

Limited Warranty Performance Standards

SECTION I – INTRODUCTION

PLEASE READ THIS CAREFULLY!

These Performance Standards are an integral part of the Builder's One Year Limited Warranty and will acquaint you with the responsibilities of the Builder under that One Year Limited Warranty. Should a defect result in actual physical damage to the Home, the Performance Standards will be used to determine the Builder's obligation under that Limited Warranty. If a specific defect is not addressed in the Performance Standards, the following standards, in the order listed, will be used to determine the Builder's obligation under the Limited Warranty.

- (a) Locally adopted codes, if any; or if none then
- (b) Model codes covering builder, mechanical, plumbing and electrical systems, if any; or if none then
- (c) Codes of nearby jurisdictions, if any; or if none then
- (d) Locally accepted building practices

NOTE THAT SOME ITEMS RELY ON PROPER MAINTENANCE BY THE HOME OWNER.

SECTION II – HOME OWNER RESPONSIBILITIES

The Home requires an active maintenance effort on the part of the Home Owner to reduce the likelihood of damage to neglect, improper maintenance, or abnormal use. Some specific Home Owner responsibilities are included under specific topics in Section III.

NOTE: DAMAGE CAUSED OR MADE BY HOME OWNER NEGLIGENCE, IMPROPER MAINTENANCE, OR IMPROPER OPERATION IS EXPRESSLY EXCLUDED UNDER THIS BUILDER'S ONE YEAR LIMITED WARRANTY.

SECTION III – STANDARDS TOPIC INDEX

The Performance Standards list specific items (defects) within each separate area of coverage. The standards are expressed in terms of performance criteria. For easy comprehension the format is designed as follows:

- ◆ *Possible Deficiency* – a brief statement, in simple terms, of problems that may be encountered.
- ◆ *Performance Standard* – a performance standard relating to a specific deficiency.
- ◆ *Responsibility* – a statement of the corrective action required of the Builder to repair the deficiency or a statement of the Home Owner's maintenance responsibilities.

1. SITE WORK

A. Site Grading

(1) Possible Deficiency – Improper drainage of the site.

Performance Standard – The necessary grades and swales shall have been established by the Builder to ensure proper drainage away from the Home. Settlement of up to six inches should be expected.

RESPONSIBILITY – If the Builder has provided final grading, upon request by the Home Owner, Builder shall fill settled areas affecting proper drainage, one time only, during the Limited Warranty period. Home Owner shall be responsible for removal and replacement of shrubs or other landscaping affected by placement of such fill.

B. Site Drainage

(1) Possible Deficiency – Improper drainage of the site.

Performance Standard – The necessary grades and swales shall have been established by the Builder to ensure proper drainage away from the Home. Standing or ponding water shall not remain for extended periods in the immediate area after a rain (generally no more than 24 hours), except that in swales which drain other areas, or in areas where sump pumps discharge, a longer period can be anticipated (generally no more than 48 hours). The possibility of standing water after an unusually heavy rainfall should be anticipated. No grading determination shall be made while there is frost or snow on the ground, or while the ground is saturated.

RESPONSIBILITY – The Builder is responsible only for establishing the proper grade and swales. The Home Owner is responsible for maintaining such grades and swales once they have been properly established by the Builder.

C. Crawl Spaces

(1) Possible Deficiency – Water in Crawl Spaces.

Performance Standard – Crawl Spaces should be graded and drained properly to prevent water from accumulating in the crawl space area.

RESPONSIBILITY – The Builder is responsible for providing proper grading and drainage of crawl space areas. Water should not be present in the crawl space area thirty (30) days after the Owner has closed on the Home.

2. CONCRETE

A. Expansion and Contraction Joints

(1) Possible Deficiency – Separation or movement of concrete slabs within the structure at expansion and contraction joints.

Performance Standard – Concrete slabs within the structure are designed to move at expansion and contraction joints.

RESPONSIBILITY – None

B. Cast in Place Concrete

(1) Possible Deficiency – Basement or foundation wall cracks.

Performance Standard – Shrinkage cracks are not uncommon in concrete foundation walls. Such cracks greater than 1/8 inch in width shall be repaired.

RESPONSIBILITY – Builder will repair cracks in excess of 1/8 inch width. Builder is not responsible for color variations.

(2) Possible Deficiency – Cracking of basement floor.

