

BUILDING HOMES
BUILDING PROBLEMS



BOBBY COKER/ORLANDO SENTINEL

Hands-on. Seminole County building inspector Terry Scott checks the concrete shell of a home going up last week in Heathrow. In Seminole, 1 in 4 inspections gets a 'red tag' signifying the work was not good enough.

PART 6

Code, inspections let flaws through

Florida law just addresses houses' structural integrity

By DAN TRACY
SENTINEL STAFF WRITER

Whenever the rain falls on Mari-bel Hefeli's two-story house in southeast Orange County, she can see right through the stucco and trace the outline of every concrete block in the walls.

Once inside her \$175,000 home, she can't use the handrail up the stairs because it is so loose it might pull out of the wall. Some of the baseboards are peeling away. In the kitchen, there's a growing gap between the counter and the wall. And the smoke detectors tend to fall from their mounts on the ceiling.

"How can something like this pass?" asked Hefeli, who moved into her home just before Christmas 2001.

Actually, none of the problems in Hefeli's Centex-built home violates any part of the Florida building code, which sets minimum standards for the structural systems and materials

that go into a house. Hefeli's issues fall into the categories of craftsmanship and aesthetics, neither of which is covered by the code.

"Those are not the type of things we look at," acknowledged Bob Olin, Orange County's acting chief building official.

In fact, a yearlong investigation of new-home construction in Central Florida by the *Orlando Sentinel* and WESH-NewsChannel 2 found that the state building code — and the often-overworked, sometimes-careless local inspectors who enforce it — offers little or no assurance that a buyer will move into a well-built, fault-free home.

The bottom line: Building inspectors look out for the structural integrity of a house — but no one really is checking the quality of the construction.

"Caveat emptor [buyer beware] is the rule," said Paul Wean, an Orlando attorney specializing in real estate.

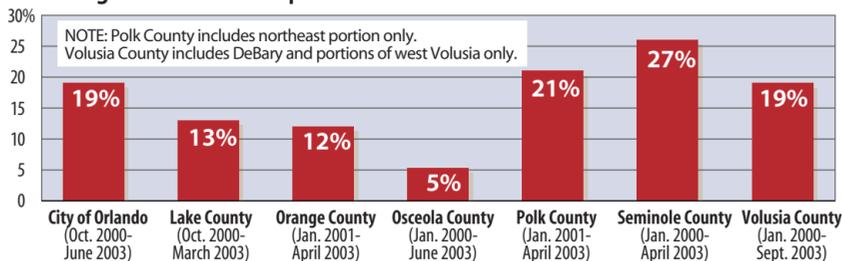
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RESIDENTIAL INSPECTIONS

Though all county inspectors enforce the same statewide building code, failure rates vary from county to county.

SOURCES: Individual counties/cities

Percentage of residential inspections that failed



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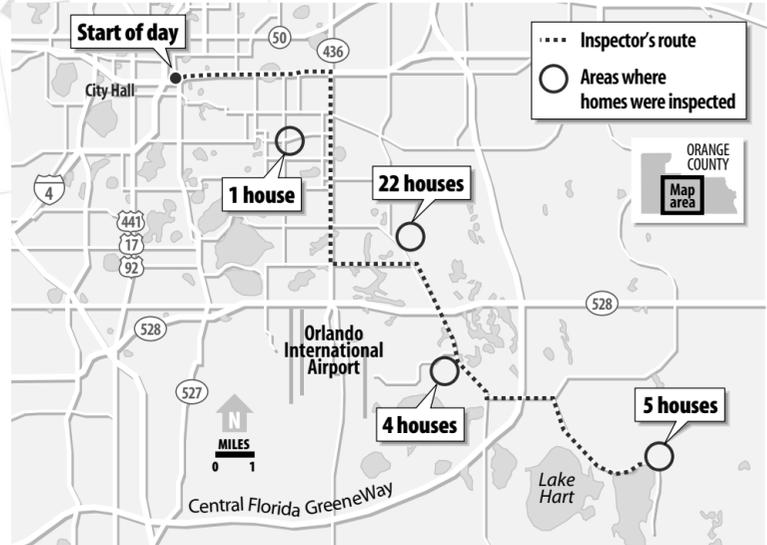
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BUILDING HOMES BUILDING PROBLEMS

A day in the life of a residential building inspector

Experts say that for home-building inspectors, 16 to 20 inspections are considered a full day. On June 7, 2002, an Orlando building inspector completed 36 inspections at 32 separate houses during an 8-hour shift. Driving his route — a round trip of at least 45 miles — took a reporter 2 hours and 20 minutes to complete. Here's the breakdown of this inspector's day.

