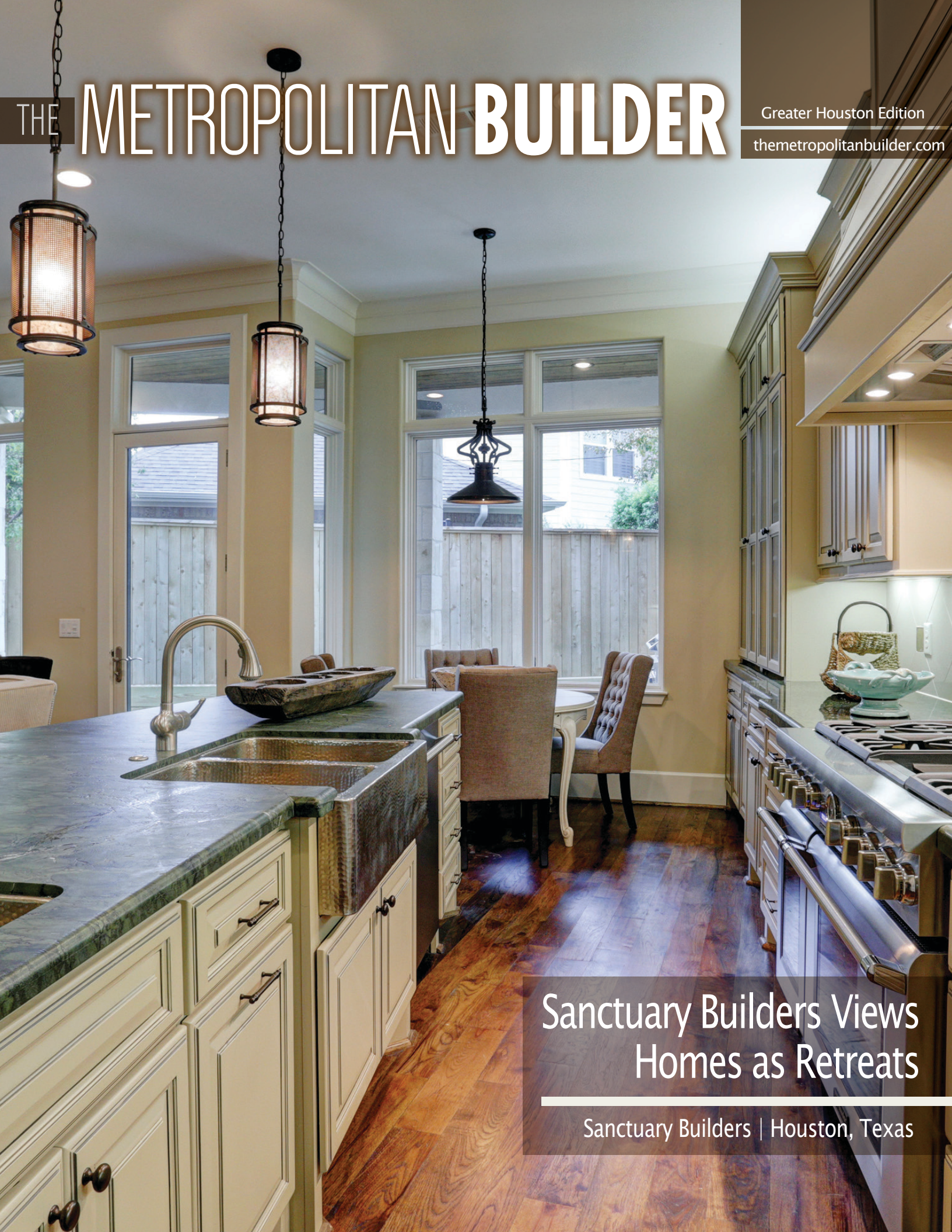


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Sanctuary Builders Views
Homes as Retreats

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PUBLISHER'S NOTE

Giselle Bernard
Publisher

“Genuine human friendship is on the basis of human affection, irrespective of your position. Therefore, the more you show concern about the welfare and rights of others, the more you are a genuine friend. The more you remain open and sincere, then ultimately more benefits will come to you. If you forget or do not bother about others, then eventually you will lose your own benefit.” The Dalai Lama

Think about it. No one's life is a smooth sail, is it? For most of us, life is good; however, we all venture into stormy weather from time to time. Although the severities of the storms differ, we lean on our family and friends – those that see our pain even while everyone else believes the smile on our face is genuine. It's the small words of encouragement and support that help us snap out of our state of mind, perhaps for only a moment, but it's a moment of peace.