Performance Standard – Minor cracks in basement floors are normal. Cracks exceeding 3/16 inch in width or 1/8 inch in vertical displacement shall be repaired.

RESPONSIBILITY – Builder will repair cracks exceeding tolerances by surface patching or other methods as required. Builder is not responsible for color variations.

(3) Possible Deficiency – Cracking of slab in attached garage.

Performance Standard – Cracks in garage slabs in excess of 1/4 inch in vertical displacement shall be repaired.

RESPONSIBILITY – Builder will repair cracks exceeding maximum tolerances by surface patching or other methods as required. Builder is not responsible for color variations.

(4) Possible Deficiency – Uneven concrete floors/slabs.

Performance Standard – Except for garage floors, basement floors or where a floor or portion of floor has been designed for specific drainage purposes, concrete floors in a room designed for habitability shall not have pits, depressions or areas of unevenness exceeding 1/4 inch in 32 inches. Structural slab foundation systems that have experienced some movement but are within the foundation's design performance criteria are excluded from this standard.

RESPONSIBILITY – Builder will correct or repair to meet the Performance Standard. Builder is not responsible for color variation.

(5) Possible Deficiency – Cracks in concrete slab-on-grade floors with finish flooring.

Performance Standard – Cracks which rupture the finish flooring material shall be repaired.

RESPONSIBILITY – Builder will repair cracks, as necessary, so as to not be readily apparent when the finish flooring material is in place. (See also Performance Standard 7, "Finishes.")

(6) Possible Deficiency – Pitting, scaling, or spalling of concrete work covered by this Limited Warranty.

Performance Standard – Exterior concrete surfaces are subject to disintegration which is often caused by salt, chemicals and other factors beyond the Builder's control. These deficiencies are specifically NOT WARRANTED.

RESPONSIBILITY – None.

(7) Possible Deficiency – Settling, heaving, or separating of stoops, steps or garage floors.

Performance Standard – Stoops, steps, or garage floors shall not settle, heave, or separate in excess of 1 inch from the House structures.

RESPONSIBILITY – Builder will take whatever corrective action is required to meet the Performance Standard.

(8) Possible Deficiency – Standing water on stoops.

Performance Standard – Water should drain from outdoor stoops and steps. The possibility of minor water standing on stoops for a short period after rain can be anticipated.

RESPONSIBILITY – Builder will take corrective action to assure drainage of steps and stoops.

3. MASONRY

A. Unit Masonry

(1) Possible Deficiency – Basement or foundation wall cracks.

Performance Standard – Small cracks not affecting structural stability are not unusual in mortar joints of masonry foundation walls. Cracks greater than 1/8 inch in width shall be repaired.

RESPONSIBILITY – Builder will repair cracks in excess of 1/8 inch by pointing or patching.

(2) Possible Deficiency – Cracks in masonry walls or veneer.

Performance Standard – Small hairline cracks due to shrinkage are common in mortar joints in masonry construction. Cracks greater than 3/8 inch in width are considered excessive.

RESPONSIBILITY – Builder will repair cracks in excess of Performance Standard by pointing or patching. Builder will not be responsible for color variation between old and new mortar.

4. WOOD AND PLASTIC

A. Rough Carpentry

(1) Possible Deficiency – Floors squeak or subfloor appears loose.

Performance Standard – Floor squeaks or loose subfloor are often temporary conditions common to new construction, and a squeak-proof floor cannot be guaranteed.

RESPONSIBILITY – Builder will correct the problem only if caused by an underlying construction defect.

(2) Possible Deficiency – Uneven wood floors.

Performance Standard – Floors shall not have more than 1/4 inch ridge or depression within any 32 inch measurement when measured parallel to the joists. Allowable floor and ceiling joist deflections are governed by the applicable building code.

RESPONSIBILITY – Builder will correct the problem only if caused by an underlying construction defect.

(3) Possible Deficiency – Bowed walls.

Performance Standard – All interior and exterior walls have slight variances on their finished surfaces. Bowing of walls should not detract from or blemish the wall's finished surface. Walls should not bow more than ¼ out of line within any 32 inch horizontal or vertical measurement.

RESPONSIBILITY – Builder will repair to meet Performance Standard.

(4) Possible Deficiency – Out of plumb walls.

Performance Standard – Walls should not be more than 1/4 inch out of plumb for any 32 inch vertical measurement.