- Total miles traveled:**
At least 45 miles
- Total homes inspected:**
36 inspections at 32 houses
- Inspections included:**
4 for framing
10 for final walk-throughs
6 wall lintels
5 stucco
2 footers
- Average time per inspection:**
(Does not include travel time or breaks)
9.4 minutes
- Normal time supposed to be spent on each inspection:**
Framing: **30 minutes**
Final walk-through: **30 minutes**
Stucco, lintels: **15 minutes**
Footer: **10 minutes**



SOURCE: Sentinel research

ORLANDO SENTINEL

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Inspectors check as many as 40 homes a day

From page 29

The *Sentinel* and WESH also discovered:

- Significant differences in the way the code is enforced by the major jurisdictions in Central Florida. Though the code is part of state law, it's enforced by inspectors working for counties or cities.

Lake County, for example, employs a building official who passes more than 99 percent of his inspections. The entire Osceola County Building Department, on average, passes almost 95 percent of its inspections.

By contrast, one in four inspections in Seminole County ends up with a so-called red tag signifying the work was not good enough. One Seminole building official flunks more than half of his inspections.

- Building officials are overburdened, on occasion conducting 40 inspections a day or more. That is at least twice what is considered by experts to be a reasonable daily workload.

With too much to do and too little time to do it, inspectors can — and do — miss code violations. A *Sentinel*-WESH inspection of

They are, they maintain, a set of independent eyes, charged by law to ensure that the walls are sturdy enough so the house won't fall down, that the wiring won't short-circuit and cause a fire, that the roof will stay on in high winds.

"What we are looking to do is get the house built right," said Olin of Orange County.

Some aren't so sure.

"If it meets the letter of the code, it could still be almost falling down," said Kelvin Eder, a private house inspector and builder.

Inspection philosophy varies

The major governments in the region operate under different inspection philosophies — and it shows in the pass/fail rates logged by their employees.

A review of records from 2000 to this June in six counties revealed that Seminole flunked the most inspections, at 27 percent; followed by Polk at 21 percent; Orlando and Volusia at 19 percent; Lake, at 13 percent; Orange, at 12 percent; and Osceola, at less than 6 percent.

In Lake, Orange, Volusia and Osceola counties, according to officials in each, the inspectors try to "get along" and cooperate with the builders, particularly when there is a dispute over a construction issue.

95% The approval rate for inspections by Osceola County's Building Department since 2000.

406 Central Florida homes built in 2001 turned up 132 apparent violations of the state's building code — the most common being stoves not attached to the walls.

It's possible more were missed. Many areas checked by building officials could not be scrutinized by the *Sentinel*/WESH inspectors because they were covered by concrete, drywall and insulation.

- Houses "built to code" — with no evident infractions — are still likely to have fit-and-finish flaws.

The most common faults found by *Sentinel*/WESH inspectors — leaky windows and roofs; mold; rooms that can't be adequately heated or cooled; cracks in floors and walls — are not covered by the code, which sets only minimum standards. As a result, building inspectors ignore them.

Said Bill Lang, a custom builder who works mostly in Lake County, "They [the inspectors] have nothing to say about workmanship. They have no say. I wish they could."

Building codes' long history

Building regulations go as far back as the time of Hammurabi, about 1800 B.C. Then, as now, they dealt mainly with minimum standards, emphasizing structure and safety concerns.

The stakes were a little higher then. If a house was so poorly built that it fell down and killed the owner's son, the builder's son was put to death.

