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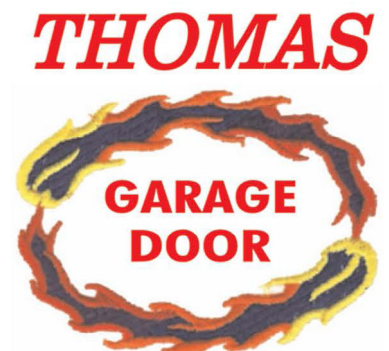
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# THE METROPOLITAN BUILDER

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## PUBLISHER'S NOTE

**Giselle Bernard**  
*Publisher*

Wow, I am celebrating seven years of doing business as The Metropolitan Builder, and I couldn't be happier. I've been blessed in the fact that I absolutely love my job! Within the seven years of doing business, it has evolved into something unique!

In the past, builders featured on the cover of the magazine had the opportunity to purchase a beautiful set of professionally created marketing materials for \$4,000. Nowadays featured builders are given the marketing material free – complements of our cover story sponsor, International Flooring. In return, International Flooring asks for a face-to-face meeting and the opportunity to do business.

Vendors who have been referred by the builders I visit are brought on board as advertisers and brand in the magazine on a category-exclusive basis. In addition, I serve as an acting sales liaison, representing them to the builders I meet, providing them with monthly qualified builder leads and a monthly, category-exclusive networking group meeting.

This group meets once a month when get to know each other on a personal and professional level, open our books of builder business and assist each other in growing our businesses.

Our networking team of professionals have asked that I recruit in the following categories:

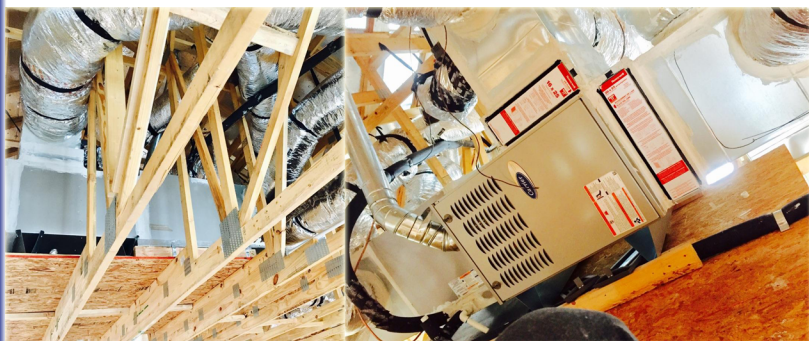
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# Windstone Partners Strive for Timeless, Classic Look

By Kathy Bowen Stolz

Good design is paramount to Windstone Partners, a Houston building/remodeling and design firm owned by brothers Dan and Kevin Spearman. They strive for a timeless, classic look that they consider to be their signature look.

According to Kevin Spearman, “We want things to be organically authentic with a purity in design. That is done through color, texture and scale. I’ve used the tagline ‘sophisticated and understated’ in the past. It can be hard to create that timeless look unless you know what you’re doing.

“When we started Windstone 10 years ago, we decided that was the look we wanted to define us. We owe it to everyone to build really good houses because houses stand for decades. We’re trying to do really good quality work. We consider it part of our responsibility as builders.”

Spearman noted that Windstone Partners’ homes generally re-sell quicker than others that are for sale in the same

neighborhood. He attributed those sales to the timelessness of Windstone homes’ design, to their quality and to the builders’ attention to detail. “We create a high-end look that never goes out of style. We try to stay away from that current fad.”

Spearman noted that Americans are being exposed to good design more than at any time in the country’s history. He highlighted architect Michael Graves’ design of household items – spatulas, toasters, tea kettles – for Target about 20 years ago. “You can have good design at every price point.”

He added that Americans demand good design the more they are exposed to it. “I’ve seen such a difference in 25 years. People recognize it and appreciate it. Less is more.”