Let me say that I am grateful for my family, friends and the business colleagues in which I've grown close. You are the reason that I have weathered the storms and continued to grow while following my dreams. I've only just begun, for I am blessed.

Giselle Bernard- Publisher



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Sanctuary Builders Views Homes as Retreats

By Kathy Bowen Stolz



Houston builder Michele Alvarado chose the name of her company, Sanctuary Builders, carefully. “I think of a person’s home as their sanctuary. It should be a place where they can retreat to or retire to at the end of a day. I wanted my company to reflect that idea.

“Our job is to interpret a prospective homeowners’ vision of what they want their sanctuary to be. We always strive to create an interior that will have a sense of place where the owner can recharge,” she added. “We focus on hundreds of design details, creating places and spaces that are aesthetically pleasing, intuitive and practical – from the flow of one room to another to the interrelationship of colors and materials that strike just the right ambiance

Continued on page 10

Builders May Have Limited Recourse Against Manufacturers for Products Used on Projects

By Ian P. Faria & Jon Paul Hoelscher of

Coats | Rose | Yale | Ryman | Lee, a professional corporation

The Texas Supreme Court recently issued a decision that will affect many builders who receive a claim that may be the result of a product manufactured by another company. Texas statutes provide that a seller of a product will be indemnified by the product manufacturer if a claim is made based on the failure of the product. Despite this law, the Texas Supreme Court found in *Centerpoint Builders GP, LLC v. Trussway, Ltd.*, that a general contractor was not a “seller” as defined by the Texas Products Liability Act. Since the general contractor was not a “seller,” the general contractor did not have statutory indemnity from the product manufacturer.

The general contractor in the *Centerpoint* case was hired to build an apartment complex. The general contractor purchased preassembled wooden trusses directly from the manufacturer. During construction, one of the wooden trusses broke, causing a subcontractor to fall and sustain injuries. The subcontractor sued both the general contractor and the manufacturer of the trusses. The general contractor sought indemnity from the manufacturer to reimburse it for the costs of the subcontractor’s personal injury lawsuit under the Texas Products Liability Act.

The Texas Products Liability Act provides in part that a manufacturer shall indemnify and hold harmless a seller of the product against loss arising out of a defect in the product. The act further provides that a “seller” is “a person who is engaged in the business of distributing or otherwise placing, for any commercial purpose, in the stream of commerce for use or consumption a product or any component part thereof.”

Despite this broad definition, the court found that the general contractor was not a seller and therefore not entitled to indemnity from the truss manufacturer. The court reasoned that the general contractor was not “engaged in the business of” selling trusses. In its opinion that court pointed out that the general contractor’s sale of the trusses was “merely incidental” to the sale of services because the general contractor did not sell the trusses for a profit and the trusses were one of several products sold

by the general contractor for the project.

This decision is very important as many builders and remodelers utilize various products in their projects. A builder should consider the products it purchases and incorporates into a project as it may be held liable for any injuries or damages caused by those products in the future. Despite this decision, there may still be ways to limit liability or protect the right to seek indemnity under contracts with subcontractors and suppliers. However, builders will need to scrutinize and revamp their contracts to assure that possibility is left open.

If you are faced with a claim that you believe relates to a product manufactured by another company, you should consult a construction attorney to be sure you take every step necessary to protect yourself.



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Ian P. Faria is a director with Coats | Rose and 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 possible rating for both ethical standards and legal ability, AV Preeminent®, by Martindale-Hubbell® Law Directory.



Jon Paul Hoelscher is a director with Coats | Rose and 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 as a council member for the Houston Bar Association Construction Law Section since 2011.

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DIALOGUE WITH A DESIGNER

Cecilia Pacheco, ASID, RID, CAPS

Morrison Showrooms knows that dreams, reality and inspiration make a house a home. Morrison's staff also know that an interior designer or interior design firm often become 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, they have 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 Cecilia Pacheco, ASID, RID, CAPS of Cecilia Pacheco Interior Design. Helping homeowners enhance their lives since 1990, Cecilia Pacheco specializes in residential interior design, finishes and materials selections for new construction and renovation projects. She is an active member of the Greater Houston Builders Association (GHBA), the Texas Association of Builders and the National Association of Home Builders (NAHB). She is a professional member of American Society of Interior

Designers (ASID), registered and licensed in the State of Texas, and a Certified Aging in Place Specialist (CAPS).