Boston was one of the first American cities to adopt a code, outlawing in 1630 thatch roof coverings and chimneys made with wood. And as codes developed in America, they focused primarily on safety and structural integrity.

The code sets minimum standards for everything from air-conditioning ductwork to the amount of reinforcement in a foundation pad; the thickness of wood on the roof; and the amount of insulation in the attic. There are literally thousands of standards — often spelled out in enormous detail.

Consider how precisely the Florida Building Code specifies how to test a window's ability to withstand hurricane-force winds. "In the case of windows, the doors, and sliding glass doors," the code says, "a pressure-treated nominal 2-x-4 wood buck #3 Southern Pine shall be used for attachment of the specimen to the test frame/stand/chamber."

But the code says nothing about how well — or badly — all those elements come together. It doesn't require that openings for windows be square and true — and properly caulked so they don't leak. It doesn't require that all ducts provide consistent airflow, so one room isn't colder or hotter than another. It doesn't set a time requirement for a pad to "cure" (so it won't crack), or mandate that sheeting on a roof lie flat and level so the shingle line won't be "wavy."

Dale Greiner, Lake County's director of building services and a member of the Florida Building Commission that oversees the code, bluntly sums up the code's standards: "To be perfectly honest, it's the cheapest way to build a box."

Still, building officials say their role is critical because their bottom line is the safety and structural integrity of the house.

Inspectors might not flunk an inspection when there is a problem, choosing instead to come back another day during a different check to see whether the original error was corrected. Only if the problem persists is it noted and a reinspection fee charged.

Ken Scheitler, Lake's chief building official, said being amiable is the most practical approach, because it is impossible to watch everything a builder does at every single house.

"There has to be some kind of trust," he said.

Added Olin of Orange County: "Some guys are going to not pass [an inspection] because that's the way they are. They take pleasure in turning someone down. What we are trying to do is get the house built right."

Osceola's chief building official, Jeff DeBoer, said he counsels his inspectors to "build a relationship with the contractor . . . their superintendent and representatives."

But disgruntled homeowners say a "work with the builder" approach encourages inspectors to get too cozy with construction superintendents, resulting in approval of slipshod construction.

That's why other counties say they go by the book, not the builder.

"We're strict, but we're fair and reasonable," said Larry Goldman, Seminole's chief building official. "When the big hurricane hits, we still want our homes to be standing in Seminole County."

Seminole, Polk and Orlando officials say they track their pass/fail rates because they think they are an important barometer of how effectively their inspectors are performing. They said they do not have a pre-set goal for rejection rates.

Goldman, though, said he would be worried if one of his in-

70,000 The approximate number of inspections by Orlando's 31 building inspectors in the past year.

spectors passed more than 99 percent of his building checks — as has happened in Lake — and likely would go out with him to make sure he was doing his job correctly. Goldman said he recently fired one inspector for consistently rushing through his inspections.

Approach differs

Inspectors typically visit a house 10 to 15 times during the course of construction. They're supposed to eyeball the materials used and how they were installed. But when they are in a rush, they check paperwork instead.

For example, inspectors often will look at a tag saying insulation was blown into an attic and move on, rather than climbing up and making sure.

In fact, many can't climb up and look — because they don't carry a ladder on the truck. They either inspect roof work, hurricane straps, the tops of block walls and insulation from the ground — sometimes using a mirror mounted on a long pole — or hope the builder has a ladder on site they can borrow.

Some jurisdictions, such as Osceola, don't issue ladders — saying they don't want their inspectors to put themselves in situa-

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BUILDING HOMES BUILDING PROBLEMS



DAN TRACY/ORLANDO SENTINEL

Problem pipe. At a homesite in Orlando's Baldwin Park, a Sentinel reporter found a 6-inch pipe across a trench on one side of the foundation area — a potential code violation because rules say the footers must be clear of debris before cement is poured.

Builders want code kept as it is

tions that could result in a fall or damage to the house.

Some inspectors aren't particularly observant.

