

## LET'S REMODEL

## Well-written contracts prevent later conflicts



**NARI**  
MICHIGAN REMODELING  
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Q: We got a firm price from our remodeler to expand our bathroom. When the walls were knocked out all of the wires going to the fuse box were in one wall. The remodeler said he would have to charge extra to move the wires. He called it a latent defect. Why didn't he cover this in his initial contract if he is a professional?

A: Having a valid contract, one that is correctly written, is equally important for both the contractor and homeowner. There are many things that are unforeseen, that is, items that cannot be detected from a visual standpoint. In order to answer your questions, I would have to know where the bathroom is located. First floor bathrooms will have either a concrete slab, basement or crawl space below them. If there is a crawl space or an unfinished basement, a simple visual inspection would tell the contractor what mechanical systems, heat or cold air runs, electrical wires or plumbing lines, are in the wall. If the space below the bath is unfinished and accessible, then I feel the contractor didn't do his homework and is at fault. If the area under the bathroom is finished, which is usually the case for a second floor bath or a first floor bath over a basement with a fixed finished ceiling (not removable ceiling tile), then the contractor will not be able to visually see what is going up through the floor and into the wall. In that case the contractor should advise the owner that it is not possible for him to know what's in the wall. When that occurs, I inform the client that there may be items in the wall that are concealed and that, if this is the situation, there will be an additional charge to relocate them. This is an extra charge for work that is NOT INCLUDED in the original agreement.

As to "why the contractor didn't cover it in his contract as a professional" this is how I would advise you. What exactly did your contract say was and was not included? Was it very explicit? Did it have a clause in it that covered concealed items in walls, floors and ceilings that are not visible? Did you read your contract thoroughly? I would suggest you read the contract again to see if these items are covered in the contract. Were any of these items discussed at the time you signed the contract?

After you have done your homework then sit down with your contractor and

have a friendly "heart-to-heart" with him and see what can be resolved. One other scenario I feel I need to discuss is the price you were willing to pay to have this work "professionally installed." I have presented many detailed bath quotes to prospective clients only to be informed that I had lost the job to another contractor who had bid the job for considerably less money. In my view no remodeling project should be awarded solely on the basis of cost.

I advise clients to check out the contractor by talking to their references, seeing a copy of their license and insurance coverage, calling the Better Business Bureau, and looking at how long the contractor has been in business. Given that there is a 97 percent failure rate in remodeling contractors within three years of the contractor going into business, I advise clients to only consider contractors who have been in business three years or longer with a proven track record. In any case, it is the contractor's responsibility to educate the client about the remodeling process and all the possibilities.

It is the owner's responsibility to ask questions, first about the contractor, and then about what will or will not be included.

*Kyle Adkins, President, Adkins & Sons, Riverview, Michigan, 313-283-7120.*

If you have home improvement questions, call Gayle Walters at the Michigan Remodeling Association (MRA) at 810-335-3232 or, send questions to "Let's Remodel," 2187 Orchard Lake Road, Suite 103, Sylvan Lake, MI 48320. Answers are provided by members of the MRA, the local chapter of the National Association of the Remodeling Industry (NARI).

## Shuptrine opens Henredon gallery

Scott Shuptrine is opening a new Henredon gallery, the largest collection of Henredon furniture in Michigan, Thursday, Oct. 12, at its showroom at 977 E. 14 Mile, Troy.

The gallery will feature more than 20,000 square feet of furniture on the second level of the showroom. Included will be the Ralph Lauren Furniture Collection and other Hen-

redon collections, among them Charisma, Enchantment, Splendour, Laurel Canyon, Aegean Follie, Asten Court, Tuscan Hills, Charles X, Rittenhouse and Natchez Classics.

Guests at Thursday's grand opening may register to win a \$2,500 Henredon chest. Call (810) 639-1100 for more information.

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