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# Coming Full Circle: Operation FINALLY HOME Returns to League City, Texas, to Honor 100th Home

Operation FINALLY HOME | Houston, Texas



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### PUBLISHER'S NOTE Giselle Bernard Publisher

As summer begins each year, Americans gear themselves up to celebrate Memorial Day, an American holiday observed on the last Monday of May. The day serves to honor the men and women who died while serving our country in the U.S. military. Many Americans observe Memorial Day by visiting cemeteries or memorials, holding family gatherings and participating in parades.

Thousands of young Americans volunteer to fight for our American rights, putting their lives on the line. Although all veterans have sacrificed in one way or another fighting for our freedoms, some have lost their lives fighting for their country, while others have returned home injured.

According to the Operation Finally Home organization, there are many veterans who return to the United States wounded and struggling to cope with the overwhelming emotional and physical challenges that seem to go hand-in-hand with their new-found disability. Those soldiers and their families have indeed sacrificed a great deal while defending the rights of our nation.

This month I've devoted the cover to Operation Finally Home, an organization that is near and dear to my heart. Galveston County builder Dan Wallrath started Operation Finally Home, but it has since grown into a national organization which builds homes for wounded and disabled veterans and widows. It depends on the many developers, builders and vendors who volunteer services and products to get the homes built.

Wouldn't it be wonderful to offer the opportunity of a new beginning to all of the soldiers who have fought for our county? Let's roll up our sleeves, get involved and help where we can. God bless!





# Coming Full Circle: Operation FINALLY HOME Returns to League City, Texas, to Honor 100th Home

By Rusty Carroll, Executive Director of Operation FINALLY HOME



As Operation FINALLY HOME joined the League City community at our 100th home dedication on April 14, 2016, we couldn't believe that we were standing in the same city that started it all. With homes in 23 states, it seemed like good fortune that our 100th home would end up in League City.

But while standing in front of U.S. Marine Corps Cpl. Jonathan Dowdell's new home on that beautiful spring day, looking at the faces of both old and new friends during this momentous milestone, we felt that it was meant to be. Surrounded by many of the builders and community members that began the journey with us more than 10 years ago, we were able to reflect on our humble beginnings and thank God for how far we've come.

Continued on page 10

# Texas Residential Liability Act

By Ian P. Faria & Jon Paul Hoelscher of Coats | Rose, P.C.

Claims against builders are governed by Chapter 27 of the Texas Property Code, often referred to as the Residential Construction Liability Act (RCLA). The RCLA provides an optional procedure to follow when a claim is made. Every builder should be familiar with the RCLA because it provides an avenue to limit exposure in potential disputes as well as a procedure for resolving issues before they end up in court.

The RCLA concerns only builders, large remodelers and warranty companies. The RCLA applies to any action to recover damages arising from a construction defect. It does not apply to personal injury, wrongful death or damage-to-goods claims.

"Construction defect" is defined by statute to mean "a matter concerning the design, construction, or repair of a new residence, of an alteration of or repair or addition to an existing residence, or of an appurtenance to a residence, on which a person has a complaint against a contractor." The term contractor includes (1) anyone making improvements to residences or appurtenances; (2) anyone making large, interior improvements to residences or appurtenances; (3) anyone building a new home or condominium; and (4) warranty companies or risk-retention groups.

If followed, the RCLA may limit exposure if the contractor makes a "reasonable" offer of settlement to a homeowner. Under the RCLA, a homeowner must notify the builder or contractor by certified mail of is complaints. The complaint must describe in reasonable detail the nature of the complaints and must be received at least 60 days before filing of a lawsuit.

After receiving the notice letter, a builder or contractor has 35 days to inspect the home and 45 days in which to make an offer. The homeowner has 25 days to accept or reject the offer. If rejecting the offer, the homeowner must state in reasonable detail why the offer is unreasonable. The builder or contractor then has 10 days in which it may make a supplemental offer.