In June, Orlando inspector Charles Bargaineer was checking footer setups at a David Weekley homesite in the tony Baldwin Park subdivision. Running across the trench on one side of the foundation area was a 6-inch pipe, left from the days when the land was the site of the Naval Training Center. This was a potential code violation, because the rules say the footers — which will support the weight of the walls and roof — must be clear of debris before cement is poured.

Bargaineer, a 17-year veteran, ignored the pipe and approved the setup. Days later, the *Sentinel* and WESH gave a picture of the pipe to Mike Rhodes, Orlando's chief building official. He suspended Bargaineer for three days without pay.

Both Bargaineer and a representative of Weekley — which subsequently cut out the part of the pipe that intruded into the footer trench — would not comment.

Rhodes said Bargaineer told him he could not recall whether he walked around the entire foundation area before approving the inspection.

"I hope it's an isolated incident. I prefer to leave it at that," Rhodes said.

'Too much territory'

Builders praise government inspectors, saying they work hard to ensure houses are constructed correctly.

"They're knowledgeable, and they're great," said Alex Hannigan, a small custom builder and immediate past president of the Home Builders Association of Metro Orlando.

But Hannigan concedes that the inspectors often are asked to check on too many homes. Area agencies typically promise next-day service once an inspection request is called in. Orlando pledges same-day service if the call comes in before 7 a.m.

Orlando has 31 building inspectors, and they conduct nearly 70,000 inspections a year. The city hasn't added a new inspector in years, although Rhodes said the workload has increased so much that he will seek to hire seven next year.

Orange has 87; Seminole, 25; Osceola, 21; Polk, 20; and Lake, 17. Most have added inspectors in recent years — Osceola picked up 15 during the past five years — to try to keep up with the building boom.

Almost 18,000 homes a year have been built in the region since 2001; about 23,000 will be built this year. That translates into at least 200,000 inspector visits, and as many as 345,000, each year.

Experts say that 16 to 20 inspections are considered a full day's work. But government records show that building officials in metro Orlando conducted at least 21 inspections a day more than 2,900 times since October 2000.

"A lot of compromise comes from having too much territory to cover," said Alan Mooney, president of Criterium Engineers, a private home-inspection service operating in 35 states, including Central Florida.

Some inspections take only minutes — for instance, making sure the sewer line from the house is connected to a septic tank or the wastewater system. The inspector looks into a trench, checking that the pipes are connected and running downhill from the house.

A framing inspection, however, can take far longer. The inspector is supposed to check a variety of elements, including the hurricane straps that attach the roof trusses to the walls of the home, the bracing of the roof trusses and the connection of load-bearing walls to the concrete foundation. That might take 30 minutes for a small, basic production house; a large, custom house with an elaborate roofline could consume three hours, according to Ron Resch, a certified private building inspector and former general contractor who is a paid consultant to the *Sentinel* and WESH.

The *Sentinel* and WESH followed three different inspectors — without their knowledge — for several hours each and never witnessed a check taking more than 30 minutes, including at least three framing inspections on larger homes.

One inspector worked for Orlando and was checking houses at Baldwin Park; the other two were employed by Lake County and were going over homes in the bustling Clermont area.

Chief building officials in Orlando and Lake defended their inspectors, saying they were diligent workers who do their jobs well. As for rushing through their inspections as observed by the *Sentinel* and WESH, Lake's Scheitler said, "That sounds atypical. That doesn't sound like any of my guys."

Said Rhodes of Orlando: "Are we in a hurry to do inspections? Sometimes I think we are."

'You just can't do it'

Reporters also retraced the steps of Orlando building inspector Robert Godin, who completed 36 inspections at 32 separate homes in southeast Orlando during one eight-hour shift June 7, 2002.

His day was chosen because it was not an abnormally high or low schedule for an Orlando inspector.

Godin drove at least 45 miles from City Hall to his inspection sites and back. Driving his likely route, observing posted speed limits, took two hours and 20 minutes.

Among his inspections were 10 final walk-throughs of homes almost ready for occupancy, four framing inspections and checks

of two footers, five stucco and six wall lintels.

Walk-throughs and framing inspections should take a half-hour each. Stucco and lintels should take 15 minutes each, and footers 10 minutes.

