TEXAS SAND & GRAVEL

11311 E. FM 917
ALVARADO, TEXAS 76009
PHONE: 817-225-0059
TSGMATERIALS.COM

THE WORKING WITH SERIES 04

WORKING WITH & UNDERSTANDING
CONTRACTORS

REALLY, CONTRACTORS?

While not all contractors can cause a homeowner problems, you'd be surprised at some of the real life scenarios we run into on an almost weekly basis. Anyone remember Jerry Springer? After hearing about some of these experiences and being involved in them, we've decided to try and help those on the Interwebs by trying to share a little bit of first-hand knowledge with some various insights. From the steps a homeowner should take when dealing with contractors to the impact of Texas laws on homeowners, we hope the following might be helpful.

REAL LIFE SCENARIO NUMBER ONE

A homeowner wants to have some work done at their house, fixing some large flowerbeds and other landscaping areas. They search FaceBook Marketplace or similar and find a contractor who quotes the project significantly cheaper than others. They tell the homeowner they need to pick up a job to keep busy until their next big project starts. They agree on the work to be done with a handshake. The contractor orders a couple of loads of decorative gravel for the work to be done from a local vendor, and pays for the material with a credit card. The work is completed within a couple of days and the homeowner pays the contractor for all labor and materials. A couple of weeks later the vendor that provided the decorative gravel is told that the contractor has declined the charge on the credit card as fraud. The contractor's phone number has been changed. Since the material was delivered to a real property, the gravel supplier is allowed to seek payment from the homeowner or file a Lien against their property in order to collect monies owed according to the laws of the State of Texas under Chapter 53 of the Texas Property Code. Due to their lack of due diligence and following common contractor practices, the homeowner is forced to pay for the material twice or face larger issues.

REAL LIFE SCENARIO NUMBER TWO

An individual wants to purchase material for a project and searches FaceBook Marketplace or similar and finds the product that they want at an unbelievable price. The seller instructs the purchaser to make a payment via mobile friendly app like CashApp or similar (that is non-refundable). The seller then uses stolen credit card information they obtained to purchase the desired materials from a legitimate retailer and schedules delivery as a phony middle man. Once the materials have been delivered and the charges have been flagged as fraudulent, the homeowner is left to deal with the ramifications. Since the materials were delivered to a real property, the supplier is allowed to seek payment from the homeowner or file a Lien against the homeowner's property in order to collect monies owed according to the laws of the State of Texas under Chapter 53 of the Texas Property Code or face larger issues.

TEXAS
SAND & GRAVEL

SO WHAT DO YOU DO? WE'RE GLAD YOU ASKED...

We hate to see these and many other similar scenarios play out, but unfortunately, they do. The reality is that a with little work and effort on the part of the homeowner, they can save a lot of potential headache. In the box that follows we have outlined some of the most common and recommended practices for dealing with contractors. While this is far from an extensive list, it does cover the majority of common practices and specifically focuses on areas related to material supply.

RECOMMENDED BEST PRACTICES

THE FOLLOWING SUGGESTIONS ARE FAIRLY STANDARD PRACTICES WHEN NEGOTIATING WITH A CONTRACTOR:

• **GET MULTIPLE QUOTES.** Always thoroughly describe the work that you want done, and get a written quote that lists back the work you want done.

• **SEEK RECOMMENDED CONTRACTORS.** Check with family, friends, neighbors, and reputable businesses to find contractors that have solid reputations for the type of work you want performed. Are you able to see reviews on Google, or visit their location?

• **THE CHEAPEST OPTION IS NOT ALWAYS THE BEST OPTION.** Just because someone is cheaper, does not make them the best option. Make sure you do your research on the companies you are considering, and that you find a company that has been in business and has proven business practices. Search Google, and see about visiting their office or building.

• **THE MORE RESEARCH YOU DO FOR YOUR PROJECT - THE BETTER.** The more that you know about method, practice, and the process on your scope of project, the better you are able to ensure your project turns out how you envisioned, and that the quotes you receive are accurate to the expected work to be performed.

• **IS YOUR CONTRACTOR LICENSED OR INSURED?** If your project might require it, you should ask whether or not a potential contractor carries the appropriate licenses and insurance.

ONCE YOU CHOOSE A CONTRACTOR

1) GET THE WORK TO BE DONE IN WRITING WITH A SIGNED CONTRACT. List everything thoroughly, including the process and procedures for the work. Get any vendor names in writing if there will be materials that will be provided by a third party and that the contractor will be responsible for purchasing these materials. Make sure to include a schedule timeline for the work to be performed.

2) NEVER, EVER PAY FOR EVERYTHING UPFRONT. Even for Uncle Bobby's cousins' best friend since childhood**.** Any legitimate contractor will usually take a certain percent at the start of a project for supplies and initial labor costs. This can range from 10% to 25% to a couple thousand dollars based on the overall scope and cost of project. During the course of the project, progress payments should be made weekly which cover labor and supplies, usually at the end of the week. There should always be a significant amount left as the final payment once the work has been fully completed to satisfaction. Make sure that the payments reflect this schedule.

3) GET A LIEN RELEASE FOR MATERIALS. If you have had materials delivered to your house by a third party that you did not pay for yourself directly as part of your project, you need to request a lien release before you release your final payment to the contractor. You can also consider purchasing the materials yourself, eliminating this step and concern altogether.

IF YOU STILL HAVE QUESTIONS...

If you still have questions, our team is here to help at Texas Sand & Gravel! Give us a call in the office at 817-225-0059 or reach out by email or you can even try us on Facebook. We are here to help!

TEXAS PROPERTY CODE

You can learn more about Chapter 53 of the Texas Property Code at the following URL:
https://statutes.capitol.texas.gov/Docs/PR/htm/PR.53.htm