

9/17/2015

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## Online Complaints

### Complaint Summary

#### Your Information

Tonya Mitchell  
10231 Lake Shore Dr  
Lancaster, SC 29720-7399  
(757) 610-1763 - Main number  
Not Provided - Cell number  
tonya57\_2000@yahoo.com

#### Area of Complaint

CONTRACTORS  
CLG - GENERAL CONTRACTOR

#### Individual or Facility Involved:

TRUE HOMES LLC  
License number: 115222

#### Complaint Process Steps:

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- [Enter Complaint](#)
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- [Confirm/Submit](#)
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Dear South Carolina Contractor's Licensing Board:

We, Isaac and Tonya Mitchell, are writing to the South Carolina Contractor's Licensing Board in reference to our recently constructed home at 10231 Lake Shore Drive, Lancaster, SC 29720. We contracted True Homes to build this home for us and purchased it from them on April 16, 2015. This home is only 5 months old. True Homes, LLC, is Licensee #115222. We are aware the Board does not have the regulatory power to require the licensee to make repairs or a monetary restitution, however, we are asking for an investigation regarding the licensee's failure to adhere to South Carolina Statutory Standards of Licensure, Published Building Codes, and Published Construction Standards.

The following encompass a timeline and list of items we believe True Homes has failed to properly construct and mitigate after being contacted.

1. A few weeks prior to closing True Homes installed sod at the home and shortly after installation we noticed it was dying. We subsequently requested for this to be addressed and agreed with True Homes that they would install new sod after the closing. After closing on the home we requested from True Homes to wait for the sod re-installation because we started to immediately notice puddling and other landscaping issues. We wanted everything addressed at one time. True Homes would not comply with our request and installed the new sod on July 22, 2015. In addition to installing new sod they sprayed the yard with a fungicide because they claimed the yard had a fungus.

2. As of today, the sod True Homes installed on July 22, 2015, has completely died. True Homes stated the grass is dying as a result of us not properly watering. However, this is untrue as we have an irrigation system at the home and have it timed to water on a regular basis. We can verify the irrigation system is being used because it is on a separate meter from our in-home water system. We believe the sod issue is a direct result of improper landscaping and grading which we will discuss in the next item.

3. Throughout the property there are now water puddles in the yard that do not drain. These water puddles have turned sections of the yard into a green slimy muck. In addition improper water drainage has resulted in a drainage ditch extending the entire left side of our home. On the right side of the home a path is now on the grass and a water channel is beginning to form. We have also reported to True Homes that at least five of the shrubs they planted have died as a result of the water not draining properly.

True Homes did not install any French drains to correctly channel the water away from the home.

4. We do not know the technical words to explain the property's topography, but in summary it has a steep slope and abuts a lake. Due to the slope we have had an issue with water sitting on the driveway. After further investigation we realized True Homes failed to install a driveway drainage system to drain water off the driveway.

There is a property for sale located at 10267 Lake Shore Drive, Lancaster, SC, in Edgewater Subdivision. This property is owned by True Homes and has a driveway drainage system. This driveway is somewhat similar to ours. When we questioned True Homes about it they would not issue a reply.

5. True Homes installed what was later explained to us as a silt fence on the edge of the property. We have questioned True Homes as to why a retaining wall was not constructed to stop land erosion at the home which is occurring. True Homes responded to us that the silt fence would function as the solution to prevent erosion and drainage runoff on this section of the property. After some research we realized a silt fence is not a permanent solution to prevent erosion. A silt fence is a temporary sediment control device used on construction sites. It is a synthetic material not built to last numerous years. We have photos of the silt fence they installed which show it is already falling apart.

In our researching of properties in Edgewater Subdivision we discovered a retaining wall that is located on the following properties: 1. Parcel 0106M-0A-094.00 29057 LOW COUNTRY LANE 2. Parcel 0106M-0A-093.00 29061 LOW COUNTRY LANE 3. Parcel 0106M-0A-092.00 29065 LOW COUNTRY LANE.

4. Parcel 0106M-0A-091.00 29069 LOW COUNTRY LANE 5. Parcel 0106M-0A-095.00 25492 SEAGULL DR (the property adjacent to the retaining wall). All of these properties are owned or were constructed by True Homes.