Those estimates were made by Resch, who also studied the records of Godin's inspections and rode along during the retracing of his route.

When Resch added up all the inspections, he estimated they should have taken at least 12 to 13 hours. That would include travel, but not a 30-minute lunch break or taking time to talk with builders or workers, which commonly occurs during inspections.

When told Godin's timesheet showed he worked eight hours that day, Resch declared, "You just can't do it [in eight hours]" and do it right.

"The reality of the work is there are days lots of inspections are called in," Rhodes responded. "Clearly, we would prefer not to do that many inspections."

Since taking over this summer, Rhodes is pushing back inspections a day if too many are called in. He could not say why his predecessor did not adopt a similar policy.

Rhodes also ordered the city to resume collecting the \$50 reinspection fee, which is supposed to be charged when an inspector has to go back to make sure a problem he flagged has been corrected. Orlando largely stopped collecting the fee starting in the 1990s. No one — including Rhodes, who took over the department in July — can say why.

All of the other major governments contacted by the *Sentinel* or WESH collect reinspection fees.

After starting up in July, Orlando brought in more than \$105,365 through the end of October. The fee must be paid before a final certificate of occupancy is issued to the builder.

'The quality suffers'

For their part, inspectors say they have a lot to do but shrug off the workload as part of the job. Salaries start in the low \$30,000s and top out in the mid-\$50,000s, depending on expertise and the size of the government.

One of their biggest complaints is that they cannot red-flag a builder for bad craftsmanship, such as too little stucco on the walls or a bad paint job or corners out of square. The problem, they say, is there is too much demand for new homes, causing workers to hurry and turn out a mediocre product.

"When the volume goes up, the quality suffers," said Lake building inspector Larry Schmidt, who flunks more than 22 percent of his inspections.

Builders do not support toughening the code to consider quality, arguing the concept is too subjective an issue.

"That's a slippery slope you go down," said Mike Hickman, president of the Florida Home Builders Association and a custom builder in Lakeland.

Some buyers, he said, may put great value on a square corner, but others might not because they are not willing to pay for it.

Jack Glenn, the association's director of technical services and a code expert, said the builders don't want a building inspector involved in disputes over issues that are too open to the interpretation of individuals.

"There's no way an enforcement official can make those determinations without getting into the middle of a mess," he said.

Instead, he and Hickman insist, "quality" is an issue best defined between the builder and the buyer.

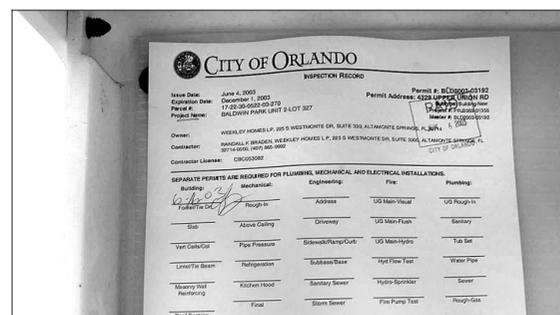
That's of little comfort to Hefeli, a homemaker who moved from Chicago with her family to the Waterford Lakes development because her husband got a new job in the area.

Their Centex house was what's known as a "spec," or one built and completed without a specific owner. Centex declined comment.

When she and her husband first saw the house, she said, it looked fine. Instead of going over it with a critical eye, she said, they were eager — and excited — to move in.

Hefeli said she began to suspect her house wasn't as nice as she thought when the smoke detectors began falling the day they moved in.

"Shouldn't they have standards for this?" she asked.



ROBERTO GONZALEZ/ORLANDO SENTINEL

Signing off. An inspection sheet shows who has looked at a home being built in Orlando. Records from 2000 to June show Orlando inspectors flunked 19% of homes.

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BUILDING HOMES BUILDING PROBLEMS



BOBBY COKER/ORLANDO SENTINEL

Lengthy inspections. Seminole County building inspector Randy Hatch studies a house plan. He fails the work he inspects 54.9% of the time, records show. Recently, Hatch spent more than an hour going over the concrete-block walls of a large custom home north of Sanford before finding a problem and red-tagging, or failing, it.