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

Cecilia Pacheco: My family moved several times when I was growing up. Later, when I got married, we moved several times because of my husband's job. Moving from one place to the next was difficult at first. Little by little, I started to appreciate the life we were living and became fascinated with the idea of arranging our new home in every place. I believe all of these moves helped me discover an ability and passion for interior design

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

Cecilia Pacheco: Since I received my degree in interior design in 1990, technology has made it easier to work from anywhere in the world and communicate from the comfort of home. We have Skype and Facetime to have meetings and discuss ideas with a client. There are many other changes, such as the advances and benefits in LED lighting. Lighting controls that enhance the appearance in a home décor is another.



Morrison: How can an experienced interior designer help a custom home builder or a remodeling contractor with their building or remodeling projects?

Cecilia Pacheco: We can help a custom home builder or a remodeling contractor by following scale and proportion, function, rhythm and balance through color, pattern and texture to create harmony in the whole space. I believe getting advice from a designer also allows the process to go smoothly and on schedule.

Morrison: What sets you apart from other designers?

Cecilia Pacheco: I am very grateful for my life experiences and that I have had the opportunity to live in different places and learn to admire different types of construction, buildings and decorations. Before I became an interior designer, I was trained in fine art, which helps me also to bring my artistic side into my projects.

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

Cecilia Pacheco: During a project, the most important thing is to solve a problem as soon as possible and explain the reasons and alternatives we have to overcome it. Most of the time, the challenge is when clarity is not addressed appropriately from the very beginning.



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

Cecilia Pacheco: I start with a series of questions. At the beginning, some clients are afraid of expressing themselves, so many times using my intuition is the key to discovering what really motivates them and what is most important to them. Every client is unique, and I explain to them that collaboration and communication are very important to create the space (s) they are looking for or dreaming of. We sometimes create presentation boards which help the clients to visualize the space better.

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

Cecilia Pacheco: Not hiring a professional designer who has the training and knowledge to choose the right materials for a project, which will save them time and money.

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

Cecilia Pacheco: CEUs (Continuing Education Units)

Continued on page 15

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in the room.”

Sanctuary Builders is also how Alvarado recharged herself by starting a new career and fulfilling a long-held goal of becoming a builder.

“I always had an interest in real estate and tried to start my career in commercial real estate after graduating with an MBA from the University of Texas, but all the commercial real estate companies were pretty chauvinistic at the time. All they offered me were marketing/leasing positions, not the project manager or finance positions I wanted and felt were a better fit for my

with their home improvement projects, too. Then she and her husband built one house, then another.

“I really, really liked the building process. I liked seeing everything put together. It fascinated me; it’s such an intricate puzzle. I liked having the finished product, a tangible result of creativity and problem solving.” She revised her career goal to become a builder herself.

With a partner who had the construction and land development experience she lacked, she started building after almost 30 years in the banking industry. “In 2012 I decided it was time for me to make the move because I was getting to an age where it wouldn’t be practical to



“We think about the long term so whatever we build will increase in value....”

skill sets. My brilliant idea was to go into the commercial real estate area of banking, develop relationships and then go back out and get the job I wanted.”

But at that time in the mid-1980s, Texas’s construction business took a nosedive because the oil and gas industries were struggling. “The economy was so bad and stayed that way for many years; inertia set in, and I never made my move [out of banking].”

In the meantime Alvarado said she bought a house and loved remodeling it. She found herself helping friends

wait any longer.” The company built four speculative houses before she and her partner decided to part ways because they realized they had different goals and objectives. Michele bought out her partner and decided to keep Sanctuary Builders as the company name because it expressed her feelings about building.

Sanctuary Builders includes Bill Edwards, master builder, as the director of construction. “I am truly blessed to have Bill on my team; he is an outstanding builder and a great person. We have a very good balance of skills. We are respectful of each other’s expertise.”



Bill has more than two decades of custom home building experience as owner of Bill Edwards Custom Homes and president of Comfort Homes, both in Houston. Among Bill's accolades are being named H Magazine's Top Builder for three years and achieving the National Association of Home Builders' highest certification, Graduate Master Builder. He has also earned three other designations: Certified Green Professional, Certified Aging-in Place Specialist and Certified Graduate Builder.

Bill graduated with honors from the University of Houston with a bachelor's degree in construction management. Before becoming a homebuilder, Edwards apprenticed with, then operated a mill shop, where he learned to value fine craftsmanship, evident in the homes he builds.