Windstone Partners is a collaboration between the Spearman brothers, who are five years apart in age. Kevin is the design partner while Dan is the builder partner. They split responsibilities based on their natural abilities. “My brother has the engineering/accounting brain. I’m the





marketing/sales/creative guy. We don't have clearly defined roles, however. It just flows. We have great trust in each other's strengths."

Kevin, who has worked as a designer for 25 years, has his own self-named design firm (formerly Bella Casa) in the same downtown Houston building as Windstone Partners, but he stated that the two companies do not work exclusively with each other. It's acceptable that a homeowner might hire Kevin's company to design a home constructed by another builder and that a homeowner might hire a different designer after having Dan build the house. Kevin splits his effort between the two companies, with Kevin Spearman Design projects consuming about 70 percent of his time.

However, it is often to the homeowners' advantage to use the efforts of the Spearman brothers in tandem. "We are a one-stop shop" for many clients, Kevin said. "Clients can get a builder, designer and architect with Windstone."

Design clients who want to update their homes may need a contractor for something as simple as replacing kitchen cabinet doors or as complex as a complete gutting of an existing home. "We're not afraid of both. We [Windstone] take on all types of projects."

*Continued on page 10*





# American-Made Bath Products Built to Last

By Linda Jennings

In a time when so many of our goods are made overseas, it's nice to be reminded of brands that sell high-quality bathroom products made here in the USA. If you're in the patriotic spirit, or just want to support an American business, below are companies that celebrate the unparalleled design, craftsmanship, and ingenuity that are alive and well in America today.

Traditional tubs can pose accessibility issues that are avoided entirely by zero-entry showers. QuickDrain USA makes it simple to convert a tub to a walk-in shower with their ShowerLine system. With a highly efficient PVC drain body, the ShowerLine system creates a high-end look at a reasonable price and with no-hassle installation. Created with pre-sloped shower panels made from 100% repurposed materials, ShowerLine offers fast-and-easy retrofit solutions for home and hospitality settings. It's perfect for a bathroom remodel to add a roll-in shower

for maximum accessibility. The system offers an array of design options with nearly any finish or flooring material and provides a clean, modern look. As an ADA-compliant design, ShowerLine systems are available in six standard sizes and four outlet configurations.

MTI Baths' stylish new wall sink was designed for compact bathrooms, as well as for accessibility installations. The Metropolis can be installed at ADA compliant heights, and the open space around it makes navigation with a walker or wheelchair much easier. Featuring a streamlined design that delivers a strong architectural presence, the Metropolis measures 51.75" long x 20" deep x 4.5" high, providing plenty of space for toiletries and a deck mount faucet. As part of MTI's renowned Boutique Collection, the new wall-mount sink is constructed using MTI's proprietary SculptureStone® material that is approximately 75% organic materials and 100% solid throughout. The non-porous surface is extremely durable, resistant to stains and scratches, and is easy to clean and maintain. Metropolis is available in white or biscuit in both matte and a hand-polished deep gloss finish. The exterior height of the sink is fixed to conceal the bottom of the bowl and overflow plumbing. An integrated overflow and 1" carrier arms are included.

Like all designs from The Furniture Guild, the new Paxton vanity is built to heirloom quality standards and made to individual order. The wall-mounted masterpiece features a signature metal frame that runs around the sides and each drawer, cleverly drawing the eye to the vanity's elegant profile while adding a bit of definition and contrast. Available in 25 standard size configurations, it boasts two large working drawers that provide ample storage for daily necessities. An array of metal finishes and more than 50 options for the insert panels help to create a final look that is truly unique. Wood grain textures run horizontally across the front and sides for a smooth visual appearance. Interior options include elegant walnut drawers with glass dividers, glass jar inserts and integrated power/USB outlets.







