

3366 Kurtz Street San Diego, CA 92110

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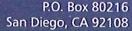
866.662.7635

LETTER OF TRANSMITTAL

Rec'd

					Submitted Molt 7 2011
TO:	HCC SURE	TY GROUP/ACIC	DATE	: 11/15/11	
	18757 Burb	ank Boulevard	JOB#	05833	
	Suite 200		JOB NAME	: Craftsmen's Guild,	In HCCS Claims TRZ
Tarzana, CA 91356				:	
ATTN: Ms. Katherine Wee-Seo			SUBCONTRACTOR	:	NOV 172011
ר	Гransmitted:	X Herewith	_Under Separate Cover	Other	
COPIES	DATE		DESCRIPTION		
1	11/15/11	Finalized Bond Claim Report			
1	11/15/11	Copy of Invoice #05833-01, pr	eviously sent 11/4 per y	our request.	
		,			
	For	Construction as noted	Resubmittal	X Your Files a	nd llse
	101.	Architect's Approval	Comments	Signature	10 030
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REMARKS:					
					-
	Received		Date	-	
			Date	ROFI ® Cons	sulting Services
			Ву	C PANA	sulting Services
	001	Job .	D	Signature	
	cc:			Signature	





866.662.7635



November 15, 2011

Via Electronic and U.S.P.S. Mail

Ms. Katherine Wee-Seo HCC SURETY GROUP/ACIC 18757 Burbank Boulevard Suite 200 Tarzana, CA 91356

HCCS Claims TRZ Rec'd NOV 172011

Re:

Principal:

Craftsmen's Guild, Inc.

Bond No.: Claim No.:

9033691 AC 35414

License No.: 507159

Claimant:

Ania Mitros and Seth LaForge

RCSI No.:

05833

Dear Ms. Wee-Seo:

ROEL Consulting Services Inc. (RCSI) has investigated the allegations contained in the claim filed by Ania Mitros and Seth LaForge. The Contract was dated July 22, 2009 and the contract amount was specified at \$152,799.00. The scope of work includes renovation of an existing single family dwelling. This includes demolition and removal of existing interior plaster, replace with new drywall, installation of new kitchen cabinets and appliances, wall finish and floor finish. Plumbing, electrical and HVAC were also included.

The claimants, Ania Mitros and Seth LaForge, have filed a claim accusing the principal of causing damage to existing property as a result of the new construction that was completed by the principal, Craftsmen's Guild Inc. Debris and hazardous debris were improperly handled and not adequately removed at completion of project. The contract states that construction debris shall be removed and "premises shall be left in a neat broom clean condition".

RCSI Expert, Mark Vinyard, conducted a site visit on October 11, 2011, with the claimants.

The following items were identified, in discussions with the claimant and review of documentation, as being deemed as non-compliant with contract specifications and industry standards for good and workmen like construction.

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- 1. Home was built in the 1930's and existing interior walls were painted with lead based paint.
- Demolition was not conducted with proper draping. Claimant states that the principal deposited construction debris directly on bear soil in the back yard.
- 3. Newly installed duct work was not sealed during demolition. Dust had accumulated in the duct system.
- 4. The principal removed debris from the yard using a small Bobcat loader. Some of the debris was mixed into ground soil in this process.
- The claimant states that they have collected and disposed of a considerable amount of littered debris after the job was completed.
- 6. Pieces of removed plaster and other debris remained over an area of 1900 square feet of yard.
- 7. Claimant has tested littered debris for lead content using a household test kit. Results were positive.
- 8. Claimant has retained the services of LaCroix Davis to assess potential lead hazards and recommend abatement procedure. Samples were collected from the duct system and soil in yard area for laboratory testing. The report stated that a lead hazard was identified in dust samples from the duct system. The soil was within acceptable limits; however test is based on small particle samples and does not focus on larger pieces of debris where a higher concentration of lead is. Large pieces of plaster with lead paint are considered more of a child hazard as they are more commonly ingested. LaCroix Davis received \$2,981.10 per its invoicing.
- Claimant has hired Renaissance Painting Co. for removal of contaminated soil and cleaning of duct system. Work was completed in December of 2010 for the sum of \$7,650.00.

The principal, Craftsmen's Guild Inc. was contacted on October 6, 2011 and they advised that the case was to be decided in arbitration. They would only comment that test results for lead had come back negative. Principal has provided a letter dated October 17, 2011. In the letter he states that lead levels found in ducts are due to demolition carried out by the claimant after they had left the job. Claimant states that only carpet was removed from the second floor.

RCSI Opinion: The Principal failed to maintain the site to industry standards. This is a departure in material respect for good and workmen like construction. Lead based paint was widely used in homes of this vintage.

When demolition is conducted in an older home, the contractor must be aware of the potential presence of hazardous materials. In this case the plaster to be removed was coated with lead-based paint. The EPA publishes special procedures for the removal of this kind of material. With or without the presents of hazardous material, it is common practice to deposit construction debris into a container or at very least provide a ground

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cover to avoid any potential contamination. Precautions should be taken to assure that all debris is properly and safely removed. Material that is deposited directly on loose soil and removed with machinery (especially in moist conditions) can be mixed and concealed.

Below listed invoicing appears to be fair and reasonable for the associated work authorized by the claimant.

LaCroix Davis LLC Invoice San Francisco Renaissance Paint Co.	\$ 2,981.10 7,650.00
Adjusted Contract Amount Change Orders Adjusted Contract Amount Paid to date Amount Remaining Balance	\$ 145,861.00
LaCroix Davis LLC San Francisco Renaissance Damages	\$ 2,981.10

Please call or email with any questions or comments.

Sincerely

ROEL Consulting Services Inc.

Mark Vinyard CP

Combination Inspector ICC

707-535-9466

mgvinyard@yahoo.com

Enclosure: Photo Report

CC: RCSI, Attn: E.Ulibarri

file





Date Taken: 10/19/2011 Photo ID: MGV D001 10-19-11 - 125 Front overview.



Date Taken: 10/19/2011 Photo ID: MGV D001 10-19-11 - 126 Address verification.





Date Taken: 10/19/2011 Photo ID: MGV D001 10-19-11 - 127 Condition in attic.



Date Taken: 10/19/2011 Photo ID: MGV D001 10-19-11 - 128 Rear overview.



Date Taken: 10/19/2011 Photo ID: MGV D001 10-19-11 - 129 Yard and front porch.



Date Taken: 10/19/2011 Photo ID: MGV D001 10-19-11 - 130 Condition at driveway.



Date Taken: 10/19/2011 Photo ID: MGV D001 10-19-11 - 131 Address verification end.