

Home Inspector 6 North Yard Grade / East French Drain

The Pre-Sale Home Inspectors omitted 8 to 10 facts that indicated there had been and possibly still were major property drainage and water management issues.

The seller skipped that question on one of his statutory disclosure documents for property drainage, he failed to sign another where the Agent hinted at it, and then he held those back until AFTER forming a contract. When asked directly, the Seller declared "new to me"...



The yard became a swamp when it rained.

Nothing on home settling issues, property drainage issues, septic line issues, basement water intrusion issues -- When we purchased the house we knew it was old, but did our best to make it our own. We didn't notice settling while we were there except for the crack in the pool house floor which was present when we bought the house, and which we put a rug over and ignored because we didn't have the money to repair. Property drainage issues are new to me, and I don't know what to say about it, other than thank you for your discovery, I don't know what if anything can be repaired or what the repair would cost. As for the septic line issues, we never had any problems with the septic system. The plumbing we had problems with and fixed as required, (see all provided documentation on the subject.). As for basement water intrusion issues, I don't know what you are talking about as the property has no basement.

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North Yard Grade & East French Drain - \$6,500

Fraudulent Misrepresentation / Disclosure Omissions and Damages

\$6,500 - One overarching theme of the pre-sale home inspectors entire report was to omit, suppress, conceal water management issues, anywhere they were found on the property. That then aligned with disclosure omissions of the seller, although those could not be identified until AFTER forming a contract, because he held back his disclosure documents in manner that voided his protection from fraudulent misrepresentation.

North Yard

1. HI 4 calls out 4 water management details the Seller's Home Inspector omitted in the crawl space
 - a. Omitted 12" high water mater on post and piers with dry rot damage.
 - b. Omitted high water mark around entire foundation wall
 - c. Omitted water intrusion markes from ground level vent
 - d. Omitted engineered drain system with no known outlet.
2. HI 5 calls out concrete seizing in the front porch related to water management
3. The Complaint itself calls numerous other report omissions related to splashblock reporting and slab drain reporting that was errant and absent.
4. The Complaint itself notes the retaining wall in the north yard was in fact structurally defective and that was not called out.
5. The Seller's 2015 report specifically called out concerns with the beds against the wall which did turn out to be problematic.

East Side French Drain

As for the East side french drain collapse, mentioned second in this document, given it was raining the day the Inspectors were here, and they took photos all around the pool house and of the retaining wall, that problem would have been directly visible to them then.

Problem 1 - North Yard

Buyer Discovery of Concerns in Escrow via Crawl / Home Inspections - page 38/2 and 94

When the buyers crawled in the crawl space, they were shocked by the prior moisture conditions, structural damage and an engineered drain system, none of which was disclosed by the seller's pre-sale home inspector, the sellers' presale termite inspector, the Seller nor the Seller's Agent

For introduction to this see first:

1. 1st Amended Complaint against Vierra's
2. HI 4 - crawl Defects
3. HI 5 - concrete seizing defects. ,

Paul Murrer

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Murrer Certified Inspections

Bryan Canary

12 Bayview Road, Castroville, CA

Crawlspace/Basement

1. Access

Materials: Exterior access noted.

Observations:

- Entrance is in serviceable condition.



2. Floor Condition

Observations:

- **Areas of water migration noted. Indicated by areas of pooling and soil erosion noted. Recommend full review of building grading to direct water away from the foundation. Particularly at the foundation vents in the back of the building.**

Paul Murrer

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Murrer Certified Inspections

Bryan Canary

12 Bayview Road, Castroville, CA

Page 33 Item: 11	Electrical	• Extension cord should not be used as a permanent power supply. Recommend review by a licensed electrician. • Reversed polarity, hot and neutral reversed and other terms used for electric receptacles. When these conditions are noted in this report, a licensed electrician should be consulted for repairs/replacement as needed to ensure safety. • Light fixtures are missing covers.
Page 34 Item: 12	GFCI	• No GFCI protection present. Recommend installing GFCI protected receptacles for safety.
Page 34 Item: 14	Ductwork	• Detached insulation on ducting noted. • Some duct areas were in contact with concrete. Recommend monitoring for deterioration.
<i>Crawlspace/Basement</i>		
Page 38 Item: 2	Floor Condition	• Areas of water migration noted. Indicated by areas of pooling and soil erosion noted. Recommend full review of building grading to direct water away from the foundation. Particularly at the foundation vents in the back of the building.