RESPONSIBILITY – Builder will repair to meet the Performance Standard.

B. Finish Carpentry (Interior)

(1) Possible Deficiency – Poor quality of interior trim workmanship.

Performance Standard – Joints in moldings or joints between moldings and adjacent surfaces shall not result in open joints exceeding 1/8 inch in width.

RESPONSIBILITY – Builder will repair defective joints, as defined. Caulking is acceptable.

C. Finish Carpentry (Exterior)

(1) Possible Deficiency – Poor quality of exterior trim workmanship.

Performance Standard – Joints between exterior trim elements, including siding and masonry, shall not result in open joints in excess of 3/8 inch. In all cases the exterior trim, masonry and siding shall be capable of performing its function to exclude the elements.

RESPONSIBILITY – Builder will repair open joints, as defined. Caulking is acceptable.

5. THERMAL AND MOISTURE

A. Waterproofing

(1) Possible Deficiency – Leaks in basement.

Performance Standard – Leaks resulting in actual trickling of water shall be repaired. Leaks caused by improper landscaping or failure to maintain proper grades are not covered by this Limited Warranty. Dampness of the walls or floors may occur in new construction and is not considered a deficiency.

RESPONSIBILITY – Builder will take such action as necessary to correct basement leaks except where the cause is determined to result from Home Owner action or negligence.

B. Insulation

(1) Possible Deficiency – Insufficient insulation.

Performance Standard – Insulation shall be installed in accordance with applicable energy and building code requirements.

RESPONSIBILITY – Builder will install insulation in sufficient amounts to meet Performance Standard.

C. Louvers and Vents

(1) Possible Deficiency – Leaks due to snow or rain driven into the attic through louvers or vents.

Performance Standard – Attic vents and/or louvers must be provided for proper ventilation of the attic space of the structure.

RESPONSIBILITY – None.

D. Roofing and Siding

(1) Possible Deficiency – Ice buildup on roof.

Performance Standard – During prolonged cold spells, ice buildup is likely to occur at the eaves of a roof. This condition occurs when snow and ice accumulate and gutters and downspouts freeze up.

RESPONSIBILITY – Prevention of ice buildup on the roof is a Home Owner maintenance item.

(2) Possible Deficiency – Roof or flashing leaks.

Performance Standard - Roofs or flashing shall not leak under normally anticipated conditions, except where the cause is determined to be the result of ice buildup or Home Owner action or negligence.

RESPONSIBILITY – Prevention of ice buildup on the roof is a Home Owner maintenance item.

- (3) Possible Deficiency – Standing water on a flat roof.

Performance Standard – Water shall drain from a flat roof except for minor ponding immediately following a rainfall or when the roof is specifically designed for water retention.

RESPONSIBILITY – Builder will take corrective action to assure proper drainage of the roof.

- (4) Possible Deficiency – Delamination of veneer siding or joint separation.

Performance Standard – All siding shall be installed according to the manufacturer's and industry's accepted standards.

Separations and delaminations shall be repaired or replaced. Natural wood sidings can be expected to weather and change color as they age.

RESPONSIBILITY – Builder will repair or replace siding as needed unless caused by Home Owner's neglect to maintain siding properly. Repaired areas may not match in color and/or texture. For surfaces requiring paint, Builder will paint only the new materials. The Home Owner can expect that the newly painted surface may not match the original surface in color. Builder has no responsibility for discoloring and weathering of natural wood siding.

E. Sheet Metal

- (1) Possible Deficiency – Gutters and/or downspouts leak.

Performance Standard – Gutters and downspouts shall not leak but gutters may overflow during heavy rain.

RESPONSIBILITY - Builder will repair leaks. It is a Home Owner responsibility to keep gutters and downspouts free of leaves and debris which could cause overflow.

- (2) Possible Deficiency – Water standing in gutters.

Performance Standard – When the gutter is unobstructed by debris, the water level shall not exceed one (1) inch in depth. Industry practice is to install gutters approximately level. Consequently, it is entirely possible that small amounts of water will stand in certain sections of gutter immediately after a rain.

RESPONSIBILITY – Builder will correct to meet the Performance Standard.

F. Sealants

- (1) Possible Deficiency – Leaks in exterior walls due to inadequate caulking.

Performance Standard – Joints and cracks in exterior wall surfaces and around openings shall be caulked properly to exclude the entry of water.

