

HORTON FREQUENTLY ASKED QUESTION

1. My house was certified as Gold Fortified.

Answer: The windows are not impact rated and do not have the proper water infiltration rating and leak over 55 mph.

2. My house's value will go down if I sue D.R. Horton

Answer: Your house value will probably go down if these problems exist in your home, and you do not sue Horton. We checked some foundations with ground penetrating radar.

NOTE: We have not checked every home. The expert's opinion is that likely the problems with the foundations are systemic and we know the windows are not the proper model to protect you against hurricanes.

Your windows need to be replaced along with a lot of sheet rock due to water infiltration and the potential for mold and mildew that it causes to the home. If you sell your home, you may be sued by the new homeowner. So, you may have to pay the damages yourself instead of D.R. Horton. The damages are estimated at up to \$100,000 per home for the repairs including the foundation. These damages may increase if your home is larger than 1800 square feet or has more windows. Each home has some unique characteristics.

The mesh in your foundation is placed too low and it may cause cracks and settlements. We know this from ground penetrating radar.

3. What is the cost to me?

Answer: This is a contingent fee case. No recovery no fee. If we do have to go to arbitration which we think is unlikely since we are not suing under the warranties, you do have a \$200 filing fee.

4. Why did the Home and Gold Fortified Inspectors miss these problems?

Answer: The inspectors may not be sufficiently trained, are too busy, or ignored the issues.

Our experts are some of the best in the country. CTL Group are engineering and concrete experts and in business for over 100 years. They studied the building code and used sophisticated testing equipment like ground penetrating radar. Intertek

tested the windows for failure. The contractor experts have been in the expert witness business for 25 years. Team Complete.

5. What happens if I do nothing?

Answer: You will probably lose value and must pay for the costs of repairs to your home by yourself which may exceed \$100,000.

6. What is the Statute of Limitations?

Answer: That is a law that says you must file suit by a certain date, or you cannot file a lawsuit for your damages. Your claim is barred by law.

7. What is that Statute of Limitations on the Alabama Deceptive Trade Practices Act?

Answer: You have one year to file suit under the Alabama Deceptive Trade Practices Act from the date you knew or should have known about issues with your home. That statute only lasts for 4 years regardless of discovery, so you need to act now. Homes over 4 years old are not covered by the act and will have to sue under fraud or other theories. General Contractors must be sued within 2 years, so you need to hurry and file suit. D.R. Horton-Birmingham claims they are a general contractor. So, DELAYING CAN BE DETRIMENTAL TO YOUR CASE.

8. What is the value of filing suit under the Alabama Deceptive Trade Practices Act?

Answer: The Act allows you to collect actual damages and attorneys fees, and up to 3 times your actual damages at the Judge's discretion. You must prove that your home was supposed to be of a certain standard, quality or grade and it was of another. Homes that do not meet the Gold Fortified™ standards and in our expert's opinion none of them do, are not of the standard, quality or grade you contracted to buy. The same may be true of the building codes violations. There are potential exceptions.