

TENNESSEE HomeBuilder

March/April 2006

Official Magazine of the Home Builders Association of Tennessee

Paula Flowers

**Commissioner of Commerce
and Insurance: A woman of
far reaching talents** *See page 12*

**2006 Membership Drive
Smashes National Record**



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TENNESSEE HomeBuilder

March/April 2006



WHO WE ARE

The Home Builders Association of Tennessee (HBAT) is a not-for-profit trade association comprised of professional builders, developers and associated firms engaged directly or indirectly in home building, remodeling, and light commercial construction.

MISSION STATEMENT

The Home Builders Association of Tennessee represents over 6,000 member firms as the Voice of the Housing Industry. We advocate housing affordability and availability through:

- Legislation,
- Communication, and
- Education.

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TN HomeBuilder is the official publication for the Home Builders Association of Tennessee.

Annual subscription rate for members of the association is included in the association dues.

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(931) 379-0814

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-Photoshop 5.5
-Quark Express 4.0

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May be sent to—
tnbuilder@charter.net or

TN HOME BUILDER
P.O. Box 1916
Columbia, TN 38402
www.tnhomebuilder.com

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PRESIDENT'S PERSPECTIVE

Strength in Numbers and a Common Goal



Congratulations! The incredible results of our latest membership drive have allowed the Home Builders Association of Tennessee to move from 17th to 12th in the National Association of Home

Builders Federation! The entire industry is trying to figure out how our organization accomplished this effort of bringing in more than 1,400 new members in just two days. The answer is not complicated, and can be summed up in one word—**Teamwork!**

To everyone who worked so hard to increase our membership, I would like to offer my sincere thanks. I also encourage each of you to make our new members feel welcome. Now is the time to get the new players in the game and make them feel like part of the team! It has never been more important to maintain this positive momentum of increased

membership. Now we must all focus on membership retention and continue with our success.

New members, you are now part of one of the finest associations in the country. I am sure I speak for everyone when I say, don't be afraid to roll up your shirt sleeves and get involved. I encourage you to explore the value of your member benefits. You can go to our website at www.hbat.org and find information such as special insurance and discount programs, networking and educational opportunities, and links to your local association. The more you strive to be active in our associational family, the more value you will derive from your membership.

Now, let's all take advantage of the fact that there is strength in numbers. Working together, we can accomplish so much in the areas of positive legislation, education, and membership networking. I really wish I could tell everyone to relax and take a break. It's that time of year, and you deserve it. However, industry issues such as immigration, new



HBAT President Tim Neal

development taxes, and environmental concerns must constantly be addressed. Failure to keep our finger on the pulse of legislative issues can seriously damage the future health and welfare of our industry.

So to the tried and true veterans, and the new recruits, I give you these few words of encouragement and wisdom:

—Continued, see quotes below

Andrew Carnegie

Scottish/American Industrialist

Teamwork is the ability to work together toward a common vision—the ability to direct individual accomplishments toward organizational objectives. It is the fuel that allows common people to attain uncommon results....



Tim Neal

2006 HBAT President

We have already amazed our industry with uncommon results. Now let us continue to move forward, with the strength of our numbers, to become the most powerful and influential voice in the home building industry.



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EXECUTIVE OFFICER *Outlook*

Let's Be Positive about Positive Growth

Contrary to the thought patterns of those who are uninformed about the home building industry, individuals who build homes do not create population problems in communities. Positive growth in an area is definitely an indicator of economic success. The home building industry, and their associates, simply responds to supply and demand and gives the consumer a product. Trying to blame our industry for growth problems is like trying to blame General Motors for traffic problems on the interstate. There is a real fallacy in this conclusion.

Here is another point in the automobile analogy. Many people want the dependability of new cars with the latest features in comfort and safety. In the home building world, many people want the privilege of designing a home that's uniquely their

own, with the comfort, convenience, and economy that only a new home can offer.

Bill Crawford, writing for the Birmingham Business Journal, made the following points:

The materials used to build new homes probably were subject to sales taxes in the communities where they were built. The residents of these homes live, work, shop and seek entertainment in their new community. The incomes of local merchants are increased as residents make purchases that otherwise would have been made elsewhere. Property and many other types of taxes are generated from these new residents. There are growth-specific taxes that are generated in the first year of a home's construction and recurring taxes that will follow the life of the home.



Susan Ritter, HBAT
Executive Vice President

Communicating Effectively With A Problem Client



"You can make more friends in two months by becoming really interested in other people than you can in two years by trying to get other people interested in you. Which is just another way of saying that the way to make a friend is to be one."

—Dale Carnegie

We have all recognized the fact there are some clients you are better off without. But what happens when you're already in the fire, and there is no escape route beyond finishing the job?

First, remember the three C's of effective communications—never criticize, complain, or condemn. Dale Carnegie, the now legendary author of **How to Win Friends and Influence People**, drove the three C's concept home in everything he taught. It is a very simple set of rules: show appreciation for others, make others feel important, and respect others viewpoints.