If the homeowner rejects the offer, then the judge, jury or arbitrator in a subsequent lawsuit or arbitration proceeding will determine if the builder's offer was reasonable. If a homeowner rejects a reasonable offer, then the homeowner's recovery is limited to the cash value of that offer plus any legal fees incurred up to the date that the offer was rejected. Since legal fees during the first 45 to 60 days of a claim are relatively small, this procedure often provides a way to limit future damages at the outset by making a reasonable offer. Any offer should address the following categories of damages available under the RCLA, if warranted: (1) the reasonable cost of repairs necessary to cure any construction defect; (2) the reasonable and necessary cost for the replacement or repair of any damaged goods in the residence; (3) reasonable and necessary engineering and consulting fees; (4) the reasonable expenses of temporary



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housing reasonably necessary during the repair period; (5) the reduction in current market value, if any, after the construction defect is repaired if the construction defect is a structural failure; and (6) reasonable and necessary attorney's fees.

The offer does not need to include all of these damages to be reasonable. However, it is good practice to include an amount for each category to the extent it is justified to ensure the offer will be considered reasonable. Builders and contractors should understand and utilize the RCLA framework. As always, it is important consult with your construction attorney at the beginning of any claim to ensure you are complying with the RCLA.



Ian P. Faria is a director with Coats | Rose and is a member of the firm's construction/surety law and oil and gas/energy sections. Ian was selected as a Texas Super Lawyer in 2014 in construction law. This is an honor conferred upon only on 5 percent of the total lawyers in Texas. (Previously he was selected as a Texas Super Lawyer "Rising Star" in construction law in 2012 and 2013). He was also selected by his peers for inclusion in The Best Lawyers in America© 2014 and 2015 in the field of construction law. In 2015, he received the highest rating, AV Preeminent®, by Martindale-Hubbell® Law Directory. This is Martindale-Hubbell's highest possible rating for both ethical standards and legal ability.



Jon Paul Hoelscher is a director with Coats | Rose and is a member of the firm's construction and litigation sections. He has been selected as a Texas Super Lawyer "Rising Star" for construction law by Texas Monthly since 2012, an honor conferred upon only 2.5 percent of the total lawyers in Texas. He also has served a council member for the Houston Bar Association's Construction Law Section since 2011.

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# DIALOGUE WITH A DESIGNER

Morrison knows that dreams, reality and inspiration make a house a home. They also know that an interior designer or interior design firm often becomes an intricate part of this process. Design professionals should be committed to creating individualized and functional designs to meet the lifestyles of their clients' families.

Morrison Showrooms work to inspire these ideas and is conveniently located in the heart of Houston. Morrison offers many brands and designs, all exhibited in unique settings with interactive displays. Whether it's appliances, plumbing, hardware or lighting, Morrison has a brand to fit every budget and a style to fit every design. Contact Joann Ontiveros for more details at 713-861-2343.

This month Morrison speaks with Lynne T. Jones, ASID, with Lynne T. Jones Interior Design. She is a native Texan who received her interior design degree from Texas Tech University. She's been a professional designer in the Houston area for more than 30 years and is a past president of the Texas Gulf Coast Chapter of ASID. (American Society of Interior Designers). Lynne is also active in the Remodelers Council of the Greater

### Houston Builders Association.

# Morrison: What motivated you to go into the interior design field?

**Lynne T. Jones:** I've had a passionate appreciation for beautiful furnishings, art and unusual accessories from a very young age. Once I realized that you could have a career putting together beautiful spaces for others, I selected interior design as my degree plan in college.

# Morrison: How has the field of interior design changed since you graduated?

**Lynne T. Jones:** I would say that the internet, HGTV and social media, in general, has turned my profession upside down. Anyone with a few thousand followers on Twitter or is a finalist on a designer "reality" show now considers herself or himself to be an interior designer. Sadly, this just isn't true. Consumers need to beware; always check credentials and experience before hiring a professional designer. The old saying "you get what you pay for" has never been more appropriate.

Morrison: How can an experienced interior designer



help custom home builders or remodeling contractors with their building or remodeling projects?