RESPONSIBILITY – Builder will repair and/or caulk joints or cracks in exterior wall surfaces as required to correct deficiencies once during the Limited Warranty period. Even properly installed caulking will shrink and must be maintained during the life of the Home.

6. DOORS AND WINDOWS

A. Wood and Plastic Doors

- (1) Possible Deficiency – Warpage of exterior doors.

Performance Standard – Exterior doors will warp to some degree due to temperature differential on inside and outside surfaces.

However, they shall not warp to the extent that they become inoperative or cease to be weather resistant or exceed National Woodwork Manufacturers Association Standards (1/4 inch, measured diagonally from corner to corner).

RESPONSIBILITY – Builder will correct or replace and refinish defective doors during the year of the Limited Warranty.

- (2) Possible Deficiency – Warpage of interior passage and closet doors.

Performance Standard – Interior doors (full openings) shall not warp in excess of National Woodwork Manufacturers Association Standards (1/4 inch, measured diagonally from corner to corner).

RESPONSIBILITY – Builder will correct or replace or refinish defective doors to match existing doors as nearly as possible during the year of the Limited Warranty.

- (3) Possible Deficiency – Shrinkage or insert panels show raw wood edges.

Performance Standard – Panels will shrink or expand and may expose unpainted or unstained surfaces.

RESPONSIBILITY – None.

- (4) Possible Deficiency – Split in door panel.

Performance Standard – Split panels should not allow light to be visible through the door.

RESPONSIBILITY - Builder will, if light is visible, fill split and match paint or stain as closely as possible one time during the Limited Warranty period.

B. Glass

- (1) Possible Deficiency – Broken Glass.

Performance Standard – None.

RESPONSIBILITY – Broken glass not reported to the Builder prior to closing is the Home Owner's responsibility.

C. Garage Doors on Attached Garages

- (1) Possible Deficiency – Garage doors fail to operate properly under normal use.

Performance Standard – Garage doors shall operate properly.

RESPONSIBILITY – Builder will correct or adjust garage doors as required, except where the cause is determined to result from Home Owner action or negligence.

(2) Possible Deficiency – Garage doors allow entrance of snow or water.

Performance Standard – Garage doors shall be installed as recommended by the manufacturer. Some entrance of the elements can be expected under abnormal conditions.

RESPONSIBILITY – Builder will adjust or correct garage doors to meet manufacturer's recommendations.

D. Wood, Plastic, and Metal Windows

(1) Possible Deficiency – Malfunction of windows.

Performance Standard – Windows shall operate with reasonable ease, as designed.

RESPONSIBILITY – Builder will correct or repair as required.

(2) Possible Deficiency – Condensation and/or frost on windows.

Performance Standard – Windows will collect condensation on interior surfaces when extreme temperature differences and high humidity levels are present. Condensation is usually the result of climatic/humidity conditions typically created by the Home Owner.

RESPONSIBILITY – Unless directly attributed to faulty installation, window condensation is a result of conditions beyond the control of the Builder. No corrective action is required.

E. Weather-stripping and Seals

(1) Possible Deficiency – Air infiltration around doors and windows.

Performance Standard – Some infiltration is normally noticeable around doors and windows, especially during high winds. Poorly fitted weather-stripping shall be adjusted or replaced. It may be necessary for the Home Owner to have storm doors or windows installed to provide satisfactory solutions in high wind areas.

RESPONSIBILITY – Builder will correct or adjust poorly fitted doors, windows and weather-stripping.

7. FINISHES

A. Lath and Plaster

(1) Possible Deficiency – Cracks in interior wall and ceiling surfaces.

Performance Standard – Hairline cracks are not unusual in interior wall and ceiling surfaces. Cracks greater than 1/8 inch shall be repaired.

RESPONSIBILITY – Builder will repair cracks exceeding 1/8 inch in width as required one time only. (See also Performance Standard 7.F, "Painting")

B. Gypsum Wallboard

(1) Possible Deficiency – Defects which appear during the one year of the Limited Warranty such as nail pops, blisters in tape, or other blemishes.

Performance Standard – Slight "imperfections" such as nail pops, seam lines and cracks not exceeding 1/8 inch in width are common in gypsum wallboard installations and considered acceptable.

RESPONSIBILITY – Builder will repair cracks exceeding 1/8 inch in width one time only. (See also Performance Standard 7.F, "Painting")

C. Ceramic Tile

(1) Possible Deficiency – Ceramic tile cracks or becomes loose.