Buyer Discovery of Defects during 1st rainy season

Porch Flooding - photo from front door

Photo below is taken from the front door looking towards the north yard. That circled item is standing water and that is where the seized concrete is. Based on his statement of no knowledge, we are to presume he nor any of his family of 5 ever went in or out the door during a rain

NOTE: They had a dog , which they did not disclose, that would need to go out, even when raining. Or they just let him pee and defecate indoors.



Porch Flooding - other photos

The gutter comes down to the ground and there is no water management system for that water. It just dumps into the yard and the yard grade falls towards the home.

His job as a seller was to disclose problems.

My job as a buyer was to ask questions.

When his answers are illogical, I had to accept them at face value and presume my logic was wrong. For all I knew, there was some type of french drain system installed that prevented this. It turns out, there was not.



Not only is this a standing water problem, but this represents one source of crawl space water entry.

Photos from Northwest Corner - showing “garden box” problem described by 2015 inspector

As indicated prior, the entire yard sloped towards the home. It would have been shocking if there wasn't standing water by the home.



The side yard...



The side yard... 12/27/2021

Photos from Living Room

Photo below is of the north yard, taken from the dining room window during the rainy season in late 2021.

The seller stated he was not aware of grade problems. For that to be true, neither he nor any of his family of 5 could have ever looked outside during a heavy rain.



Buyer fixes the side yard with French Drains (photos)



Trench drains are being installed. They are being tied into the existing drain system for the rear gutters and the crawl space flood management system.

Ref: December 31 - January 11 2022



Seller and Seller's Agent Failure to Disclose

2015 Report - pg 12 - explicitly called out most soil in the crawl attributable to roof and lot drainage - with planter boxes explicitly identified (but he did NOT present this report for Disclosure)

The Seller's 2015 Home Inspection revealed he was informed of these matters in 2015. This report was NOT provided to Buyers as part of bid consideration. It was obtained via a document demand.

	(831) 335-2090 (408) 512-2090	12 Bayview Rd., Castroville, CA Page 12 of 38
		Exterior
DESCRIPTION OF EXTERIOR		
Surface Drainage:	•Sloped	
Entry Driveways:	•Asphalt	
Entry Walkways And Patios:	•Concrete	
Wall Covering:	•Wood Siding •Brick Veneer	
Exterior Doors:	•Solid Wood •Solid Wood w/Glass Panels •Sliding Glass	
Window Type(s) & Glazing:	•Exposed Aluminum •Vinyl Frame	
Retaining Walls:	•Concrete	
Overhead Garage Door(s):	•Aluminum	
EXTERIOR OBSERVATIONS & RECOMMENDATIONS		
General Comments On The Exterior <i>The exterior components include grading, drainage, driveways, walkways, patios, porches, decks and retaining walls connected to or directly adjacent to the structure, finished surfaces and siding, windows, doors, flashing, trim, fascia, eaves and soffits. These items are visually examined for proper function, excessive or unusual wear and general state of repair. The exterior of the home is generally in acceptable condition, showing signs of normal wear and tear for a home of this age. However, we suggest attention to the items noted in this section.</i>		
Lot Drainage		
• Monitor: There are planter boxes adjacent to the foundation of the dwelling. These "boxes" are potential reservoirs with no apparent source of drainage. This configuration promotes water accumulation near the building, which could result in water penetration into the basement or crawl space. We advise minimizing irrigation in these areas as well as reconfiguring any downspouts as necessary to ensure that roof runoff does not run into these boxes.		

The "planter boxes" referenced are not literally boxes.