PART 6

2 inspectors look at job differently

1 often fails work he sees; 1 rarely does

By **DAN TRACY**
SENTINEL STAFF WRITER

Randy Hatch of Seminole County may be the toughest building inspector in Central Florida. Tom Romboli of Lake County could be the easiest.

Their work on two separate September mornings and an analysis of building-inspection records illustrate the point.

Hatch, 48, spent more than an hour going over the concrete-block walls of a large custom home north of Sanford before finding a problem and red-tagging it, or flunking the inspection — something he does 54.9 percent of the time, records show. He had agreed to let *Sentinel* and WESH reporters come along and watch.

A week later in a Clermont subdivision, Romboli made quick checks of four houses in various stages of construction, recorded on video shot by WESH-NewsChannel 2. Romboli, 53, did not know he was being followed and later declined to be interviewed.

He stayed 13 minutes at the first house, 10 minutes at the second. At each, Romboli signed a sheet OK'ing the framing, electrical, plumbing and mechanical systems of each.

At a third house, he walked up to a lot where concrete footers had been poured — footers support the walls and foundation of the house — and signed the on-site inspection sheet without looking at the work.

Romboli spent his biggest chunk of time during the morning — an hour and 40 minutes — talking and laughing with four workers and supervisors at a home-site. He approved all of his inspections — which records show he does 99.2 percent of the time.

In fact, a computer analysis of building inspections done in the past 3½ years by six Central Florida counties, plus the city of Orlando, shows that Hatch flunks more than any other inspector, and Romboli passes more than anyone.

Hatch red-tagged 2,491 of 4,538 inspections he has done since October 2000. In the same period, Romboli did 6,494 inspections — and flunked 46.

To some extent, both men reflect the overall records of their employers. During the same period, Seminole County inspectors failed 27 percent of their inspections — the most of any Central Florida county. Lake inspectors flunked 13 percent, ranking them ahead of only Orange and Osceola counties.

Though Romboli, Hatch and their respective counties are at opposite ends of the pass/fail spectrum, they're enforcing the same statewide building code.

The code sets minimally acceptable standards for residential-construction practices and materials — to ensure roofs are anchored against high winds, the wiring is safe, the stove is attached to the wall. But it doesn't speak to the fit-and-finish issues — cracking concrete and

stucco, leaky windows, unanchored toilets and "wavy" roofs and walls — that plague most new houses.

Enforcing the code can be a subjective process.

Pass/fail rates are largely meaningless to Dale Greiner, Lake County's director of building services. The idea, he said, is to show builders how to construct their homes correctly, so they won't make mistakes and flunk inspections.

"He [Romboli] is doing exactly what I'm asking him to do," Greiner said. Romboli, who is certified to inspect electrical, framing, mechanical and plumbing systems, is paid \$44,366 a year.

"We are basically on the same road as the builder, with the same goal, but on different sides of the road," Greiner said. "Personally, I think you get more things done with honey than with vinegar."

Greiner said he spoke to Romboli about the seemingly cursory inspections he did while being videotaped and was satisfied with his explanations.

Concerning the quick checks of the two houses, Greiner said, "I'm not advocating 10-minute framing inspections, but they happen. It depends on the circumstances." Indeed, Romboli set a record for Lake County on Jan. 22 with 51 inspections in one day. Experts say most inspectors can't handle more than 20 a day.

As to the footer inspection, Greiner said Romboli told him he actually made that check the previous day and had forgotten to sign the inspection sheet.

Asked about Romboli spending more than 90 minutes talking to workers on a building site, Greiner said he was glad to hear it. Romboli, he said, is an excellent teacher and likely was discussing the building code.

"He does a real good job of taking the time to deal with them. . . . Our goal is to get our reinspections down," Greiner said.

By contrast, Larry Goldman,

Seminole's chief building official, said he would have to "question" anyone who flunks fewer than 1 percent of his inspections.

To Goldman, a flunked inspection means his employees are paying attention — and have caught a mistake.

Hatch, a former carpenter and mason who joined Seminole County six years ago and is certified to inspect those trades, said he does not set out to flunk builders.