6. The next issue is the homes' interior. In the family room the hardwood floors are buckling and have dark spots over it. In the kitchen, foyer and hall bath downstairs there are many big round and long dark spots over the floors and more are growing every week. The ones that already exist continue to grow as well. We have no idea what these dark spots are throughout the house. True Homes has sent several contractors (plumber, hardwood floor and door hanger) to the home to investigate the problems. None of the contractors have been able to clarify or identify the issue. A True Home Representative came to the house on August 20, 2015. He inspected all the rooms mentioned above and after inspection stated he had no idea what the problem was. We have a concern that the growing brown spots inside of the house may cause us future health issues.

We sent a certified letter on June 21, 2015 to Scott Wentz, President/Owner of True Homes with no reply from him. We also sent the exact same certified letter to Denise Surber, Warranty Department Manager, and with no success in addressing any of the issues inside or outside of the home as acceptable to fixing the issues at the home.

In summary, we are not licensed contractors, but have attempted to explain the issue we believe are the result of the licensee's failure to adhere to statutory standards of licensure, published building codes, and published construction standards. We look forward to speaking and working with the Board in addressing these matters.

Witnesses are:

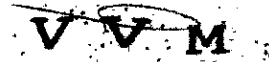
1. Jason Stames, 19691 Harbor Watch, Lancaster, SC, Cell: (803)235-4643
2. Chrishannah Way-Prater, 1111 Springdale Rd, #106, Rock Hill, SC 29730, Cell: (843)697-5557
3. Ivan Mitchell, 12171 Beach Blvd, #602, Jacksonville, SC 32246, Cell: (202)210-0719

Respectfully Submitted,

Isaac and Tonya Mitchell

☒ By checking this box, I swear and affirm that the information provided is true to the best of my knowledge.

☒ By checking this box, I acknowledge that my complaint will not be processed until LLR has received all required documentation as explained on our [Before you begin](#) page.



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South Carolina Dept of Labor, Licensing and Regulation - P. O. Box 11329 - Columbia, SC 29211



## Online Complaints

### Complaint Process Steps:

Thank you for using the Online Complaint system.

The Department considers all complaints important and processes complaints in the order they are received. However, Complaints that present an immediate threat to public safety are given priority. Thank you for your interest in the healthy and safe practice for professions in occupations in South Carolina.

Your complaint confirmation number is **260-923022729**. Please print this page for reference to this complaint.

Any additional supporting documentation may be mailed to:

South Carolina Dept of Labor, Licensing and Regulation  
Attn: Complaints  
P. O. Box 11329  
Columbia, SC 29211

Please include the above confirmation number with any mailed correspondence.

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South Carolina Dept of Labor, Licensing and Regulation - P. O. Box 11329 - Columbia, SC 29211



Nikki R. Haley  
Governor

Richele Taylor  
Director

South Carolina  
Department of Labor, Licensing and Regulation

Division of Professional and Occupational Licensing  
Office of Investigations and Enforcement



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Columbia, SC 29211-1329  
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October 15, 2015

Ms. Tonya Mitchell  
10231 Lake Shore Dr  
Lancaster, SC 29720-7399

Re: Contractors Licensing Board  
File #: 2015-208 True Homes, LLC

Dear Mr. Mitchell:

Your complaint referenced above has been received and a case file has been opened. Investigator Gregg Hembree has been assigned the case and may be contacting you for further information. Normally our investigators work their cases in the order they are received. Please be assured that your complaint will be worked as quickly as our caseload permits.

Please understand that the function of this agency is to administer and enforce the applicable license laws and regulations and we have no authority beyond the statutes that apply to a particular license area. With respect to your complaint, the agency has the authority to investigate to determine if a licensee has violated the license law and, if so, refer it to the Board or Commission having jurisdiction so that they may take appropriate disciplinary action. Discipline may range from a public reprimand to revocation of a license or registration. This agency does not have the authority to intercede in contractual issues, arbitrate disputes or require a licensee to refund money or perform any particular act regarding the matters alleged in your complaint.

The investigator assigned to this case will collect evidence to determine if there are facts to support a charge against the licensee for violations of the license law. The investigator's findings will be reviewed by a committee composed of legal and subject matter experts with recommendations to follow. If violations are noted, the Board may negotiate a settlement with the licensee or proceed to a hearing at which time you may be called as a witness. If no violations are noted or cannot be proven, the case will be closed and you will be notified, in writing, of our decision.

Please be assured that your complaint will receive a thorough investigation and you will be contacted as necessary. Thank you for your patience while we conduct our investigation.

Respectfully,

Todd Bond  
Chief Investigator

TB/wm