



**Stanford Townhomes Homeowners' Association
c/o Willamette Community Management
PO Box 514, Corvallis, OR 97339-0514**

June 29, 2009

To: Owners at Stanford Townhomes

Re: Notification of construction defect

There is a construction defect in some windows and doors which affects all units within Stanford Townhomes. A critical "Z" flashing was omitted during the installation of windows and doors during construction resulting in some units experiencing moisture leaking into the walls of the buildings.

Explanation: The "Z" flashing is a piece of sheet metal that is supposed to be installed above every door and window that is bordered with trim pieces. The flashing is supposed to be mounted over the top edge of the upper trim piece in these applications. When water flows down the siding during rain, the properly installed "Z" flashing directs water outside, instead of allowing it to flow under the trim piece and behind the flange of the window and inside the wall. This problem affects all the windows and doors that do not face the courtyard area. Some units will be more susceptible to leakage due to their orientation to the wind and rain, but ultimately, over time any of the units could start to leak.

The good news: All the windows and doors that face the courtyard area are installed correctly. The main difference is that there are no trim pieces around these openings. The siding has been fit correctly around the doors and windows, in this case over the mounting flange of the window or door. In this type of installation there is no need for the "Z" flashing, because the mounting flange acts as the flashing. There is no way for water to go up and around the edge of the mounting flange of the door or window in this application.

The Board of Directors of Stanford Townhomes Homeowners' Association sought legal advice regarding this matter. The attorney determined that the Association has no standing to pursue action against the Seller/Builder, nor is the Association responsible for repairing the construction defect. Each individual owner is responsible for determining their own plan of action regarding this defect.

The options discussed at the June 10th Board of Director's meeting were:

- 1) Each individual Owner could repair the defect of his/her own windows & doors; use of a licensed contractor is recommended.
- 2) Each individual Owner could pursue a claim with the Seller/Builder; professional legal advice is recommended.
- 3) Owners could coordinate with one or more other owners to affect a repair; generally it is more cost effective to have more defects repaired at the same time with the same contractor than individually employing separate contractors at different times.
- 4) Owners could coordinate with one or more other owners to pursue a legal notification of the problem to the Seller/Builder and to learn what remedy the Seller/Builder might affect. If there is no satisfactory remedy, then to determine if a claim should be pursued (i.e., Small Claims Court).

The attorney cautioned that if an Owner decides to repair the defect first, it will likely limit any recourse the Owner might have for remedy or reimbursement from the Seller/Builder or a future claim.

If you wish to coordinate your efforts with other Owners as outlined in 3) or 4) above, please contact the Board of Directors before July 15th, 2009.

Nancy Neary, President
Stanford Townhomes HOA
PO Box 514
Corvallis OR 97339-0514

541-740-4763 (phone)
Or email at: nbn@nearyonline.com

Below are photos that show a window with "Z" flashing (left) and one without (right). The "Z" flashing is the small thin strip of metal above the upper trim piece.