It was an area about 6' wide that ran the entire length of the north wall (see image to right)

There was also an area about 4' wide that ran about 30' along the east wall.

Photos of the flooding reveal the concerns expressed even in 2015.



2015 Report - pg 7 - explicitly called out most soil in the crawl attributable to roof and lot drainage - with planter boxes explicitly identified (but he did NOT present this report for Disclosure)

Crawl Space Moisture

- **Improve:** There is moist soil in the crawl space. This condition may vary seasonally and/or with precipitation intensity. Roof and lot drainage repairs or improvements should be addressed to control water in the crawl space (see "Exterior").

This confidential report is prepared exclusively for Micah Forstein
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12 Bayview Rd., Castroville, CA Page 8 of 38

Foundation Slab

Finishes virtually concealed all floor surfaces. Therefore, the floor slab was considered mostly inaccessible and could not be thoroughly inspected. However, no signs of significant settlement or related interior cracking was observed to suggest any need for immediate attention.

TDS Page 2 - item B - Are you seller aware of any significant defects: foundations - sidewalks

The Seller was aware of moisture in the foundation from his 2015 report and a 6x12 section of the front patio had seized / heaved due to erosion issues, yet nothing was checked for foundation or sidewalks, both of which were related to grade issues.

Property Address: <u>12 Bayview Rd, Castroville, CA 95012-9725</u>	Date: <u>March 16, 2021</u>
B. Are you (Seller) aware of any significant defects/malfunctions in any of the following? ☒ Yes ☐ No. If yes, check appropriate space(s) below.	
☐ Interior Walls ☐ Ceilings ☒ Floors ☐ Exterior Walls ☒ Insulation ☐ Roof(s) ☒ Windows ☐ Doors ☐ Foundation ☐ Slab(s)	
☐ Driveways ☒ Sidewalks ☐ Walls/Fences ☒ Electrical Systems ☐ Plumbing/Sewers/Septics ☒ Other Structural Components	
(Describe: <u>upstairs windows might leak a little during heavy rain. Insulation under structure detached</u>)	
If any of the above is checked, explain. (Attach additional sheets if necessary.): <u>minor water damage in dining room floor</u> <u>Solar panels in need of regular maintenance. Power Max is 536kw/Month in last 6 months.</u> <u>Cracking in cement in Pool house and around pool. Sheds and Water House in need of work.</u>	

TDS Page 3 - Agent - Additional Items to Disclose

Sellers Agent failed to disclose additional information he was or should have been aware of given a 10 month property management responsibility and construction oversight responsibility, including the work to close up that closet ceiling and creation of the access opening.

Property Address: [REDACTED] Red, Castroville, CA 95012-9725 Date: March 18, 2021
Seller certifies this information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.
Seller [REDACTED] Date 3/18/2021
Seller [REDACTED] Date [REDACTED]

III. AGENT'S INSPECTION DISCLOSURE
(To be completed only if the Seller is represented by an agent in this transaction.)
THE UNDERSIGNED, BASED ON THE ABOVE INQUIRY OF THE SELLER(S) AS TO THE CONDITION OF THE PROPERTY AND BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY IN CONJUNCTION WITH THAT INQUIRY, STATES THE FOLLOWING:
☒ See attached Agent Visual Inspection Disclosure (AVID Form)
☐ Agent notes no items for disclosure.
☒ Agent notes the following items: [REDACTED]

Agent (Broker Representing Seller) KW Coastal Estates (Please Print) By [REDACTED] (Associate Licensee or Broker Signature) Date 3/18/2021

IV. AGENT'S INSPECTION DISCLOSURE
(To be completed only if the agent who has obtained the offer is other than the agent above.)
THE UNDERSIGNED, BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY, STATES THE FOLLOWING:
☒ See attached Agent Visual Inspection Disclosure (AVID Form)
☐ Agent notes no items for disclosure.
☐ Agent notes the following items: [REDACTED]