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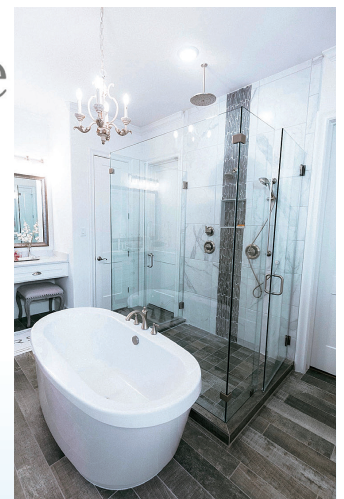
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# Builders Beware of Residential Construction Defect Claims



By **Ian P. Faria and Christian Dewhurst**  
*Bradley Arant Boult Cummings, LLP*

Most residential builders and remodeling contractors will at some point encounter a dispute with a homeowner about alleged construction defects. In handling these types of disputes, contractors should be aware of the statutory schemes related to these types of claims. The most significant statutory scheme dealing with construction defects is called the Residential Construction Liability Act (Chapter 27 of the Texas Property Code, commonly referred to as the RCLA).

The RCLA was adopted by the Texas legislature in 1989 with the goal of curbing litigation costs in these types of disputes and disincentivizing frivolous claims. To that end, the RCLA provides remedies against those filing a frivolous lawsuit or arbitration proceeding and imposes damage caps. The RCLA also implements a process to encourage pre-suit negotiations between homeowners and their contractors.

The process is initiated when homeowners provide contractors with a written notice (via certified mail) specifying in “reasonable detail” the construction defects that are the source of the homeowners’ complaints. If contractors get such a written letter, then the contractors should act quickly because their statutory deadlines are now running.

Upon receiving the notice, a contractor has 35 days to

inspect the residence and 45 days to make a written offer of settlement – either offering to perform the necessary repairs or making a monetary settlement offer. Once the initial offer is issued, the burden shifts to the homeowner to either accept or reject the offer. If the homeowner accepts the initial offer, then the contractor has 45 days to perform the necessary repairs or pay the settlement proceeds. If the homeowner decides to reject the offer, then he or she must advise the contractor in writing and in reasonable detail of the reasons why the offer is unreasonable. The contractor then has the option of issuing a supplemental offer within 10 days.

Not only does the RCLA require both parties to complete the aforementioned negotiation process prior to initiating litigation, but it also limits a homeowner’s remedies if he or she rejects a reasonable offer of settlement. Specifically, the homeowner’s damages will be limited to the cost of repairs plus reasonable and necessary attorney’s fees and costs incurred prior to the rejection of the offer.

Because the RCLA is a fact - and deadline-intensive process, a contractor that receives notice of a construction defect should consider consulting an attorney to fully understand their rights and duties under the law.



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*Continued from page 5*

Windstone's projects split pretty evenly between new construction and remodeling with projects' sizes beginning at about 8,000 sq. ft. and price averaging between \$2 and \$5 million, "but we're not afraid of doing less expensive homes," according to Kevin. In fact, Kevin said the company would like to venture into the million-dollar price range to appeal to young couples.

Windstone Partners and Kevin Spearman Design accepts projects throughout greater Houston, whether inside or outside the Loop. Kevin said they will work anywhere, citing a current project in Nashville, Tenn.

He also mentioned a \$30-million home he designed in Tel Aviv, Israel, which





was featured in the “wanderlust” issue of Veranda magazine in September 2018. “It was a great experience, the highlight of my career.” During the project he traveled to Tel Aviv 18 times in five years.

As a college student in his home state of Minnesota, Kevin said he became smitten with new construction during a visit to the Street of Dreams home show and knew he had to be involved somehow. “I had that epiphany,” leading him to return to the parade of homes several times by himself.

When he got involved in a commercial building project for his family’s business, he showed a talent for interior design despite being a business major studying marketing. The interior designer on the project told him ‘You can do this,’ giving him the confidence to consider a shift in his career plans.