Performance Standard – Ceramic tile shall not crack or become loose.

RESPONSIBILITY – Builder will replace cracked tiles and resecure loose tiles unless the defects were caused by Home Owner action or negligence. Builder will not be responsible for discontinued patterns or color variations in ceramic tile.

(2) Possible Deficiency – Cracks appear in grouting of ceramic tile joints or at junctions with other materials such as bathtubs.

Performance Standard – Cracks in grouting of ceramic tile joints are commonly due to normal shrinkage conditions.

RESPONSIBILITY – Builder will repair grouting if necessary one time only. Builder will not be responsible for color variations or discontinued colored grout. Regrouting of these cracks is a maintenance responsibility of the Home Owner for the life of the Home.

D. Finished Wood flooring

(1) Possible Deficiency – Cracks developing between floor boards.

Performance Standard – Cracks in excess of 1/8 inch shall be corrected.

RESPONSIBILITY – Builder will repair cracks in excess of 1/8 inch within the one year of the Limited Warranty period, by filling or replacing, at Builder's option.

E. Resilient Flooring

(1) Possible Deficiency – Nail pops appear on the surface of resilient flooring.

Performance Standard – Readily apparent nail pops shall be repaired.

RESPONSIBILITY – Builder will correct nail pops which have broken the surface. Builder will repair or replace, at Builder's sole option, resilient floor covering in the affected area with similar material. Builder will not be responsible for discontinued patterns or color variations in the floor covering.

(2) Possible Deficiency – Depressions or ridges appear in the resilient flooring due to subfloor irregularities.

Performance Standard – Readily apparent depressions or ridges exceeding 1/8 inch shall be repaired. The ridge or depression measurement is taken at the gap created at one end of a six inch straightedge placed over the depression or ridge with three inches of the straightedge on one side of the defect, held tightly to the floor.

RESPONSIBILITY – Builder will take corrective action as necessary to bring the defect within acceptable tolerance so the affected area is not readily visible. Builder will not be responsible for discontinued patterns or color variations in floor covering.

(3) Possible Deficiency – Resilient flooring loses adhesion.

Performance Standard – Resilient flooring shall not lift, bubble, or become unglued.

RESPONSIBILITY – Builder will repair or replace, at Builder's sole option, the affected resilient flooring as required.

Builder will not be responsible for discontinued patterns or color variation of floor covering, or for problems caused by Home Owner neglect or abuse.

(4) Possible Deficiency – Seams or shrinkage gaps show at resilient flooring joints.

Performance Standard – Gaps shall not exceed 1/16 inch in width in resilient floor covering joints. Where dissimilar materials abut, a gap not to exceed 1/8 inch is permissible.

RESPONSIBILITY – Builder will repair or replace, at Builder's sole option, the affected resilient floor covering required. Builder will not be responsible for discontinued patterns or color variation of floor covering, or for problems caused by Home Owner neglect or abuse.

F. Painting

(1) Possible Deficiency – Exterior paint or stain peels, deteriorates or fades.

Performance Standard – Exterior paints or stains should not fail during the one year Limited Warranty period. However, fading is normal and the degree is dependent on climatic conditions.

RESPONSIBILITY – If paint or stain is defective, Builder will properly prepare and refinish affected areas, matching color as close as possible. Where finish deterioration affects the majority of the wall area, the whole area will be refinished. The warranty on the newly finished surfaces will not extend beyond the original Limited Warranty period.

(2) Possible Deficiency – Painting required as corollary repair because of other work.

Performance Standard – Repairs required under this Limited Warranty shall be finished to match surrounding areas as closely as practicable.

RESPONSIBILITY – Builder will finish repair areas as indicated.

(3) Possible Deficiency – Deterioration of varnish or lacquer finishes.

Performance Standard – Natural finishes on interior woodwork shall not deteriorate during the Limited Warranty period.

However, varnish type finishes used on the exterior of the Home will deteriorate rapidly and are not covered by the Limited Warranty.

(4) Possible Deficiency – Mildew or fungus on painted surfaces.

Performance Standard – Mildew or fungus will form on a painted surface if the structure is subject to abnormal exposures (i.e. rainfall, ocean, lake, or river front).