Agent (Broker Obtaining the Offer) [REDACTED] By [REDACTED] (Associate Licensee or Broker Signature) Date 4/1/2021

V. BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.
I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.
Seller [REDACTED] Date [REDACTED] Buyer [REDACTED] Date [REDACTED]
Seller [REDACTED] Date [REDACTED] Buyer [REDACTED] Date [REDACTED]
Agent (Broker Representing Seller) KW Coastal Estates (Please Print) By [REDACTED] (Associate Licensee or Broker Signature) Date [REDACTED]
Agent (Broker Obtaining the Offer) [REDACTED] (Please Print) By [REDACTED] (Associate Licensee or Broker Signature) Date [REDACTED]

SECTION 1102.3 OF THE CIVIL CODE PROVIDES A BUYER WITH THE RIGHT TO RESCIND A PURCHASE CONTRACT FOR AT LEAST THREE DAYS AFTER THE DELIVERY OF THIS DISCLOSURE IF DELIVERY OCCURS AFTER THE SIGNING OF AN OFFER TO PURCHASE. IF YOU WISH TO RESCIND THE CONTRACT, YOU MUST ACT WITHIN THE PRESCRIBED PERIOD.
A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE, CONSULT YOUR ATTORNEY.

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TDS REVISED 6/20 (PAGE 3 OF 3)
REAL ESTATE TRANSFER DISCLOSURE STATEMENT (TDS PAGE 3 OF 3)
Produced with Lave Wolf Transactions (pdfForm Editor) 231 Shearson Dr. Cambridge, Ontario, Canada N1T 1J6 www.lwf.com 12 Boardwalk

SPQ Page 2 - Item 9 - Are you seller aware of Water-Related and Mold issues

Seller indicated there were water issues but then only referenced an appliance leak, when his 2015 inspector told him of major issues, his Seller's Agent had noted a problem in the north side yard, the small retaining wall in the north yard was broke, and his neighbor knew there had been major water management concerns for many years.

9. WATER-RELATED AND MOLD ISSUES:	ARE YOU (SELLER) AWARE OF...
A. Water intrusion into any part of any physical structure on the Property; leaks from or in any appliance, pipe, slab or roof; standing water, drainage, flooding, underground water, moisture, water-related soil settling or slippage, on or affecting the Property	☒ Yes ☐ No
B. Any problem with or infestation of mold, mildew, fungus or spores, past or present, on or affecting the Property	☐ Yes ☐ No
C. Rivers, streams, flood channels, underground springs, high water table, floods, or tides, on or affecting the Property or neighborhood	☐ Yes ☐ No
Explanation: <u>prior fridge icemaker leak caused discoloring in dining room doorway.</u>	

SPQ Page 4 - Item 17A - List of reports for representation - 2015 report not noted nor provided

The seller indicates he is going to provide reports for representation.

The 2015 inspection report not noted or provided.

NOTE: this document was signed 3/18/2021. That was two days after the MLS listing went live and 2 weeks prior to forming a contract with buyers.

17. OTHER:	ARE YOU (SELLER) AWARE OF...
A. Reports, inspections, disclosures, warranties, maintenance recommendations, estimates, studies, surveys or other documents, pertaining to (i) the condition or repair of the Property or any improvement on this Property in the past, now or proposed; or (ii) easements, encroachments or boundary disputes affecting the Property whether oral or in writing and whether or not provided to the Seller	☒ Yes ☐ No
(If yes, provide any such documents in your possession to Buyer.)	
B. Any occupant of the Property smoking any substance on or in the Property	☐ Yes ☒ No
C. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer	☐ Yes ☒ No
Explanation: <u>Well/water reports, septic provided, pest report</u>	
18. ☒ (IF CHECKED) ADDITIONAL COMMENTS: The attached addendum contains an explanation or additional comments in response to specific questions answered "yes" above. Refer to line and question number in explanation. Seller represents that Seller has provided the answers and, if any, explanations and comments on this form and any attached addenda and that such information is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller acknowledges (i) Seller's obligation to disclose information requested by this form is independent from any duty of disclosure that a real estate licensee may have in this transaction; and (ii) nothing that any such real estate licensee does or says to Seller relieves Seller from his/her own duty of disclosure.	
Seller <u>Micah A. Forstein</u>	Date <u>3/18/2021</u>