Sanctuary builds a mix of contract-to-build and custom spec homes, which Michele and Bill see as two different divisions. On the contract-to-build side they see their job is to implement the vision of their custom home clients, while advising their clients on making cost-effective and environmentally friendly choices. Custom home clients are looking for service, so they need a builder they can build a relationship with, Michele said.

Sanctuary anticipates increasing its custom home building by word-of-mouth marketing, getting referrals from realtors and architects and buying lots in great neighborhoods.

At the same time, Michele, who earned a bachelor's degree in fine arts from the University of Texas, enjoys building spec homes. "I love the challenge of designing an efficient space with the right weight of form and function and flow. And my artistic side gets to come out to pull together the interior, picking out lighting and plumbing fixtures and selecting paint and tiles."

Sanctuary Builders currently has one contract-to-build house and three spec houses under construction. Its fourth and fifth houses are in the permitting process, and it has a lot available for a build-to-suit home.

She said Sanctuary will probably limit itself to building four or five homes at one time, perhaps fewer if more than one custom home is in the mix; custom homes simply take more time, and their owners deserve more hands-on attention. "We never want to grow so big that we are not personally involved with each home."

Alvarado carefully considers a site's location for the spec

homes. “We like to stay urban; we don’t want to compete with production builders in the outer areas. Where and what we build is based on finding the right piece of land. We may use realtors to find property, or we may find the lots ourselves. We don’t want to cram as many houses as possible on a piece of land just to make the numbers work, which makes it challenging to redevelop neighborhoods in thoughtful or mindful ways,” Alvarado stated.

“We think about the homes already in the neighborhood and what style and size will fit in well and complement existing homes in the neighborhood. We think about the long term so whatever we build will increase in value,” she explained.

As an example, she described a three-lot project in The Heights. Each lot was 25-feet wide. “On this particular block, the houses are all two-story. We didn’t want to build a three-story house in order to achieve the square footage needed to include the amenities homebuyers expect these days. We worked a little extra hard with the architect to find a way to obtain the square footage we wanted.” The solution was to add a second floor to the garage, connecting the garage to the main house via a lanai.

She noted that Sanctuary Builders determines the amenities in its spec homes by talking to realtors about what people are looking for, by looking at recently sold properties and by reading professional magazines as well as seeing what its contract clients are selecting. For the three-house project in The Heights, she tried to design something that would appeal to both young families and empty nesters, two groups that often choose to live in The Heights.

Michele said that it can be an advantage to be a woman builder because she pays attention to the household management issues, such as where to locate the laundry room. She noted that having the washer and dryer in a walk-through to the garage or in a closet-sized space off a hall typically doesn’t provide the homeowner a place to fold or hand wash clothes. She said her perspective can add value to a home.

“We don’t build a cheap house. We may be making less money than other builders, but we are building a good quality house. We don’t cut corners behind the walls or install the least expensive products out there. We use the ‘mirror test,’ i.e., how would we build our personal

home, when making decisions.

“You can sense a good quality home when you walk into it. It’s quieter for one thing. All of our homes are Energy Star-certified; this not only applies to the appliances, but more importantly to the building envelope and HVAC system, which improve the overall comfort of the home. Homebuyers appreciate the higher level of comfort when living in the home,” Alvarado said.

Both Alvarado and Edwards focus on providing good customer service. “If you don’t do a good job of taking care of your homeowners, they’re not going to refer you. And we want to be in business for a long time.”

.....
*You may contact Sanctuary Builders at
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Very few people are lucky enough to make a living at doing what they are passionate about. Brian Lee, owner of Mendocino Doors, is the exception. After making fine cabinetry and furniture for homes on the Mendocino coast of California, Brian discovered that his true passion was to create elegant, custom-crafted doors. Together with his wife Zoey and their team of dedicated craftsmen, Brian produces his Mendocino Custom Doors by using exceptionally figured wood that has been hand-selected from environmental sources.



The company also collaborates with artisans specializing in copper-failed stained glass, etched glass and hand-carved detailing, making their doors especially distinct and unique. They create custom interior and exterior doors in arts and crafts, mission, prairie, and Asian-influence styles in sustainable woods, including old growth redwood salvaged from the forest floor.

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Continued from page 9

are mandatory in order to keep the license as a registered interior designer and a professional member of ASID. I also love traveling to admire old architectural details that have been used for centuries and to get inspiration to use them in a modern way. I like to visit my son's architecture projects in California and learn from the work he does and the kind of materials he uses on a particular project. I also enjoy going to trade shows and getting information on how new products work.