RESPONSIBILITY – Mildew or fungus is a condition the Builder cannot control and is a Home Owner maintenance item unless it is a result of noncompliance with other sections of the Performance Standard.

(5) Possible Deficiency – Interior paint application and coverage.

Performance Standard – Interior paint shall be applied in a manner sufficient to visually cover wall, ceiling, and trim surfaces where specified.

RESPONSIBILITY – The Builder shall retouch wall, ceiling, or trim surfaces where inadequate paint has been applied to cover the original surfaces. All patching and painting and touch up work not reported to the Builder prior to closing is the responsibility of the Home Owner.

G. Wall Covering

(1) Possible Deficiency – Peeling of wall covering.

Performance Standard – Peeling of wall covering shall not occur.

RESPONSIBILITY – Builder will repair or replace defective wall covering applications.

(2) Possible Deficiency – Edge mismatching in pattern of wall covering.

Performance Standard – None.

RESPONSIBILITY – None.

H. Carpeting

(1) Possible Deficiency – Open carpet seams.

Performance Standard – Carpet seams will show. However, no visible gap is acceptable.

RESPONSIBILITY – Builder will correct.

(2) Possible Deficiency – Carpeting becomes loose, seams separate, or stretching occurs.

Performance Standard – Wall-to-wall carpeting, installed as the primary floor covering, when stretched and secured properly shall not come up, become loose, or separate from its point of attachment.

RESPONSIBILITY – Builder will restretch or resecure carpeting as necessary if original installation was performed by the Builder.

(3) Possible Deficiency – Spots on carpet, minor fading.

Performance Standard – Exposure to light may cause spots on carpet and/or minor fading.

RESPONSIBILITY – None.

I. Special Coatings

(1) Possible Deficiency – Cracks in exterior stucco wall surfaces.

Performance Standard – Cracks are not unusual in exterior stucco wall surfaces. Cracks greater than 1/8 inch in width will be repaired.

RESPONSIBILITY – Builder will repair cracks exceeding 1/8 inch in width one time only.

8. SPECIALTIES**A. Louvers and Vents**

(1) Possible Deficiency – Inadequate ventilation of attic and crawl spaces.

Performance Standard – Attic and crawl spaces shall be ventilated as required by the approved building code.

RESPONSIBILITY – The Builder shall provide for adequate ventilation. Builder will not be responsible for alterations to the original system.

B. Fireplaces

(1) Possible Deficiency – Fireplace or chimney does not draw properly.

Performance Standard – A properly designed and constructed fireplace and chimney shall function properly. It is normal to expect that high winds can cause temporary negative draft situations. Similar negative draft situations can also be caused by obstructions such as large branches of trees too close to the chimney. Some homes may need to have a window opened slightly to create an effective draft if they have been insulated and weatherproofed to meet high energy conservation criteria.

RESPONSIBILITY – Builder will determine the cause of the malfunction and correct if the problem is one of design or construction of the fireplace.

(2) Possible Deficiency – Chimney separation from the structure to which it is attached.

Performance Standard – Newly built fireplaces will often incur slight amounts of separation. Separation shall not exceed 1/2 inch from the main structure in any 10 foot vertical measurement.

RESPONSIBILITY – Builder will determine the cause of separation and correct if standard is not met. Caulking is acceptable.

(3) Possible Deficiency – Firebox paint changed by fire.

Performance Standard – None.

RESPONSIBILITY – None. Heat from fires will alter finish.

(4) Possible Deficiency – Cracked firebrick or mortar joints.

Performance Standard – None.

RESPONSIBILITY – None. Heat and flames from “roaring” fires will cause cracking.

9. EQUIPMENT**A. Residential Equipment**

(1) Possible Deficiency – Surface cracks, joint delaminations, and chips in high pressure laminates on vanity and kitchen cabinet countertops.

Performance Standard – Countertops fabricated with high pressure laminate coverings shall not delaminate.

RESPONSIBILITY – Builder will replace delaminated coverings to meet specified criteria. Chips and cracks not reported to the Builder prior to closing are the responsibility of the Home Owner.

(2) Possible Deficiency – Kitchen cabinet malfunctions.

Performance Standard – Provided proper levels of humidity have been maintained in the Home, cabinet doors and drawers should not warp to exceed 1/4 inch as measured from face frame to point of furthest warpage with door or drawer front in closed position.

RESPONSIBILITY – Builder will correct or replace doors or drawer fronts.

