

Don't Be Like Barney Fife

We who grew up watching Andy Griffith remember his deputy Barney Fife. Barney only had one bullet and usually kept it in his shirt pocket.....for good reason. Any time Barney put his bullet in the gun and put it back in the holster, his gun went off. Or if pulling it out of the holster, he shot the floor or ceiling. Barney just could not keep his finger off the trigger. Sadly, there are a number of flooring inspectors who walk into a home or commercial property and “pull the trigger” before even doing any investigation.

Before getting to my point, I want to quote one of the top tile and stone forensic instructors in the world; he also trains top forensic inspectors. There are significant differences in training classes and each instructor has their own teaching style. Students learn differently or focus on different aspects. We have law, accounting, medical, engineering or other specialized universities. Even among Ivy League and other top tier schools, but that does not mean all graduates are the same.

If one wants to work on Wall Street or other corporate financial sectors, some universities may be more suited or desirable. If one wants to work in corporate law working for top tier firms, some universities see more graduates recruited than others. If one wants to work for top tier accounting firms, they may choose particular universities because it may mean more exposure for recruiting. Does that mean those graduates are more competent? Not always. Sometimes employers look for “pedigree” degrees that look good to their clients. Someone can attend classes, pass exams, or even pass professional exams. Learning it one thing; but applying what you learned is totally different. Experience can make a difference as some students learn more by doing than reading or testing.

A graduate from “Timbuktu State” or Podunk State University” who passes their exams and become licensed as an attorney, doctor, engineer or other may be as smart, smarter, or more competent. I know many people go to see a doctor, hire an attorney, engineer, or other and almost never do I hear them say I hired them because they graduated from (fill in the blank). I have been involved in a number of court cases or legal hearings. Not once have I heard a judge ask each attorney where they graduated from or what their score on the bar exam is.

When hiring a flooring inspector, there are many things to consider. Dr. Fred Heuston puts it like this: *“The first step is to start with observations, not assumptions. Too many inspections begin with a conclusion instead of an investigation. You walk in a room and see a cracked floor, and immediately think poor installation. But before writing anything down, stop and look closely.*

When examining a failure, look for patterns and consistency. Always verify materials and methods. Ask for product data sheets, invoices, or left over packaging which may contain product or environmental limitation information. Never overlook timing of the failure or maintenance practices. A thorough inspection is not just about finding faults, it is explaining them.

The best inspection reports read like an investigation, not an accusation. They show evidence, describe what was found, and connect the dots logically. An inspector should be objective, clear, and factual. A conclusion should always be supported by what was seen, verified and measured. Anyone can point out a problem. A professional inspector can tell you why it is there.

One critical mistake people make when hiring a flooring inspector is shopping based on price. Another mistake is not checking for experience or references. As my former attorney used to say in our BNI group, a cheap lawyer is rarely good and a good lawyer is rarely cheap. You can say the same for mechanics, trades people and especially floor inspectors. What makes hiring a flooring inspector more critical is you only get one chance.....don't be like Barney Fife and shoot the one bullet in your gun and miss the target.

Is it that critical when hiring a floor inspector? It depends. If your case can potentially go legal (arbitration, mediation, small claims or civil court), you bet it can. Attorneys know this better than the rest of us. I have worked with attorneys for more than 25 years in flooring claims. I have been retained by attorneys more than any inspector in either North or South Carolina and Virginia. In North Carolina, there are two FULL time NWFA (National Wood Floor Association) certified inspectors. Any others listed on www.nwfa.org work for retailers, distributors, install sand and finish wood floors, or may be retired from working for a manufacturer.

How does that affect you and why does it matter? If an inspector works for a distributor or retailer, they may have that certification so they can inspect floors they sell. Not to write a report or be the one to determine the problem or which party is responsible. If they find the issue is related to the flooring itself, they can report this to the manufacturer and often get them involved. But if there is any uncertainty, they will often hire a 3rd party independent inspector or recommend one of the other involved parties commission and pay for the inspection so they remove any hint of bias.

More than once, attorneys retained both me and my colleague to work on behalf of their client. This can cause other involved parties to hire one of the others NOT full time and risk having them discredited as biased. Or, cause them to hire one from another state possibly bringing cost higher due to extended travel. And if someone from another state is willing to drive that far and work cheaper, this should bring up other red flags. Travel costs have to be factored in. Depending on what is going on, time on site is factored in too.