**Lynne T. Jones:** The advice and assistance that an experienced designer brings to the table is immeasurable. He or she not only speeds up the selection process with the clients but can also help to avoid costly mistakes. A good builder/designer team is a win-win for everyone involved.

### Morrison: What sets you apart from other designers?

**Lynne T. Jones:** I feel that my strong suit is definitely the relationships that I develop with my clients. I strive to determine their goals and vision for whatever project we are partnering on, and then I work very hard to make that happen. I do not have a signature look and that is by design. I feel that it's very important that my clients' personalities shine through in the finished project.

# Morrison: What has been your most challenging project and why?

**Lynne T. Jones:** The project that probably challenged me the most was the first out-of-state residence that I worked

on over 25 years ago. The project was in Santa Fe, N.M., and while I loved every minute of it, there was a huge learning curve, just figuring out logistics. You learn from every experience, though, and now I've been involved in several long distance projects.

### Morrison: How do you begin the materials' selection process when working with builders' and remodelers' clients?

**Lynne T. Jones:** I like to start by meeting with the clients in their home. This way I can usually get a feel for the way they live and what their style preferences may be. How do they entertain in their home? Do they have children and/or pets? How do they want certain rooms to function? Are there any special needs for anyone (i.e, an aging parent or a child with disabilities) living in the home? We begin a dialog that will help me to understand the priorities for the project.

# Morrison: What are some common mistakes made by builders and homeowners?

**Lynne T. Jones:** I think the biggest mistake may simply be lack of communication between the two. It's imperative that the homeowners express their vision for a project and a builder must be open to new ideas and suggestions, while also explaining realistic cost factors.

### Morrison: What is your favorite design style?

**Lynne T. Jones:** For me personally, I love a mix of classic furnishings, unusual and unexpected accessories, paired with colorful abstract art. If I had to categorize my own style, it would be "eclectic with a twist."

# Morrison: What fascinates you and how have you incorporated that into your designs?

**Lynne T. Jones:** I'm fascinated by vintage pottery pieces from around the world. I seriously love plates, vases, and bowls from a variety of regions. I collect old Imari and Rose Medallion plates, as well as anything Majolica. I also adore the old transfer ware pieces in Black & White, or Brown & White. I admit it, I have a "dish fetish."

Morrison: What would be your recommendation for "what to do first" in a decorating project when working with the builders and/or homeowners?

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Our story began in League City in 2005 when Dan Wallrath, our founder and president, was working as a custom homebuilder. He was approached by a friend of the family of Steven Schultz, a retired U.S. Marine Lance Cpl., who was severely injured both physically and mentally during his years in the military. Partially paralyzed and half blind, Steven was unable to perform everyday tasks in his family's home. He faced the possibility of living in a nursing home, but his parents wanted him to live in the comfort of his own home.

Once Dan learned of Steven, a wounded war hero limited by his injuries and circumstances, he knew he needed to act. Dan reached out to the Bay Area Builders Association and started the process of making the Schultz home accessible for Steven's needs. The remodel allowed





Steven to start transitioning to his new life and begin the healing process. Witnessing how significantly the changes to the home improved the morale of Steven and all those involved in the build, Dan realized he had found his calling.

Since founding Operation FINALLY HOME, 181 homes have been built or are in the planning stages in 32 states,

helping more than 113 members of the military and their families settle down in a home that will help them focus on their futures. This incredible work could not be possible without the support and resources of our local builders, builder associations, sponsors, developers and communities across the country.

We're blessed to have started our journey in Houston,



where a group of selfless builders heard our call and showed the rest of America what's possible when your heart is in the cause. With every home built, our message spreads and encourages new communities to come forward to assist our wounded military heroes in a permanent and impactful way—lifting the financial burden of a mortgage.