SPQ Page 4 - Item 17C - Material facts or defects affecting property not otherwise disclosed to Buyer

17. OTHER: **ARE YOU (SELLER) AWARE OF...**

A. Reports, inspections, disclosures, warranties, maintenance recommendations, estimates, studies, surveys or other documents, pertaining to (i) the condition or repair of the Property or any improvement on this Property in the past, now or proposed; or (ii) easements, encroachments or boundary disputes affecting the Property whether oral or in writing and whether or not provided to the Seller ☒ Yes ☐ No
(If yes, provide any such documents in your possession to Buyer.)

B. Any occupant of the Property smoking any substance on or in the Property ☐ Yes ☒ No

C. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer ☐ Yes ☒ No

Explanation: Well/water reports, septic provided, pest report

18. ☒ (IF CHECKED) **ADDITIONAL COMMENTS:** The attached addendum contains an explanation or additional comments in response to specific questions answered "yes" above. Refer to line and question number in explanation.

Seller represents that Seller has provided the answers and, if any, explanations and comments on this form and any attached addenda and that such information is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller acknowledges (i) Seller's obligation to disclose information requested by this form is independent from any duty of disclosure that a real estate licensee may have in this transaction; and (ii) nothing that any such real estate licensee does or says to Seller relieves Seller from his/her own duty of disclosure.

Seller Mark A. Forstein Date 3/18/2021

SPQ Page 1 - Item 5J - Material facts or defects affecting property not otherwise disclosed to Buyer

The seller indicates yes, but does not address the rodent invasion, related damage, or the health and safety defect. .

5. STATUTORILY OR CONTRACTUALLY REQUIRED OR RELATED: **ARE YOU (SELLER) AWARE OF...**

A. Within the last 3 years, the death of an occupant of the Property upon the Property ☐ Yes ☒ No

B. An Order from a government health official identifying the Property as being contaminated by methamphetamine. (If yes, attach a copy of the Order.) ☐ Yes ☒ No

C. The release of an illegal controlled substance on or beneath the Property ☐ Yes ☒ No

D. Whether the Property is located in or adjacent to an "industrial use" zone ☐ Yes ☒ No
(In general, a zone or district allowing manufacturing, commercial or airport uses.)

E. Whether the Property is affected by a nuisance created by an "industrial use" zone ☐ Yes ☒ No

F. Whether the Property is located within 1 mile of a former federal or state ordnance location ☐ Yes ☒ No
(In general, an area once used for military training purposes that may contain potentially explosive munitions.)

G. Whether the Property is a condominium or located in a planned unit development or other common interest subdivision ☐ Yes ☒ No

H. Insurance claims affecting the Property within the past 5 years ☒ Yes ☐ No

I. Matters affecting title of the Property ☐ Yes ☒ No

J. Material facts or defects affecting the Property not otherwise disclosed to Buyer ☒ Yes ☐ No

K. Plumbing fixtures on the Property that are non-compliant plumbing fixtures as defined by Civil Code Section 1101.3 ☐ Yes ☐ No

Explanation, or ☒ (if checked) see attached; storm Damage of old fence now replaced. Best Internet 300Mbps
Through Comcast Cable.

Buyer's Initials BC AB Seller's Initials MF

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SPQ REVISED 6/18 (PAGE 1 OF 4)

SELLER PROPERTY QUESTIONNAIRE (SPQ PAGE 1 OF 4)

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Tracy Travaile Produced with Lone Wolf Transactions (zipForm Edition) 231 Shearson Cr. Cambridge, Ontario, Canada N1T 1J5 www.lwof.com

2021 Seller Statement - “not aware of or party to any drainage issues with the foundation”

During a document demand the seller was asked about his knowledge of crawl space / foundation flooding.

