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## PREVENTION

Posted by CSchnack - August 20, 2007 11:24 PM

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### What's working:

Prevention-info, we just don't hear back from everyone who uses it, so we don't know how many benefit, but some do write and tell HADD that our info helped them avoid a problem. Anything that can warn others of problems BEFORE they've signed a contract qualifies as prevention-info. This can be info on construction defects, tricks of the industry, mortgage fraud, etc. Most consumer education now comes from the very industry we need education about...that's not very helpful and I see a lot of holes in such info that could lead consumers to believe they were "educated" when they are still missing many pieces. Obviously the industry isn't going to tell people about all the fraud going on, etc. They're there to sell houses!

Also, bringing the problem to public attention such as news articles, helps. The more who read about the horror stories, the more who are forewarned to be more cautious and avoid the pitfalls or specific bad builders/lenders/etc.

Where available, public complaint databases are a tremendous help because it warns consumers in time. The problem with this has been that complaints aren't always as public as people think, and they often get misleading or incomplete info and don't realize it.

Contact with elected officials may not bring a huge 'return on investment' of a consumer advocate's time, but it's necessary to do it. We may never match the industry's wealth and political power but eventually the truth may mean more, as more and more people get ripped off and it's common knowledge that it's a problem and needs to be fixed.

### What's NOT working:

What's not working is anyone who gives builders legitimate reason to strike back; it harms the credibility of all homeowners, and can set a precedent for builders suing homeowners and silencing more complaints. Homeowners need to make sure all complaints, signs, picketing, websites, and so on are totally true and legal, not a target for a defamation lawsuit or any other kind of legal trouble. There is no guarantee a builder won't sue even for frivolous reasons but a homeowner should never give them a reason to win.

Foxes Guarding the Henhouse--isnt' working, never has and never will. Licensing, and/or agencies like the TX Residential Construction Commission are prime examples because most agencies lack the ability or willingness to truly hold builders accountable. They're invariably run by industry insiders. I see many complaints from states with licensing. If licensing is to ever work it has to be run by more non-industry people, have teeth, apply to all builders, and make all complaints public. We've seen over and over that even if an agency says complaints are public, at least some were not, and consumers got misled.

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