Years ago, I was retained by a contractor. He did water damage mitigation and reconstruction work for a homeowner including hiring someone to replace her wood floor. There was no issue until it came to the last stage of the floor installation; it did not seem to match the rest of the floor installed. The homeowner hired three inspectors. One was from NC (not NWFA current certified at the time) and one from SC (not NWFA current either). To make it worse, neither of them is eligible for reinstatement by NWFA any longer for other reasons. The 3rd inspector she hired was from out of state; he was a NWFA currently active inspector. I was allowed to read each of her inspector's report (they were allowed to read mine too). I know what I charged my client; more than she paid all three inspectors combined. Reading each of the four reports, you see why.

Because they could not come to terms to resolve things, it went to arbitration and she retained all three. My client paid me more than she paid for all three of her inspectors to be an expert witness too. Did it make a difference? You bet. Her inspectors (all three) missed critical information when assessing her floor. They did not do enough due diligence or even understand the product they inspected. Because she was the plaintiff, her inspectors spoke first. After the mediator questioned all three, it was my turn to speak. I showed him deficiencies in all three inspector's reports proving they did not understand the product they inspected. The mediator saw this as well. He had more than forty years in legal construction experience cases.

One of her inspectors in his report blatantly accused the contractor of using materials left from other jobs to do her job. He is lucky my client did not file slander and libel actions against him. Had he just done diligence, my client had receipts for all materials purchased. Because one location did not have enough in stock, the distributor secured additional boxes from another location. ALL three invoices clearly showed the materials were listed to be same exact lot and run and product and matched what the homeowner was charged for.

NOT a single box was "left over" from another job. My client made a calculation mistake; he prepared three different quotes for the homeowner due to job changes. This is what caused him to need to order another 120 sq. ft. to finish the job. Because he did not check the box labels on delivery, he did not catch they sent different materials than the invoice showed. ALL boxes were the same color and product, but one order had a different style. The majority was hand scraped and the last order was wire brushed; invoices listed same product was billed for. The distributor inadvertently pulled some boxes with a slight product code difference. That was on the distributor, not my client, but my client did not check so he has some responsibility too.

In the end, the homeowner hired and paid three inspectors to do an inspection and hired and paid all three to represent her in mediation. They failed to follow protocol in their inspection which allowed me to refute their reports and mine was the one used by the mediator when rendering his decision. All three failed to prove anything in their testimony. When it was my turn to speak, I proved all three dropped the ball too. I proved the homeowner had NO issues with any of the floor installed other than the last 120 sq. ft. as well.

Even with mismatched floor installed, the installer worked from multiple boxes laying out the floor. There were no concerns in any other rooms; her inspector's reports did not find any issues either. What caused him issues was the last 120 sq. ft. that went into a small kitchen dining area. Because it was wire brushed and not hand scraped like most of the rest of the floor, it stood out noticeably. Because I did do my diligence refuting all three inspector reports and testimony, my client only had to replace that part of the floor.

The homeowner was not happy. She chose to hire inspectors on price and not qualifications or experience; the mediator agreed it did not warrant getting all of her floor replaced. My client placed a lien on her house, but his lien was defective. He put things on the lien that had not been done. The mediator made him release the lien. My client was thrilled he hired me; I saved him more money than I cost him. His attorney was glad too; he has since referred other clients to me.

Another case I faced an opposing attorney. My work proved to be more thorough and when I testified, I proved myself more than their inspector and expert witness. Usually no one wins in legal matters other than attorneys. Rarely will a judge, mediator, or arbitrator give one side everything they want. But months later, this opposing attorney convinced another client to retain me. He saw my work first hand and impressed by my professionalism. He convinced his client to retain me to represent them. He also informed his client he would prefer not having to face me on the other side again. That speaks volumes when an attorney you faced in one case hires you for his next one. He knew the price was not the issue because like Barney, you don't want to misfire your one bullet. You can appeal to a higher court if you lose, but the time and cost often does not justify this.

Since names are not important, I have not named any other inspector. All of us start somewhere and all of us have made mistakes. The difference is do we learn from our mistakes and grow professionally. Do we learn to apply what we learned or change bad habits or avoid repeating past mistakes? I can look at inspection reports I wrote 25 years ago and see the difference. I can go back five years and see a difference. I chose to never stop learning and growing professionally; this is death of an inspector. Investing in tools, education, ongoing updates, multiple mentors, and staying ahead of others is important. Learning under multiple instructors is important; each has a different teaching style and experience.

Some instructors formerly worked as installers; they brought different teaching style and experience. One worked in manufacturing, but also owned a store and worked as an installer; his teaching style is different. One owns a company that installs wood floors. He spent more than two decades as a Technical Manager of one of the leading wood floor industry training schools, but also won awards for some of the work he did in his own company. One school was sold after the founder passed away. In my opinion (and about 80% of the inspectors trained by the founder who disassociated from this school since), the new owner lacks critical training and experience and seeing inspectors trained under her, it shows in their inspection reports.