"I don't pick on people," he said. "But if you are going to build in Seminole County, you're going to do it right."

Unlike Romboli, who inspects mostly relatively simple production homes, Hatch sees a lot of large custom homes with unusual or multiple rooflines. As a result, he said, he often finds problems in the truss work of these homes.

If he rejects a job, Hatch said, he will show the builders or subcontractors where they erred and, if possible, allow them to fix it before he leaves.

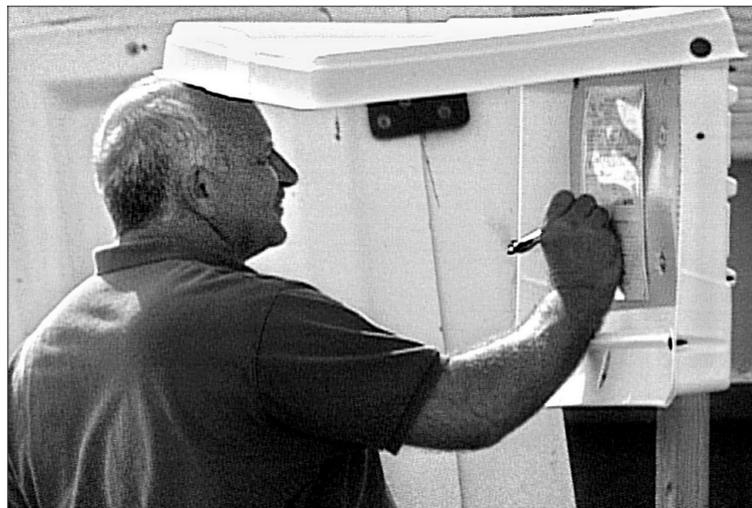
"It works out for everybody in the end. You get a better product," said Hatch, who makes \$42,000 a year.

Unlike inspectors in other counties — including Romboli — Hatch rarely has more than 20 inspections a day, giving him, he said, enough time to do his checks correctly.

Builders, he said, generally appreciate his approach, even if they have to pay the \$25 reinspection fee and do a job a second time. Lake charges \$55 per reinspection.

Said Graham Miller, a construction manager for Brentwood Custom Homes of Altamonte Springs whose masonry was cited for a missing piece of reinforcing steel: "What's right is right, and what's wrong is wrong. That's what he's there for."

Hatch said he derives no enjoyment in issuing a red tag but added, "I have a duty to the people of Seminole County, and I'm going to do it. I take my job seriously."



COURTESY OF WESH-NEWSCHANNEL 2

Shorter inspections. Tom Romboli, a Lake County building inspector, checks the work at a house in Clermont. Records show that he passes such work 99.2% of the time. Recently, he stayed 13 minutes at one house, 10 minutes at another.



BUILDING HOMES BUILDING PROBLEMS



ROBERTO GONZALEZ/ORLANDO SENTINEL

Problem area. Deyne Matzinger checks the attic of her home in Osceola County. Her roof was missing hurricane straps and other attachments. Under some circumstances, high winds could have taken off the roof.

PART 6

Osceola settles claim but keeps deal quiet

Homeowner wins \$5,000 for overlooked flaws

By DAN TRACY
SENTINEL STAFF WRITER

Deyne Matzinger cashed a \$5,000 check from the taxpayers of Osceola County because county building inspectors overlooked critical flaws in her home. But she is not allowed to talk about it.

Here's why: County officials fear that if the word gets out, they could be inundated with requests for money from people in similar circumstances.

The county settled with Matzinger, a 40-year-old homemaker, and her husband, William, in late July. One key to the deal was keeping it quiet, according to a transcript of a closed-door meeting of Osceola County commissioners and administrators.

"I would like to think that the least amount of awareness that we raise on the issue overall, the better," said Commissioner Ken Shipley, according to a transcript of the July 28 meeting obtained through a

public-records request by the *Orlando Sentinel* and WESH-NewsChannel 2.

Public records also show that a check for \$5,000 was cut for Matzinger on Aug. 26 and mailed to her home. Matzinger, citing terms of the settlement, wouldn't comment.

