chapter 95, Title VIII 95.03 Contracts shortening time.--Any provision in a contract fixing the period of time within which an action arising out of the contract may be begun at a time less than that provided by the applicable statute of limitations is void.

The web address for the section found below is:

http://www.flsenate.gov/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0095/SEC11.HTM

3) WITHIN FOUR YEARS.--

(a) An action founded on negligence. (i.e. failure to build to code or manufacturers specification)

(b) An action relating to the determination of paternity, with the time running from the date the child reaches the age of majority.

(c) An action founded on the design, planning, or construction of an improvement to real property, with the time running from the date of actual possession by the owner, the date of the issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion or termination of the contract between the professional engineer, registered architect, or licensed contractor and his or her employer, whichever date is latest; except that, when the action involves a latent defect, the time runs from the time the defect is discovered or should have been discovered with the exercise of due diligence. In any event, the action must be commenced within 15 years after the date of actual possession by the owner, the date of the issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion or termination of the contract between the professional engineer, registered architect, or licensed

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Site photo. The front of the house faces towards the south.



The yard at the side east of the building is still wet



There were still some broken & incorrectly repaired roof tiles at several locations. The broken roof tiles should be removed & replaced, not "glued" back together.



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There are replacement tiles that do not match the original roof color.



There appear to be cuts in the roof underlayment in the valleys. Any damaged roof underlayment should be correctly repaired.

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Note: The builder has documentation indicating the code section concerning headlaps is not fully applicable in the installation of these roof tiles. We did not discuss our findings or the builder's response to the report at the time of the re-inspection per client request.

The tile exposure is 14 inches or more at multiple locations. This indicated there is less than 3" overlap.



Location of the previous photo/s.



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Location of the previous photo/s.

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There were still some broken & incorrectly repaired roof tiles at several locations. The broken roof tiles should be removed & replaced, not "glued" back together.



There is exposed underlayment at some of the valleys. The tiles are not mitered to meet correctly in the center of the valley. §1518.8.1, R118-3.09

Florida Building Code

§1518.8 Clay and concrete roof tile.

R118-3.09 Valleys CHOOSE ONE of the following:

R118-3.09A. Standard Roll Valley

1. Closed Valley - Miter tile to meet at center of valley.



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Florida Building Code

§1518.8 Clay and concrete roof tile.

§1518.8.1 Application. All tile systems shall be installed over solid sheathed decks. All tile installation shall be in accordance with RAS 118, RAS 119, and RAS 120, as applicable.

Broken roof tiles cannot be "glued" back together

Information concerning the correct use of RT-600 roof tile adhesive from Ohio Sealants (OSI) -product manufacturer's engineering department.

Thanks for your inquiry regarding our products. RT600 is specified for replacing an entire tile, not for gluing a broken tile back together. Please email or call (800) 624-7767 with any questions. Sincerely, BHeineking OSI Sealants / Tech Service

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There was still some construction debris in the valleys. All debris should be removed from the roof.



Location of the previous photo/s.



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There appear to be cuts in the roof underlayment in the valleys. Any damaged roof underlayment should be correctly repaired.



Location of the previous photo/s.



There were tiles that did not appear to be correctly set at multiple locations. We were not granted access to walk the roof to verify this condition.

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We could not verify if a screen was installed at this exhaust hood. Nor could we determine what this hood is for. If this is the make-up air intake for the AC system>>>

>>>then the plumbing vent stack is too close to this intake opening. §P904.5

Florida Building Code

§P904.5 Location of vent terminal. An open vent terminal from a drainage system shall not be located directly beneath any door, openable window, or other air intake opening of the building or of an adjacent building, and any such vent terminal shall not be within 10 feet (3048 mm) horizontally of such an opening unless it is at least 2 feet (610 mm) above the top of such opening.



There were still some broken & incorrectly repaired roof tiles at several locations. The broken roof tiles should be removed & replaced, not "glued" back together.



We were not able to verify the tiles were correctly secured. The builder's representative stated that someone from the building department reviewed the tile installation.

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There were tiles that did not appear to be correctly set at multiple locations. We were not granted access to walk the roof to verify this condition.



We were unable to verify all corrections in the attic as we were requested by the builder not to leave the ladder.



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There was still no paint on the top of the front door trim.

Florida Building Code

§P708.2 Cleanout plugs. Cleanout plugs shall be of brass, plastic or other approved materials. Brass cleanout plugs shall be utilized with metallic drain, waste and vent piping only, and shall conform to ASTM A 74. Plastic cleanout plugs shall conform to the requirements of §P702.4. Plugs shall have raised square or countersunk square heads. Countersunk heads shall be installed where raised heads are a trip hazard. Cleanout plugs with borosilicate glass systems shall be of borosilicate glass.



The plumbing waste line cleanout access is located in an area where pedestrian traffic is likely. The cleanout pipe is a trip hazard. §P708.2 A countersunk head should be used.

All other items noted in the first report were addressed by the builder.

Inspector Credentials On Next Page

Thomas Glynn

Inspection Credentials

- **State of Florida Board of Professional Engineers Certification - #1100008097(EI)**
 - **Residential Building Inspector - International Code Council - ICC Certification # 5166766-B1**
 - **Residential Electrical Inspector - International Code Council -ICC Certification # 5166766-E1**
 - **National Professional Home Inspectors Board Certification - ASI ID - #92-US-92010506**
 - **Bachelor of Engineering Degree – Manhattan College 1986**
 - **State of Florida Pest Control Business License - #JB119667**
 - **State of Florida Department of Agriculture and Consumer Services Certified Pest Control Operator License - #JF118618**
 - **Wood Destroying Organisms Inspector ID - #JE85395**
 - **National Society of Professional Engineers Member # 104049955**
 - **Registered Professional Inspector - Florida Association of Building Inspectors ID#- RPI 0447**
 - **Certified Member American Society of Home Inspectors ID # 205294**
 - **International Brotherhood of Carpenters & Joiners – Member Local Union #608, NYC Since 1985. Ledger Page #1934 Palm Beach County License - #2003-16237**
 - **Port St. Lucie, Indian River & Martin County License - #2003-275-429**
 - **Broward County License # 329-0028284**
 - **Okeechobee County License No. 1570 Company ID #: 8429**
 - **General Contractor on Residential & Commercial Building Projects in NY**
 - **Certification – Gold Coast School of Construction in Home Inspection 1997**
 - **Certification in New Construction – Current Florida Building Code**
 - **Twenty Five (25) Years in the Construction, Building Maintenance, Engineering & Inspection Industry**
 - **Seven (7) Years Experience in the Home Inspection Field**
 - **Over Four Thousand (4000) Professional Building Inspections Performed**
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