

Empire Homes One Builder's Solution for Successfully Preventing Construction Defect Litigation

Empire Homes Background:

With over a half century of industry experience Empire Homes stands out as an independent, privately-owned company that takes a hands-on approach and pays unprecedented attention to detail at its array of popular new-home neighborhoods in Southern California. The entire company shares a commitment to offering its customers the finest in customer care, unparalleled value, and expert craftsmanship.

A Word from the Vice President of Home Services, Dixie Milberg:

“We build quality Homes and are proud to stand behind our product, our commitment of quality and service within the reasonable terms of our warranty and Homeowner maintenance requirements as outlined in our Homeowner Manual and the *California Building Performance Guidelines* (CBPG). Unfortunately, most credible builders of quality Homes are plagued by a small circle of profiteering attorneys who are not focusing on true defects, but any small crack or un-maintained component which might get their foot in the door far enough to snatch 40% of a construction defect insurance settlement. Consequently, I am a very verbal objector of the frivolous construction defect claims propagated by a handful of attorneys (who) go door-to-door and (solicit Homeowners).”

Our Solution:

We at (Empire Homes) have opted out of SB 800 in our Limited Warranty, choosing instead, to define our warranty terms, which are SB 800 compliant, through our Homeowner Manual, and the *California Building Performance Guidelines* (CBPG) as the standard for our warranty and maintenance requirements.

We have recorded the Homeowner Manual and the **CBPG** along with our Limited Warranty to ensure its on-going connection to the Home. We make constant reference to the Warranty, the Manual, and the **CBPG** during the sale and walkthrough process, as well as throughout the Warranty period. We quote it to our Homeowners on a regular basis as a standard to determine the parameter of a specific issue and whether or not it qualifies as a warranty item.

The Results:

So far, we have used these three tools together in two separate arbitrations to define the parameters of specific issues and have won both cases, based on the fact we performed to the standard as outlined in the *California Building Performance Guidelines*.

A Satisfied Homeowner:

“I have owned two Empire Homes, and I know from experience that they stand behind their product. Their homes are quality-built to begin with, and they go out of their way to ensure that the quality is maintained and their customers are satisfied.”