Lifting this financial burden for an individual or family is a decision Operation FINALLY HOME takes seriously, guided through prayer and careful consideration. When U.S. Marine Corps Cpl. Jonathan Dowdell's application came across our desk, we knew that this American hero deserved the blessing of a mortgage-free home. A Purple Heart recipient, Jonathan was severely injured in an IED blast while on deployment to Afghanistan. Following the explosion, Jonathan suffered the above-knee amputation of both legs, amputation of his left index finger and right arm deformity as a result of a forearm contracture. Due to his injuries, Jonathan required a home that would be wheelchair accessible, and his current apartment didn't meet his needs.

Operation FINALLY HOME immediately started the application process for this deserving veteran, and in April 2014, Jonathan and his family were surprised with the announcement that they would receive a new custombuilt, mortgage-free home during League City's first annual Salute to Heroes: A Patriot Dinner.

About two years later, the Dowdells prepared to see their completed mortgage-free home for the first time at a special welcome home ceremony. Jonathan was excited to see some of his buddies that he served with as well as his close friend Sgt. Major Daniel Krause, the brave hero who saved Jonathan's life in Afghanistan.

In addition to the hundreds of supporters on site, the ceremony was broadcast over Operation FINALLY HOME's social media channels and has been viewed over 7,000 times, allowing friends, family and supporters the chance to watch the dedication from afar. The messages poured in from people across the country congratulating the Dowdells and thanking Jonathan for his service. After the ceremony, the Dowdells were led into their new home to see the completed project—a fully furnished home built to meet their specific needs. Jonathan was most thankful for the wheelchair-accessible entries and modified bathroom, which he says has made a world of difference in his mobility compared to his apartment.

When asked about the most impactful aspects of the



Operation FINALLY HOME program, Jonathan cites his new-found community. In addition to the stability that comes with a mortgage-free home, he is now part of the Operation FINALLY HOME family. We are committed to supporting Jonathan through the healing process and helping to build lifelong relationships. On top of joining us for annual fishing and hunting trips with fellow veterans, he and his daughter had the opportunity to meet Taylor Swift with backstage concert passes.

Since moving into his new home, Jonathan has been getting to know his new neighbors, many of whom have dropped by to thank him for his service as well as to offer baked goods and recommendations for doctors and dentists in the community. Jonathan recently discovered that one of his neighbors is a Vietnam Purple Heart veteran who also served in the 7th Marine regiment.

Jonathan's experience proves that the healing process doesn't stop with just a home. These wounded soldiers need to feel the camaraderie of their peers in order to make the transition to civilian life. Jonathan can now live worry-free, knowing that his family is taken care. After years of moving around in the military, leaving belongings and memories behind with each house, this is the chance for military families to settle down and form real bonds with their neighbors and community.

As we look to the future, we anticipate reaching the goal of a 100 new homes annually. This goal is something we can achieve with the support of our builders and generous donors. We also intend to shine a light on the unseen injuries of our veterans— post-traumatic stress disorder (PTSD) and traumatic brain injuries (TBIs), which are just as devastating as physical injuries but don't often get the attention they deserve. These men and women have experienced traumas that we can't begin to understand, and they need just as much support to heal and integrate back into civilian life as other wounded soldiers. We'll continue working on identifying these heroes and making sure they have every opportunity from us to move forward with their lives.

For more information and to learn how you can get involved with a build in your area, visit www.OperationFinallyHome.org or call me at 615-979-9988. You may also follow the organization at Facebook.com/OperationFinallyHome, Twitter at @OpFinallyHome or Instagram @OperationFinallyHome.

# Gaggenau: 333 Years in the Making

# years in the making

Originally founded in 1683 as an ironworks company in the Black Forest of Germany, Gaggenau is marking its 333rd anniversary across the globe in 2016, honoring the brand's rich heritage and natural evolution into the world's first and leading brand of innovative built-in home appliances.

Gaggenau is a brand that appeals to design connoisseurs and culinary enthusiasts alike with its pure design, high functionality, longevity, advanced technology and perfect craftsmanship. Gaggenau's firm commitment to redefine the built-in kitchen appliance industry has lead to the introduction of the most extraordinary products available to the home cook.

