







Why not older buildings?

- → What is the difference between buildings we build today and those we built 80+ years ago?
 - → Building Materials? More moisture sensitive
 - → Insulation levels? How much? Too much?
 - → Air tightness? How tight? Ventilation?
 - $\rightarrow~$ Speed of construction? Time is money.
 - → Consumer expectations? Increasing.
 - → Blissful Ignorance or Happy Accident?
 - → Lawyers?























The Challenge Persists

- → Continue to repair moisture damaged buildings; wind & hail, water damage & freezing are the #1 & #2 causes of insurance claims
- ightarrow Denver study of construction defect cases 2015-2017: over 70% of all defect claims included deficiencies related to the building envelope.









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2019 Building Enclosure Design Guide

- → For Wood Frame Multi-Unit Residential Buildings, Second Edition
- → Highly detailed and Specific
 Application of building science principles spelled out in the guide
- → High Performance Assemblies Introduced



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Legislation \rightarrow Washington State Requirements: ightarrow Applies only to MURBs ightarrow New construction and existing apartments converted to condos ightarrow Requires Design phase statement \rightarrow Requires course of construction inspection ightarrow Requires water testing ightarrow Requires statement from inspector of substantial compliance with design docs RDH

	Chapter <u>64.55</u> RCW CONSTRUCTION DEFECT DISPUTES—MULTIUNIT RESIDENTIAL BUILDINGS	
Legislation	64.55.005	Application.
5	64.55.010	Definitions.
ightarrow For existing apartment	<u>64.55.020</u>	Building permit application—Submission of design documents.
buildings being converted to	64.55.030	Inspection required.
condos:	<u>64.55.040</u>	Inspectors—Qualifications.
 Requires review of building enclosure and preparation of a document for prospective purchasers regarding the condition and problems that exist, 	64.55.050	Scope of inspection—Definition.
	64.55.060	Certification—Certificate of occupancy.
	<u>64.55.070</u>	Inspector, architect, and engineer—No private right of action or basis for liability against.
\rightarrow Has been on the books for over	<u>64.55.080</u>	Inspector's report or testimony—No evidentiary presumption—Admissibility.
10 years, largely successful	<u>64.55.090</u>	Sale of condominium unit subject to compliance—Inspection alternative.
ightarrow Has proven to be a useful and	<u>64.55.100</u>	Arbitration—Election—Number of arbitrators—Qualifications—Trial de novo.
effective tool in improving the	<u>64.55.110</u>	Case schedule plan—Deadlines.
quality of construction and reducing the number of failures	<u>64.55.120</u>	Mandatory mediation.
	<u>64.55.130</u>	Appointment of neutral expert— Qualifications—Duties—Admissibility of report or testimony.
	<u>64.55.140</u>	Payment of arbitrators, mediators, and neutral experts.
	<u>64.55.150</u>	Subcontractors and suppliers—When party to arbitration.
RDH	<u>64.55.160</u>	Offers of judgment—Costs and fees.
	<u>64.55.901</u>	Effective date—2005 c 456.

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