

# Stevens & Kuss S.C.

## Attorneys at Law

### **MR. DO-IT-YOURSELF, THE HOME INSPECTORS WORST NIGHTMARE**

Professional builders have been doing a reasonable job of building homes over the last hundred years. While there are always a few quality issues, most of the houses built are constructed according to industry standards and have been able to withstand the test of time. Professional builders use competent subcontractors, take out permits and have the house inspected by local building inspectors.

There is, however, a sizable number of homes where Mr. DIY (Do-It-Yourself) has decided to improve his home without knowing what he is doing or obtaining the necessary permits. This person can create serious problems, both for subsequent buyers and for home inspectors. What is scary about this guy is that many of his errors and mistakes are concealed by ceilings, walls, flooring and siding.

The two areas where problems seem to crop up repeatedly are rec rooms and additions. Rec rooms done without permits often have illegal or dangerous wiring behind the walls, or above a dropped ceiling. Sometimes rec rooms are built to conceal serious damage to foundation walls. A home inspector should be suspicious where the finished rec room walls are constructed with a 2\*4 frame as opposed to furring strips that attach to the block or concrete. Walls constructed on 2\*4 frames can be made vertical when the basement wall is bowed or leaning in. this type of wall hides a certain amount of water leakage. Be suspicious if the rec room walls appear to have been built or constructed two years prior to the sale of a house.

Another problem area is new additions. Sometimes Mr. DIY turns a garage into a bedroom or living room. Other times he attaches an addition to the house without putting down footings, or even a slab. The floor joints are laid right on the soil. With regard to additions, it is often very difficult to determine whether the cement slab even has footings. With regard to rec rooms, it is also difficult to observe defects behind finished walls.

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While Wisconsin Home Inspector Statutes do not require you to inspect areas that you cannot see, home inspectors need to be concerned about providing a service to their clients. Inspectors also may be liable where there are visible signs that may clue the home inspector to a potential hidden problem.

With regard to finished rec rooms, there may be evidence of improper wiring where the wiring leaves the rec room. There may be areas of the basement that are not finished, such as the laundry area, which indicate problems with the block wall. Problems with one wall may indicate potential problems with a nonvisible wall. There may be areas along the outside of the house where the basement wall is visible that point to potential problems.

With regard to additions, the fact that areas of the addition may not be level might indicate to a home inspector that there is no slab or footings under the slab. There may be cracking or separation in the walls where the addition meets the house that indicates some movement of the addition. On the outside, where the addition connects to the house and along the side of the house or the roof, there may also be indications of some movement.

In these two types of situations, the home inspector, in his or her report, should make comments similar to the following.

- Basement rec room appears to have been constructed by non-professionals. There is some concern about the condition of the block walls behind the visible drywall. The only way to fully assess foundation walls behind the drywall would be to open areas in the rec room walls to inspect the masonry wall behind.

In the case of questionable home additions similar language can be put in the report such as follows.

- Addition to home may have been constructed by non-professionals without permits. There are indications that the addition may not have been constructed

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on a slab or footings may not have been installed under the slab. Inspector recommends checking with the local municipality to see if permits were pulled regarding the addition and also digging around the perimeter of the addition to verify the existence of footings.

These types of paragraphs put the buyer on notice of potential problems, clear the home inspector of liability, and should not cause unnecessary alarm. If there is evidence of work done by Mr. DIY, point out the areas of concern and recommend further investigation. This is for your own protection.