Gaggenau's ability to innovate and stay ahead of the curve is truly remarkable. Ground-breaking products, including its 400 series built-in ovens, full surface induction cooktops, Combi-steam ovens and modular refrigeration systems, are revered by both professional and home chefs alike.

Gaggenau has distinguished itself by always staying a step ahead; more than 30 researchers and developers work

to exceed consumers' needs and expectations, positively reinforcing Gaggenau's position as an innovative leader.

One such example would be the Combi-steam ovens. Originally exclusive to the professional sector, Gaggenau was the first manufacturer to introduce the combination of steam and convection cooking to the private kitchen in 1999. Today, combi-steam ovens are gaining in popularity as the "must-have" appliance, providing a faster cook time with more flavor and higher nutritional benefits. For 2016, Gaggenau introduced a 400 series Combisteam oven with the world's first fully automatic cleaning system and sous-vide cooking feature. Further pushing innovative boundaries, the 400 series Combi-steam oven is equipped with a fixed inlet and outlet water connection. The system's advanced cleaning cartridge ensures the oven interior is cleaned to a level of unrivaled hygiene and eliminates the chore of manual cleaning.

In addition to offering the most technologically advanced appliances, Gaggenau also strives to have the most





aesthetically appealing products. Gaggenau cultivates an authentic design style of clarity and simplicity, which results in appliances that offer both professional-grade performance and timeless design. Every appliance is a statement in itself. Pure design, linear idiom and select materials, Gaggenau's state-of-the-art appliances leave nothing to be desired. They exude character without dominating the scene and blend discreetly into every interior.

A seamless kitchen design is an aesthetic that compliments today's growing popularity of open floor *Continued on page 16* 

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**Lynne T. Jones:** I usually suggest that the homeowner make a wish list of their priorities for the project. And if they have any "inspiration" pictures, that's always helpful as well. Many of my clients use HOUZZ or Pinterest to get their creative juices flowing; then we discuss.

# Morrison: How to you keep yourself up to date with current design trends in the market?

**Lynne T. Jones:** While I certainly feel that I keep current of the latest trends, I take a lot of pride in advising my clients that it's best NOT to be "trendy" but rather to make classic selections that are going to stand the test of time. Design trends tend to correlate with fashion trends, and they cycle in and out. For me, I prefer to be the trail blazer and not follow the herd.

### Morrison: Speaking about staying current, how to you keep yourself up to date with all the design trends happening in the industry today?

**Lynne T. Jones:** As a registered interior designer in the State of Texas and a professional member of ASID, I'm required by law to have at least 12 hours of continuing education courses each year. I usually end up taking far more than the required hours, just for my own benefit. I also attend design conferences, expos and seminars to stay on top of what's current. Plus, I think I probably have subscriptions to every possible shelter magazine in print today.

### Morrison: Any last thoughts, comments?

**Lynne T. Jones:** I've been an interior designer for more than 30 years, and I cannot imagine a more fulfilling or creative profession. I've loved working with so many different types of people through the years that sometimes I just have to stop and say to myself, "You've been very blessed to have had this opportunity."

You may contact Lynne T. Jones Interior Design at 281-437-3307 or lynne@lynnetjones.com. You may also visit www.lynnetjones.com or 16107 Kensington Drive, # 122, Sugar Land, TX 77479.



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plans. With this in mind, Gaggenau's 400 series ovens offer a cohesive visual aesthetic in any combination of convection, speed microwave, combi-steam and warming drawers.

Further pushing design boundaries, Gaggenau has introduced new products that are easily concealed behind cabinetry. In fall 2015 the company debuted a handleless dishwasher featuring a push-to-open door function, which allows for it to easily blend in behind a cabinet panel.

At Design & Construction Week 2016, Gaggenau debuted a new Visor Hood that not only performs beyond expectations but can also be perfectly concealed behind cabinetry and combined with all Gaggenau cooktops. Perfection and discretion for unlimited compatibility in kitchen design!