Morrison: What is your favorite design style?

Cecilia Pacheco: My favorite design style is one where I can incorporate old and new with my clients' personal objects to create a harmonious space that they want to live in and that will reflect their uniqueness.

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

Cecilia Pacheco: I have always been fascinated by architecture, decorative arts, excellent craftsmanship and art.

I like to incorporate extraordinary details – for example, a custom designed object or a fine rug – or I like to create a focal point like a fireplace or a wall, executed with exceptional craftsmanship to make my designs stand out.

Morrison: How would you characterize your personal style?

Cecilia Pacheco: Elegant and simple.

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

Cecilia Pacheco: I start by analyzing the function of the space and the changes we can incorporate to make it more functional, comfortable and appealing to the eye. Then, I select something like a piece of art, a place that inspires my client, an object from my client's special collection, or a rug that they really love and start to develop ideas from there.

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

Cecilia Pacheco: Good design lasts forever. Buildings in this country have been crafted for more than a hundred years and are still beautiful. For example, government buildings, museums, university campuses and churches in all parts of the country are so inspirational. I believe we have to use the right materials in the right applications to



create something that is timeless.

Morrison: Any last thoughts, comments?

Cecilia Pacheco: Interior design is what makes me thrive. It is where I can express my creativity and help my clients express theirs. It is what motivates me to do a great job so that my clients will rejoice in the results with family and friends.

.....
You may contact Cecilia Pacheco, ASID, RID, CAPS, at Cecilia Pacheco Interior Design, 5502 Beaver Lodge Dr., Kingwood, TX 77345 or by phone at 713-581-4309 or email at cecilia@ceciliapacheco.com or at the website www.ceciliapacheco.com.



Cecilia Pacheco, ASID, RID, CAPS
Cecilia Pacheco Interior Design



Splinter Works

New Work | Copper + Cask: A Kitchen

It is always considered a privilege to create a one-off kitchen where one has the opportunity to tell a story and create a design that resonates personally with the commissioner. In this project for private clients, the company was not short on inspiration, being authors and art collectors there was plenty to muse over, but when they hit on the clients' highly regarded whisky collection, they could see the vision coming together.



Their brief was to create a kitchen to sit within a large multi use space, in a period barn. The barn had been divided into four zones, kitchen, dining, snug and a mezzanine office.



Inspired by whisky distilleries, with their gleaming copper stills, and split oak barrels bound in metal hoops, the company created a cask-like island, with a raised bar for enjoying the said elixir!



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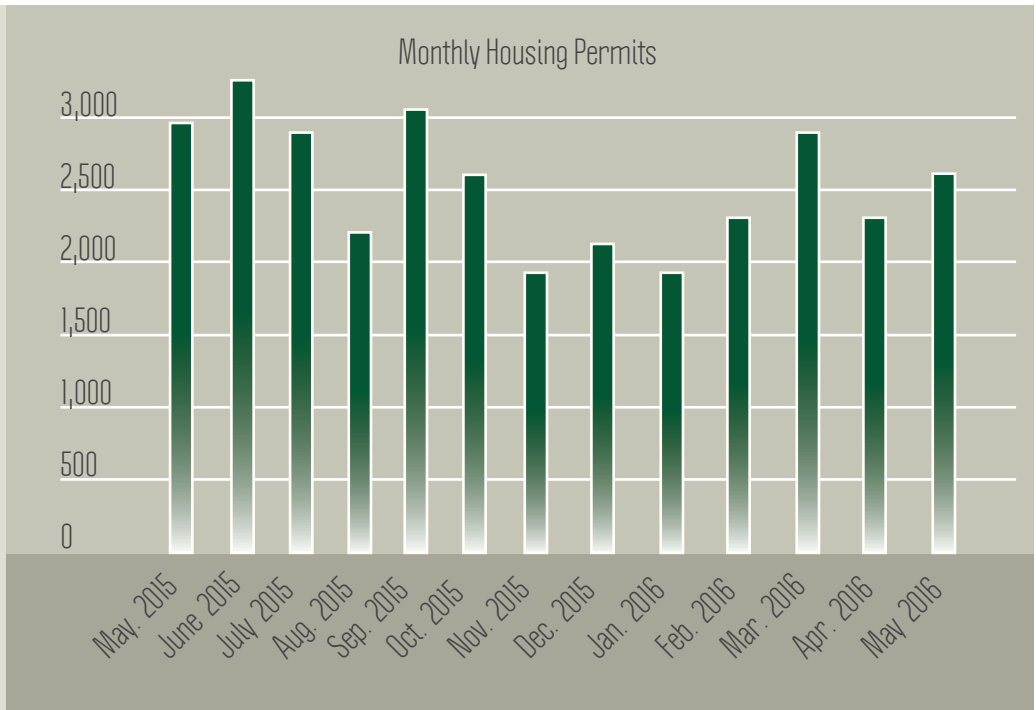
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Houston Housing Picture

Bohlke Consulting Group, LLC

Monthly housing permits filed by builders in the Houston Area.

