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**From:** Mary Ann Smith [Ex. 6]  
**Sent:** 6/23/2018 8:03:48 PM  
**To:** Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]  
**Subject:** Texas laws on no license for contractors maybe this is the problem

One of my postings in TABB

Can you imagine all the things other contractors get away with?  
Poor Harvey victims what is going on with PREPS program God only knows what these poor people are living with.

Please help the consumers in Texas.

Can someone please explain why a contractor in the state of Texas is not required to have a license or any kind of background check?

The agent that sells or helps you buy a house does?

The home inspector that inspects your house does?

The appraiser that determines the value of your house does?

All you need in the state of Texas to manage likely the largest investment a family will make is insurance and about a hundred bucks for a permit. It can be a person with no experience and no background check.

He can purchase cheap off-shore insurance and show it to the City to prove insurance, and there aren't any checks and balances to make sure he keeps it in force.

He can refuse to give you a warranty.

He can choose to ignore defects in the home or make excuses.

He can do all this because he knows that by joining the Texas Association of Builders and the National Builders Association, he has bought credibility!

My dog could pay the fees and become a member of these associations, gaining access to their prejudicial contracts where all terms are biased for the builder, not the consumer. They are written by builders and contractors for builders and contractors and are readily accepted by banks and insurance companies and held as the industry standard just like mortgage or real estate documents.

If this isn't enough, once you sign one of these contracts you find out they contain a mandatory arbitration clause.

This means your rights are out the window and you can't sue the builder if you are defrauded. Instead, you must take the builder to arbitration where the excessive costs are not disclosed and you pay upfront - first a filing fee, then more to administer the case, then the arbitrator, then the experts - oh, and then your lawyers fees which can run more than just repairing the damages out of your own pocket. Plus, unlike lawsuits which are public, Arbitration is confidential and you have no way to track other disputes.

But the best one of all is that Texas is the only state that gives a builder a constitutional right to file a lien on your property if you have dispute and hold out money that is not owed. The builder does not have to prove he is owed you must spend money proving you don't!

So the builder has you hostage - either way you must make a business decision and you lose either way. Even if you are one of the few that gets a judgement, he will just file for bankruptcy and you get zero - and then he goes down the street with a new name to do it all over again.

PLEASE - LAWMAKERS IN AUSTIN - EXPLAIN THIS TO ME?

Some information you might not know about Construction Arbitration and the AAA

Visit TABB- FB page  
TEXAS ALLOWS BAD BUILDERS

Mary Ann K Smith