Today Gaggenau is the ultra-luxury brand for built-in home appliances and maintains its role as a pioneer in innovation and design. Gaggenau brings together timeless design, craftsmanship and carefully selected material with exclusive culinary culture. The difference is Gaggenau.







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# Houston Housing Picture

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Monthly housing permits filed by builders in the Houston Area.



Permit activity shows a 8.6% decrease between February 2015 and February 2016. Annual permits show an 11.6% decrease for the twelve month period ending February 2016. Only two of the top ten builders show positive permit growth in the same time period.

# Coastal Shower Doors Amp Up Bathroom Design Options

Whether building a new, custom home or remodeling a single bathroom, selecting interesting and unique focal points adds an extra layer of "oomph" to the finished product. In the past, shower doors took a back seat, allowing bathtubs, tiling options and vanities to take center stage in bathroom design. Now, however, with the release of several new designs, Coastal Shower Doors is shining a spotlight on shower enclosures.

At the 2016 Kitchen and Bath Industry Show, Coastal introduced, to high acclaim, two new doors, the GRIDSCAPE<sup>TM</sup> GS4 Series Mondrian Edition and the GRIDSCAPE<sup>TM</sup> Series 2 TDL Dual Soft-Close Door. Both doors offer designers and home builders unique stand-apart options for the home.

### **GRIDSCAPE<sup>TM</sup> GS4 Series Mondrian Edition**

The GRIDSCAPE<sup>TM</sup> GS4 Series Mondrian Edition appeals to trendsetters and brings a modern flair to any bathroom space. This door is characterized by its striking geometric aesthetics and fully customizable features. The



Mondrian Edition's unique form showcases a segmented hinge that appears continuous, creating a surprising multidimensional element when the swinging door is opened. Two notches secure the top and bottom of the inline panel to the glazed swing door. The 24-inch vertical handle adds a whole new dimension to its distinctive design.

Endless combinations are available with the GS4 series. Apart from the two finish options of chrome and black bronze, customers can order from a variety of glass types, including clear, satin deco, smoke grey, patterned, corduroy, color laminated, restoration, reeded and smoked INSTALLING AND INSTILLING JOY AND COMFORT IN PEOPLES LIVES THROUGH TECHNOLOGY AND ENTERTAINMENT.





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mirror. Its most prominent feature, a square glass section on the swinging door, is customizable with laminated colors, giving this door a look unlike any on the market.

### **GRIDSCAPE<sup>TM</sup> Series 2 TDL Dual Soft-Close Door**

The GS2 Soft-Close features fixed panels and soft-close functionality. Signature elements of this patent-pending shower door series include distinct, eye-catching finishes in both polished chrome and the original black bronze-anodized aluminum.

Among the most popular looks is the smoke grey glass, contrasting with the chrome metal finish to provide an industrial-modern vibe that can be combined with any range of décor tastes and design styles. It features a multi-dimensional, oversized, 48-inch L-shaped handle, adding an extra depth to the striking design.

The panes that make up the true divided-light enclosure can be individually customized by size and glass type to match any need. A selection of clear, satin-etched or smoke grey tempered-glass options comes standard. Custom options are available with a wide variety of laminated, textured and patterned tempered glass.

### **Pioneers in Untraditional Design**

Coastal Shower Doors has been breaking the mold on traditional shower door design for years.

One of the company's most popular series, the Gridscape Series 2, was released in early 2015 and features polished chrome or black bronze aluminum profiles arranged in a repeating horizontal bar configurations and can be paired with a selection of clear, satin-frosted or patterned tempered-glass options.

The original Gridscape "factory windowpane" style shower door was designed with black bronze-anodized aluminum mullions and individual glass panes in a more vertical-style (square) block design.

"We are constantly challenging our team to think outside the box when it comes to new shower door designs," said Patrick Cobb, vice president of marketing for Coastal Shower Doors. "Whether it be a bold statement, such as our Mondrian design, or a special feature, like our soft-close technology, you can count on our products to bring something distinctive to bathroom design and functionality."

For more information about Coastal Shower Doors and the company's array of products, visit www.coastalshowerdoors.com.



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