He declared he was not aware of or any party to any drainage issues with the foundation. Based on two different reports he paid for, he did or should have known there was issues, making this a fully fraudulent statement of fact.

me until after we left and [redacted] started to work to repair the property. I was not aware of or party to any drainage issues with the foundation, and neither was [redacted] (son of the former owner, who did not live in the house until [redacted] up in [redacted]).

Seller's AVID - Page 3 - Exterior Building and yard - Front/Sides/Back - nothing noted

Exterior Building and Yard - Front/Sides/Back:	CRACKS, STAINS IN CONCRETE
--	----------------------------

Seller's AVID - Page 3 - Other Conditions - almost illegible...

Exterior Building and Yard - Front/Sides/Back:	CRACKS, STAINS IN CONCRETE
Other Observed or Known Conditions Not Specified Above:	LEFT SIDE OF WALK MUSHY, UNEVEN LAWN / DIRT IN SIDE YARD - WATCH YOUR STEP NEIGHBOR STATED THAT PREVIOUS OWNER HAD DRAINAGE ISSUES HERE
This disclosure is based on a reasonably competent and diligent visual inspection of reasonably and normally accessible areas of the Property on the date specified above.	
Real Estate Broker (Firm who performed the inspection)	KW COASTAL ESTATES
By	Date 3-18-2021
(Signature of Associate Licensee or Broker who performed the inspection)	
Reminder: Not all defects are observable by a real estate licensee conducting an inspection. The inspection does not include testing of any system or component. Real Estate Licensees are not home inspectors or contractors. BUYER SHOULD OBTAIN ADVICE ABOUT AND INSPECTIONS OF THE PROPERTY FROM OTHER APPROPRIATE PROFESSIONALS. IF BUYER FAILS TO DO SO, BUYER IS ACTING AGAINST THE ADVICE OF BROKER.	

Delay in Property Listing to Avoid Rainy Season

During document demands in escrow it was discovered that the majority of work done to fix up the home was completed by November 2020 yet the home was not listed for sale until March 2021.

In retrospect, it seems clear the delay was to avoid the disclosure of water and heating system related problems. The photos provided below help with this understanding.

Seller Statement in Escrow - "Property drainage issues are new to me"

Nothing on home settling issues, property drainage issues, septic line issues, basement water intrusion issues -- When we purchased the house we knew it was old, but did our best to make it our own. We didn't notice settling while we were there except for the crack in the pool house floor which was present when we bought the house, and which we put a rug over and ignored because we didn't have the money to repair. Property drainage issues are new to me, and I don't know what to say about it, other than thank you for your discovery, I don't know what if anything can be repaired or what the repair would cost. As for the septic line issues, we never had any problems with the septic system. The plumbing we had problems with and fixed as required, (see all provided documentation on the subject.). As for basement water intrusion issues, I don't know what you are talking about as the property has no basement.

Obvious and longstanding issues on the front porch proved out first rainy season. The yard too...



Seller's Pre-sale Home inspector - Failure to Identify and Disclose

Vierra Report - Pg 24 item 6 - Site Drainage - Generic Statement with no details

This inspector includes a "generic statement" about property grades and he suggests looking into "any current drainage systems or areas of past moisture" -- as if he is giving instructions to an inspector of what to look for or do -- not what he saw....

6. Site Drainage

Attention - location

Due to the fact that the property is on a sloped grade, water intrusion under and/or against the structure is common without proper grading and drainage. Further investigations may be needed into the prevention of water penetration under the structure. We suggest you monitor the areas around the home for ponding water under or near the structure. We recommend investigation into any current drainage systems or areas of past moisture intrusion or ponding. For modifications or evaluation, contact an appropriate trade.

7. Evidence of Erosion

Client/Site: Micah Forstein 12 Bayview Rd, Castroville, CA 95012 Workorder #: 14898375
RLV Inspection Services dba WIN Home Inspection Monterey (831) 637-2194
WINspect v2.2.981 © 2021 WIN Home Inspection

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Someone reading this would have know idea if this was just a generic warning they put on all homes with some slope on the property or if it was a result of very specific facts and details found during the inspection, as was fare more clear with the other inspectors.