(3) Possible Deficiency – Gaps between cabinets or countertops and ceilings or walls.

Performance Standard – Normal shrinkage of materials may cause gaps between cabinets or countertops and ceiling or walls. Separation may not exceed 1/4 inch on the vertical or horizontal plane.

RESPONSIBILITY – Builder will correct to meet the Performance Standard. Caulking is acceptable.

10. PLUMBING

A. Water Supply System

(1) Possible Deficiency – Plumbing pipes freeze and burst.

Performance Standard – Drain, waste, vent, and water pipes shall be adequately protected, as required by applicable code, during normally anticipated cold weather, and as defined in accordance with ASHRAE design temperatures to prevent freezing.

RESPONSIBILITY – Builder will correct situations not meeting the code. It is the Home Owner's responsibility to drain or otherwise protect lines and exterior faucets exposed to freezing temperatures.

(2) Possible Deficiency – Water supply system fails to deliver water.

Performance Standard – All service connections to municipal water main and private water supply are the Builder's responsibility. Private systems shall be designed and installed in accordance with all approved building, plumbing and health codes.

RESPONSIBILITY – Builder is to repair as necessary if failure is the result of defective workmanship or materials. Should conditions beyond the Builder's control disrupt or eliminate the sources of water supply, then it is not the Builder's responsibility.

B. Plumbing System

(1) Possible Deficiency – faucet or valve leak.

Performance Standard – No valve or faucet shall leak due to defects in workmanship or materials.

RESPONSIBILITY – Builder will repair or replace leaking faucet or valve.

(2) Possible Deficiency – Defective plumbing fixtures, appliances, or trim fittings.

Performance Standard – Fixtures, appliances, or fittings shall comply with their manufacturer's standards.

RESPONSIBILITY – Builder will replace any defective fixture or fitting which does not meet acceptable standards, as defined by the manufacturer.

(3) Possible Deficiency – Noisy water pipes.

Performance Standard – There will be some noise emitting from the water pipe system due to the flow of water. However, water hammer can be eliminated.

RESPONSIBILITY – Builder cannot remove all noises due to water flow and pipe expansion. Builder will make corrections to eliminate "water hammer."

(4) Possible Deficiency – Cracking or chipping of porcelain or fiberglass surfaces.

Performance Standard – Chips and cracks on surfaces of bathtubs and kitchen and bathroom sinks can occur when their surface is hit with a sharp or heavy object.

RESPONSIBILITY – Builder will not be responsible for repairs unless damage has been reported to Builder prior to closing.

11. HEATING AND COOLING

A. Heating

(1) Possible Deficiency – Inadequate heating

Performance Standard – The heating system shall be capable of producing an inside temperature of 70 degrees F., as measured in the center of each room at a height of 5 feet above the floor, under local winter design conditions as specified in the ASHRAE handbook. Federal, state, or local energy codes shall supercede this standard where such codes have been locally adopted.

RESPONSIBILITY – Builder will correct the heating system to provide the required temperatures. However, the Home Owner shall be responsible for balancing dampers, registers and other minor adjustments.

B. Refrigeration

(1) Possible Deficiency – Inadequate cooling.

Performance Standard – Where air conditioning is provided, the cooling system shall be capable of maintaining a temperature of 78 degrees F., as measured in the center of each room at a height of 5 feet above the floor, under local outdoor summer design conditions as specified in the ASHRAE handbook. In the case of outside temperatures exceeding 95 degrees F., a differential of 15 degrees F. from the outside temperature will be maintained. Federal, state, or local energy codes shall supercede this standard where such codes have been locally adopted.

RESPONSIBILITY – Builder will correct cooling system to meet temperature conditions in accordance with specifications.

C. Condensation Line

(1) Possible Deficiency – Condensation lines clog.

Performance Standard – None.

RESPONSIBILITY – Condensation lines will clog eventually under normal use. This is a Home Owner maintenance item. Builder shall provide unobstructed condensation lines at time of closing.

D. Evaporative Cooling

(1) Possible Deficiency – Improper mechanical operation.

Performance Standard – Equipment shall function properly at temperature standard set.

RESPONSIBILITY – Builder will correct and adjust so that blower and water system operate as designed.

12. VENTILATION**A. Air Distribution**

(1) Possible Deficiency – Noisy ductwork.

Performance Standard – When metal is heated it expands and when cooled it contracts. The result is “ticking” or “crackling” which is generally to be expected.