It was an uncommon victory for an unhappy homeowner. Getting money from the government is rare. There are two main reasons:

- Government building inspectors are charged with looking only for code violations, mistakes — such as missing hurricane straps — that do not meet the state's minimum construction requirements.

Even when oversights occur, government officials argue that inspectors cannot be expected to be perfect.

- Many complaints by owners are about workmanship — everything from cracks and leaks to puddles on the patio and rooms that won't get cool. By law, inspectors are not interested in such problems.

Matzinger, though, was worried about more than appearances. She had to pay more than \$7,300 to repair major faults in the three-bedroom, two-bath house she bought for \$122,000. A private inspector she hired discovered her roof was missing hurricane straps — a clear building-code violation — as well as truss bracing and an attachment that should have connected the left corner of the roof to the supporting wall. Under the right circumstances, high winds could have taken off the roof.

Matzinger, a former retail manager who called fighting the county and her builder a full-time job, said the inspectors should have caught the faults during their regular checks.

County officials balked, saying they could not be held accountable for a missed inspection or two. So she went to small-claims court, which limits awards to a maximum of \$5,000, because she did not want to pay an attorney.

Governments rarely lose such suits. But, according to the transcript of the commission meeting, Osceola's attorneys acknowledged the county had erred.

The issue, said Assistant County Attorney Olga Sanchez De Fuentes, was the "missed inspections, which we have already come clean with and said that, yes, we did miss their hurricane straps . . ."

Commissioners had no problem settling the suit. Their bigger worry — in a county whose nearly 95 percent approval rate for inspections is the highest in Central Florida — was that other homeowners unhappy with their builders and the Osceola inspectors might try to sue for damages.

That's why attorneys recommended the gag order.

"She wouldn't be able to go out and advertise what the settlement was and why," said County Attorney Jo Thacker, who described Matzinger's suit as a nuisance that was cheaper to settle than fight.

Still, said commission Chairman Paul Owen, "Whether it was our fault or not, I think we have some — I don't want to say liability, but we do have some moral obligation there, I think, because we did miss some of those inspections."

Indeed, almost nothing went right with Spring Lake Village.

In April 2002, the county banned the developer, Jeffrey Klein of North Palm Beach, from building in Osceola after Matzinger and dozens of her neighbors repeatedly complained that their houses were falling apart.

Many of the homes in the subdivision, south of Orlando International Airport and off Boggy Creek Road, had cracked foundations, mold and drainage problems. Some were never finished, because Klein went bankrupt. He and a partner are also facing charges in New York that they defrauded investors of millions of dollars that were supposed to have been spent on Spring Lake Village.

Now, several of Matzinger's neighbors, including Richard Young and Bob Wiley, are also criticizing the county, citing problems with drainage and mold.

"You think you are protected by the county. Nobody is protected by the county," said Wiley, a 61-year-old retired maintenance supervisor.

Water puddles in the crawl space beneath Wiley's house, because the ground is too low. His house, he said, is filled with mildew and mold.

Jeff DeBoer, the county's building director, said his office is not responsible. Drainage plans for the development were submitted by a professional engineer — and the county is required by law to accept the engineer's certification that the drainage was adequate.

DeBoer added that no inspection department — in Osceola or elsewhere — could guarantee that every mistake by a builder will be caught.

"I don't think it's realistic to think we'll get 100 percent," he said.

That may be, Matzinger said, but fouls-ups that were missed in her neighborhood are too great to ignore.

"You just can't let people get away," she said, "with not doing their job over and over again."

'You just can't let people get away with not doing their job over and over again.'

— DEYNE MATZINGER

public-records request by the *Orlando Sentinel* and WESH-NewsChannel 2.

Public records also show that a check for \$5,000 was cut for Matzinger on Aug. 26 and mailed to her home. Matzinger, citing terms of the settlement, wouldn't comment.

It was an uncommon victory for an unhappy homeowner. Getting money from the government is rare. There are two main reasons:

- Government building inspectors are charged with looking only for code violations, mistakes — such as missing hurricane straps — that do not meet the state's minimum construction requirements.