Vierra Report - Pg 18 item 33 - Crawl Moisture - a photo outside the crawl space

33. Raised Foundation - Moisture/Dampness

Attention - dampness

There is dampness and moisture under this structure which requires further attention. Moisture under the structure should be eliminated, or minimized, to prevent various long term health and/or structure related issues. We suggest you ask the owner as to their knowledge of any standing water under the home. For further information on remedies for this issue, we suggest you contact an appropriate trade that specializes in water drainage.



Vierra Report - Pg 25 item 10 - Retaining Wall - "Functional"

10. Retaining wall(s)

25

Functional

There is a retaining wall at the property which appears to be in functional condition. Determining the structural integrity of the wall is not within the scope of this inspection. We recommend you contact an appropriate trade for further evaluation if concerned.



Photo take 1/28/2022

Discovery - DSCF4025 / VIE 000078

This is a photo of the crawl that shows a flood line in the crawl that was not reported on or provided in the report.



Problem 2 - East Property French Drain Collapsed

Given it was moist and raining on the day of the inspection, this problem would have been evident.

Photos of Problem



There is a french drain that runs along the west boundary of the property. The drain was blocked by collapse under a garden bed.

The seller used that building in the top of the photo as his office. Seeing this problem out those windows would have been easy.



The water flooded the bottom step area and the yard. The photos are not a good way to share this defect. Videos convey it better. It as a major defect.

The Seller's Agent took possession of the property during August and maintained it through March. This flooding is right on top of the septic system and would have been seen and/or evident during that home management process.



Ref 12/27/2021

Photos of Fix



Ref 9/4/2022



Quote for Repairs

Contractor 1 - \$10,000

Bradford Terry is Contractor 1

<https://home-Purchase-2021.bryancanary.com>
<https://inspector-complaints-2023.bryancanary.com>

Estimate for Repairs - Home Inspector Related Omissions / Frauds

HI 6 - North Yard Grade Issues - East French Drain

The north yard had grade issues. Water from the yard above fed down the bank and through a retaining wall. It accumulates there and then flows towards the home along with all other water that accumulates in the yard.

There was a french drain about 42" below the grade that was designed to remove the gutter run off to the road. It seems to have been installed after the home was built and as a result of severe flooding in the crawl.

The easiest solution is to install two different branches of a french drain about 12" below grade and then terminate them over top of the existing drain system that is 42" below grade with an open tank to monitor flow.

Description of Work	Price	
North Yard Grade - Branch 1 - Install 40' of french drain in the yard and feed it into the french drain for the gutter system. Manually regrade yard some to assist with proper flow to drain. Branch 2 - Install 25' of french drain close to home and feed it into the french drain for the gutter system. Install pit to monitor the union of the two with the lower drain to ensure proper flow. Haul off trash and debris East French Drain Excavate and remove 15' of collapsed drain Install new drain and divert under stairs Refill Soil Haul off trash and debris. NOTE: I initially quoted \$6,500 for this work.	\$10,000.	
Total	\$16,000.	

Date 5/15/24

Contractor Name Bradford Terry

Company Name u

Contractor License 920571

Contractor Signature Brad Terry

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Contractor 2 - \$6,500

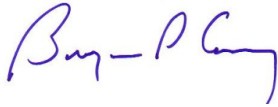
Plaintiff is a Contractor as well. . Plaintiffs provide \$6,500 estimate. Defendants are welcome to seek out their own quotes.

Revisions

11/18/2024 - added Vierra photos, vierra email content, carriaga email content, painter bond co investigation comments, TDS and SPQ refs for Seller and Seller's Agent, rearranged information

Verification

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct as of the last revision date or other date noted below.



Plaintiff

Date as of last revision date



Plaintiff

Date: as of last revision date