During the next few years, no matter what he did in his family’s business, he gravitated toward the aesthetics of a project, such as packaging and advertising. Six years later he opened his own design firm.

“I have worked with builders my entire life. My brother Dan has always had a love of building. I told my brother it was my goal to also build houses, and we formed Windstone.

“We love homes, and we love what we do. We have a

passion for it. I love helping people create a sense of home for themselves.” Home is a very important part of their lives.

“I feel privileged and honored to take people to a level they couldn’t reach themselves, although it can be a challenge to convince people that a designer can save them money. As a designer, I reel them back into reality, keeping them from spending \$10,000 on a refrigerator and not being able to buy a breakfast table. I keep them within a balanced budget and a balanced space.”

Yes, for the Spearman brothers, their signature style is timeless, quality construction with understated design, leading to a reputation for “inheritable homes.”

*For more information, contact  
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# Mic check: Four vital questions to ask your team

By Burk Moreland

Before I get on stage for any event, the audio visual crew at each venue hands me the microphone I will be using. Then one of them asks me to walk around the room – especially in the areas I will be talking from – and just “talk.” The crew calls this process a “mic (microphone) check.” I have to tell you, it feels really silly. Those of us preparing for a presentation end up saying things like “Testing....1....2....3” or “Can you hear me now?”

Because it feels so silly, and 99 percent of the time everything already works just fine, it is tempting just to skip these mic checks. I mean, how bad would it be if the mic didn’t work, right?

Let me give you an example from my own experience, and you decide. One time in San Diego, California, I was scheduled to make a presentation to an audience of 300 people. Although we had done the required mic check, for some mysterious reason, my microphone suddenly quit working about 10 minutes into my 90-minute talk.

Talk about “Oh, crap” moments. . . . Luckily for me, my voice carries well enough without using a mic. I just kept talking for the 10 minutes it took to fix the mic, but I can assure you that my blood pressure climbed a few points during that technological mishap.

The only thing that might be worse in that kind of situation is a mic that works sporadically. Then, the presenter either sounds like he’s whispering (every time the mic cuts out) or yelling (every time it starts working again). Trust me, if you ever want to see a presenter sweat, watch closely when his/her mic cuts in and out during a very important moment in the presentation.

I can assure you that after an experience like that, mic checks don’t seem nearly as silly. After all, the whole point of a presentation is to communicate, right? If your audience only hears part of what you say, the communication will be incomplete and, therefore, far less effective.

Just like the A-V crew at a public speaking venue, you should check the lines of communication in your company frequently. These company “mic checks” should be used to evaluate the clarity of communication within your company. Do your team members clearly see and

understand the vision you need them to see in order to fulfill their piece of that vision?

Specifically, you should go to key team members and ask the following:

1. Are we communicating enough with you? Would you like more or less communication?
2. What would you like more information about?
3. How would you like to receive the information? (Memos, emails, blogs, video messages, social media, in person, in meetings, etc.)
4. What do you see as opportunities for us to improve our communication channels or messages?

Once you have collected all of this new information, sit down with your leadership team and decide how best to use what you have learned. As always, when you collect data, report back to everyone who was involved in the “survey.” Tell them all about the information you got and what you are going to do with it. When your team members see that you value their input and are taking action based on that input, they are likely to give better and more honest information moving forward.

Remember, a faulty communication system, whether it is a microphone or a manager, can cause a negative ripple effect in any system. So, before you start working on changes for the New Year, make sure the lines of communication in your company, like the microphone at a presentation venue, are in top working condition.

Ask yourself these questions. Are the lines of communication open? Are you getting the feedback you need? Are your employees willing to tell you what you need to know (even if it isn’t pretty all the time)?

One final word of warning. If things are quiet, don’t assume that all is well. Instead of signaling peace and harmony, the silence around you may well be the proverbial calm before the storm. Don’t wait for the first drops of rain – start improving your company’s communication today.

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