May 2015	2,884
June 2015	3,186
July 2015	2,677
Aug 2015	2,351
Sep 2015	3,146
Oct 2015	2,260
Nov 2015	1,861
Dec 2015	2,103
Jan 2016	1,921
Feb 2016	2,390
Mar 2016	2,825
Apr 2016	2,355
May 2016	2,602
May 15 v. May 16	-9.8%



MARKET	June 14-May 15	June 15 - May 16	ANNUAL % CHANGE	-	-
Grand Total	34,294	29,677	-13.5%	-	-
Lennar Homes	1,897	1,691	-10.9%	-	-
DR Horton Homes	1,754	1,544	-12.0%	-	-
Perry Homes	1,456	1,312	-9.9%	-	-
Postwood/Long Lk	1,341	1,131	-15.7%	-	-
KB Homes	1,082	860	-20.5%	-	-
Beazer Homes	761	830	9.1%	-	-
Taylor Morrison	853	788	-7.6%	-	-
Express Homes	914	783	-14.3%	-	-
Meritage Homes	988	780	-21.1%	-	-
GalaAtlantic	573	730	27.4%	-	-
	-	-		-	-

Permit activity shows a 9.8% decrease between May 2015 and May 2016. Annual permit numbers continue the softening trend reporting a 13.5% decrease for the Houston market area for the twelve month period ending May, 2016. Eight of the top ten builders in Houston report a decrease in permits.

Banish the Three Words That Derail Business

By Burk Moreland

Three words rule the lives of so many people and businesses: Fear. Uncertainty. Doubt.

They typically come in the form of questions such as the following:

- What if it doesn't work?
- What if I don't have time?
- Where will I get the money?
- What if I don't know enough about that?
- What if there aren't any customers?
- Why would anyone buy from me?

What if we changed all of those questions to the following?

- What if it does work?
- What if I found the time?
- What if I could get the money?
- What if I did know enough?
- What if there are lots of customers?
- What if people wanted to buy from me because...?

A subtle change in verbiage brings enormous change in outcome. The first set of questions focuses on negative outcomes and most likely will maintain the status quo. The second set is action-oriented, prompting you to gather more information and to take the next steps to success. These questions lead to a path where success is possible. When your awareness shifts in this way, ideas start to flow. Fear, uncertainty and doubt transform into hope, possibility and belief.

A lot of my job as a life coach is being the second set of questions for people. My primary focus at first is to have my clients consider the what-if-it-does-work question and squash the what-if-it-doesn't question. I push my clients to research what makes their ideas work and focus on that possibility of success versus inaction based on fear of failure.

It becomes laughable when my clients state a negative or

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a generalization of impossibility. I don't even have to say it after a while. They hear themselves and immediately correct their thoughts. We are retraining their brains from one of complete skepticism to one of cautious optimism. All of my clients are very bright people; they just need someone to help them see through the damper of negativity that our society places on them.

Years ago, a comedian I can't remember said that Mike Tyson had an employee in his entourage who did nothing but provide moral support. His sole job was telling Tyson how great he was by walking behind him constantly screaming, "You are the best, Mike! You are the champ! No one can beat you! You are invincible!"

I don't know if this is true, but wouldn't it be nice to have someone like this guy around to counteract the negative voice we all have running in our heads? What could we accomplish if we had someone in our corner telling us how talented and good we are?

What if you had a resource at your fingertips that knew you, your business and your goals? Someone who not only cheered for you, but also held you accountable to your commitments and dreams and occasionally pulled you back to earth to be sure you didn't spin out of control?

Welcome to my world.

Replace fear, uncertainty and doubt with hope, possibility and belief. What do you know in your heart that you and your company can accomplish? Pardon my Texas slang, but stop saying "I wish I hadda" and start saying "I am gonna."

One of my favorite examples: Two buzzards sat on a fence. One said to the other, "The hell with this waitin' for somethin' to die! Let's go kill something!"

The results you want are out there. Let me help you find them.



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