RESPONSIBILITY – None.

(2) Possible Deficiency – Oilcanning.

Performance Standard – The stiffening of ductwork and the gauge of the metal used shall be such that the ducts do not “oilcan.” The booming noise caused by “oilcanning” is not acceptable.

RESPONSIBILITY – Builder will correct to eliminate this sound.

13. ELECTRICAL**A. Electrical Conductors, Fuses and Circuit Breakers**

(1) Possible Deficiency – Fuses blow or circuit breakers (excluding ground fault interrupters) “kick out.”

Performance Standard – Fuses and circuit breakers shall not activate under normal usage.

RESPONSIBILITY – Builder will correct circuitry not conforming to code specifications.

B. Outlets, Switches, and Fixtures

(1) Possible Deficiency – Drafts from electrical outlets.

Performance Standard – Electrical junction boxes on exterior walls may produce air flow whereby cold air can be drawn through the outlet into a room. The problem is normal in new home construction.

RESPONSIBILITY – None.

(2) Possible Deficiency – Malfunction of electrical outlets, switches or fixtures.

Performance Standard – All switches, outlets and fixtures shall operate as intended.

RESPONSIBILITY – Builder will repair or replace defective switches, outlets or fixtures.

C. Service and Distribution

(1) Possible Deficiency – Ground fault interrupter trips frequently.

Performance Standard – Ground fault interrupters are sensitive safety devices installed into the electrical system to provide protection against electrical shock. These sensitive devices can be tripped very easily.

RESPONSIBILITY – Builder shall install ground fault interrupters in accordance with the approved electrical code. Tripping is to be expected and is not covered, unless due to a construction defect.

D. Wiring

(1) Possible Deficiency – Failure of wiring to carry its designed load.

Performance Standard – Wiring should be capable of carrying the designed load for normal residential use.

RESPONSIBILITY – Builder will check wiring for conformity with local, state, or approved national electrical code requirements. Builder will repair wiring not conforming to code specifications.

14. PLUMBING SYSTEM**A. Septic Tank System**

(1) Possible Deficiency – Septic tank fails to operate properly.

Performance Standard – Septic systems shall function adequately during all seasons, under climatic conditions normal or reasonably anticipated (based on local records) for the location of the Home. Septic systems shall be designed to comply with applicable code requirements.

RESPONSIBILITY – Builder will repair, or otherwise correct, a malfunctioning or nonoperating system if the failure is caused by inadequate design, faulty installation, or other cause relating to actions of the Builder or contractors or subcontractors under the Builder’s control. Builder will not be responsible for a system malfunction or damage which is caused by Owner’s negligence, lack of system maintenance, or other causes attributable to actions of the Owner or Owner’s contractors, not under control of the Builder including, but not limited to, the addition of fixtures, items of equipment, appliances or other sources of waste or water to the plumbing system served by the septic system, and damage, or changes to the septic system installation or surrounding soil conditions critical to the system’s functioning.

B. Piping

(1) Possible Deficiency – Leakage from any piping.

Performance Standard – No leaks of any kind shall exist in any soil, waste, vent, or water pipe. Condensation on piping does not constitute leakage, and is not covered.

RESPONSIBILITY – Builder will make repairs to eliminate leakage.

(2) Possible Deficiency – Clogged sewers, fixtures, and drains.

Performance Standard – Sewers, fixtures, and drains shall operate properly.

RESPONSIBILITY – Builder will not be responsible for sewers, fixtures, and drains which become clogged through the negligence of the Home Owner. If a problem occurs, the Home Owner should consult the Builder for a proper course of action. When defective construction is shown to be the cause, the Builder will assume the cost of the repair; where Home Owner negligence is shown to be the cause, the Home Owner shall assume all repair costs.

(3) Possible Deficiency – Refrigerant lines develop leaks during normal operation.

Performance Standard – Refrigerant lines shall not develop leaks during normal operation.

RESPONSIBILITY – Builder will repair leaking refrigerant lines and recharge unit, unless damage was caused by the Home Owner.

15. VENTILATION SYSTEM**A. Air Distribution**

(1) Possible Deficiency – Ductwork separates or becomes unattached.

Performance Standard – Ductwork shall remain intact and securely fastened.

RESPONSIBILITY – Builder will reattach and resecure all separated or unattached ductwork.