One of the three inspectors this homeowner retained has been on opposite sides of legal cases since. On one case, his report proved he did not understand what he was inspecting. Attorney I was working with had me get three quotes from two of the larger distributors and one from a long time family sawmill. His report said the builder used 5/8" thick wood floor because it was cheaper than 3/4". This inspector has been around as long as I have; he should have known better. In solid wood floor, 3/4" is standard and anything less is custom order (not cheaper).

This was one mistake he made. Another was when he provided his CV to the court to be named as an expert, he made claims on the CV I was able to call into question. The attorney I worked with did some homework and found he misrepresented his experience. Why did this matter? For one, your CV becomes court record which is permanent. Second, misrepresenting yourself to the court is grounds to have a report and testimony dismissed as not credible. This mistake cost him more than he will ever know. I have two other cases since he was retained by the other side. The attorney I worked with used this to have him discredited two more times. On any future cases, this will follow him if I am working for the opposing side.

It is common knowledge that many people "fluff up" a resume. CEO's have been fired for misrepresenting themselves and because it is a credibility issue, is not a good thing to do. But when it becomes a legal matter and on record in the courts, it can be used against you. There is no way to expunge or make changes once it was submitted to a court and on permanent record.

If someone who is supposed to be professional, independent and unbiased will falsify or make false claims on a CV, it is good reason to question integrity of their reports. Sadly, this inspector is now part owner of an inspector training school. He is not part of the founding team; a friend of mine was. He backstabbed my friend when he and his original business partner parted ways. This inspector convinced her to bring him in as her new partner. There are things I know about both making their credibility questionable, but they will have to live with that. My dad said, don't be surprised if bitten when playing with snakes.

My dad taught me honesty is the best policy. My dad was a pastor. I was nearing adulthood so training went from teaching a child to teaching a young man. Dad taught me if I never learned any other verse in scripture, learn Proverbs 22:1. A good name is to be chosen rather than great riches and favor is better than silver or gold. Dad taught me was this; your word should be your bond. If you tell someone you will do something, then you better follow through and do it. Be honest and do not try to "make the fish any bigger."

If you make a bad deal because you did not do your diligence, then you better follow through. Your mistake should not be grounds to break your word. Your reputation is like Barney's bullet; you get one chance. Break someone's trust and it is hard to rebuild it. Like a piece of paper, if I crumple it up, it is impossible to flatten it

back to what it was before crumpled. I can try to steam it, iron it, or run it through flattening rollers as many times as I want; there will always be traces of the damage done regardless.

If I lie, I have to remember my lies already told so I don't contradict myself. If I tell the truth, facts don't change and it is easier to keep things consistent. Dad would say if you are unsure, just be honest and say you are unsure. Don't try to fudge things because the truth always has a way of coming out. Just be honest with people and transparent and it will always work out in the end.

I have tried to honor God and my dad's wisdom in my business. If I was not qualified to do a job, I either did not take it on, or referred the client to someone more qualified. There is no shame in knowing your limits and only doing what you are qualified to do. I have brought in some of those more qualified and learned working alongside them. I have chosen not to misrepresent myself, my qualifications or credentials. Money is a tool. It can buy lots of things. But it can't restore one's credibility if I compromise integrity to earn it. If I am unsure I can help a client, I will tell them this rather than just take their money.

I know this is a long read. Some will choose to pass and not read it. That is fine. A former professor used to tell his students "if you think education is expensive, try ignorance." When we choose to shop for price (and yes, we all have budgets to live within), this can end up costing us more than if we just hired the right person to start with. You can be like Barney and shoot your one bullet and miss.....or you can do your homework and hire the most qualified inspector for the job. And length of the report or how much time on site they spend is not what drives prices. Experience can dictate these things. Some reports may be longer from citations referenced, but a well trained inspector should be able to gather the data to support a conclusion.

Blaming the wrong party for a failure can be fatal. Most installers are either self employed or work for small businesses. Having to "eat the cost of a replacement" that is not their fault could put them, or the employer out of business when the fault may be on the manufacturer, builder, homeowner, jobsite or other cause.

Newer inspectors are trying to build their business. Like most of us, much of their work comes from the manufacturer and they do not like to pay more than they need. Some inspectors will cut their invoice to get the work and manufacturers know this. I have seen manufacturers assign work to another inspector over a \$25 difference in cost; this is ludicrous. As an inspector grows professionally investing in additional training, tools, and learns more, they can choose to market their services to other involved parties. Sadly, many inspectors choose to work for manufacturers. They work harder to earn a living than inspectors who choose quality over quantity. Inspectors like myself chose to specialize and charge accordingly based on experience.