

News Release

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Reynen & Bardis Held to Account for Defective Rancho Murieta Homes

Over one hundred homes in the Rancho Murieta area of Sacramento County have suffered from various types of soils related damage to their homes constructed over the years by Reynen and Bardis. More than two dozen have joined in lawsuits filed and to be filed by the Sacramento office of Anderson & Kriger to fully investigate the damages and seek compensation from Reynen and Bardis, its soils professionals, and other subcontractors.

While many of these homes also suffer from what are called architectural defects involving leaky windows and other issues, the owners especially have been plagued by home foundations that move due to the expansion and shifting of the clay soils in the area southeast of Sacramento, called lone clay.

Cracks appear in floors, driveways, walls and ceilings, and around door and window frames. Doors and windows jam. Residents say they can hear their houses creaking and cracking 24 hours a day.

Homeowners say the unstable soils condition was not disclosed to them by the builder.

According to attorneys Clayton M. Anderson, senior partner, and Matthew Schoech, lead attorney in the firm's Sacramento office, Reynen and Bardis has tried to eliminate the problems through increased drainage, putting piers through the slabs, and other methods. Anderson said his firm's contention is that no proper investigation of each individual house has been done to guide the repair process. "That more thorough and individualized investigation will be one of the results of the lawsuits," he said.

Alan and Susan Ezell, whose home is in the Blue Oak section of the gated community, have worked extensively with Reynen and Bardis representatives over the years to try to correct the substantial problems in their house, eventually resorting to mailing registered and certified letters to prove their claims.

"Project managers come and go frequently," Ezell stated. "One would promise something will be done, but then he would leave or be transferred and the next project manager would say he knew nothing about our repair request." Ezell believes since they purchased their home in 2003 there have been four or five project managers on the job.

R&B's solution has been to have the homeowners move out temporarily while a repair crew stripped out carpet down to the bare cement to grind down high spots and fill in low spots in an attempt to make it level. Measurements from floor to ceiling, however, demonstrate the effort failed to return the floor to normal, Ezell said.

Another more radical solution has been to lift the structures off their foundations in order to sink piers down 90 feet deep into the soil beneath the homes, trying to better anchor them against the shifting soils.

While this type of work was done on the Ezell's house, they lived for nine months in a nearby Blue Oak home that unhappy buyers had sold back to R&B.

"Reynen and Bardis said they were finished after installing 19 piers under our house. Experts tell me for the square footage of our house they should have put down 55 to 60 piers," Ezell said.

According to Ezell it took the homeowners a long time to organize and seek legal help because R&B managers would threaten to halt repair work on the home of anyone who attended the attorney information meetings.

"As the extent of their problems grew, R&B didn't want to spend more money on trying to fix things," Ezell said. "Truth is, right from the beginning every house has had problems. To get R&B to do repairs you had to threaten to sue. Well, they said they fixed my house and backed off but it's a band-aid, a lousy repair job."

Ezell said he is troubled by the fact that the homes R&B has bought back are now being advertised for sale "as is" for far less than the original buyers paid for them.

"Recently, people have gotten tired of all this," he explains, "and have sold their houses back to R&B and moved out. Now R&B is advertising these homes at greatly reduced prices, which is a defamation of value of our homes.

"New homes are being marketed at \$600,000-\$700,000, while these recently vacated homes are being offered 'as is' for \$349,000 - \$399,000."

"R&B is taking advantage of good-hearted people who are living out here," he summed up. "People want to believe the best about them. That's why it has taken so long for us to organize and go for the lawsuit."

The lawsuits are being filed in Sacramento Superior Court. Investigation will begin with a review of the soils recommendations and the specific repairs attempted by Reynen and Bardis.

Reynen and Bardis is a substantial northern California homebuilder with operations also in Nevada.

Specializing in construction defect litigation, Anderson & Kriger has six offices in California, including Sacramento. Call Brenda Graham, legal assistant on this case at (916)569-1940 or (800)365-2075 for more information, or visit the firm's website, www.a-k.com.

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