Many times, all the client really wants to

know is that you're concerned about their problem. So listen, make eye contact, and respond with positive listening skills. Shake your head in agreement, and take notes if necessary. Who knows, this client may be one of your best "word of mouth" advertisers, if you solve the problem and create a positive situation out of a negative one.

So what if you really have a serious problem? Once again, a little more Dale Carnegie wisdom:

If you have a worry problem, do these three things:

1. *Ask yourself, "What is the worst that can possibly happen?"*
2. *Prepare to accept it, if you have to.*
3. *Then calmly proceed to improve on the worst.*

So the next time someone tries to pull you into a negative environment, remember the three C's of effective communication. Maybe instead of having a problem client, you can learn to "Win Friends and Influence People."

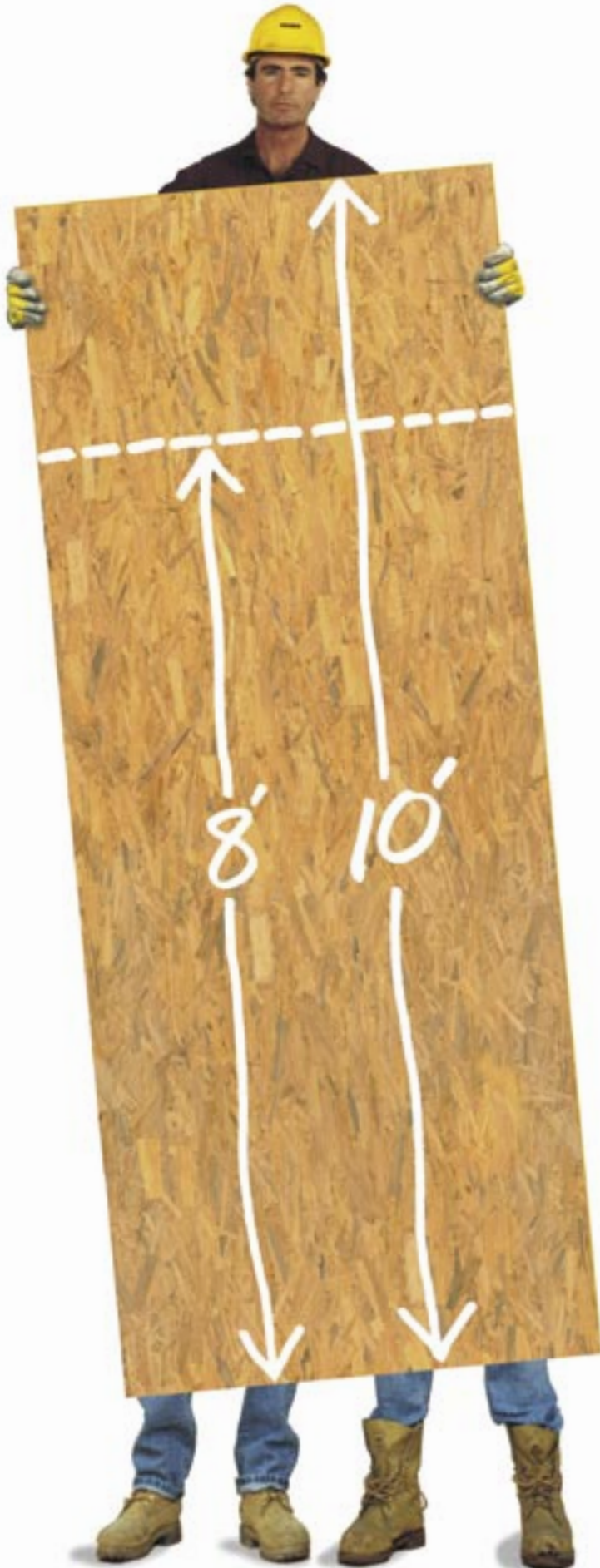
In Tennessee, we have continually made the point that single family home construction creates thousands of jobs, places millions of dollars of wages and taxes back into our communities, and has a very positive effect on the local retailers.

Impact fees, the so called "cure all" for the common newcomer, only penalizes the homeowner and creates a less and less affordable housing market. A recent Realtor publication pointed out that "There has never been a worse time to increase...any tax that adds a burden to the potential home buyer. Additional taxes cripple first time home buyers trying to scrape together enough money for a down payment and normal closing cost." (Source: Steve Harding/Realty Times – TN Assoc. of Realtors)

The bottom line is this: new homes are now, and always will be, a positive indicator of economic success in a community. New homes point to a community that is flourishing, where money is coming in, and where residents should be thankful for the revenue created by our industry.

New homes mean a better standard of living and a multitude of benefits for every community. ♦

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Paula Flowers

Commissioner of
Commerce & Insurance



Commissioner Flowers also serves as the State Fire Marshall

Paula Flowers, a native of Monterey, Tennessee, was appointed to her current position of Commissioner of Commerce and Insurance by Governor Phil Bredesen in January of 2003. She is definitely qualified for managing such a far reaching department, holding a bachelor's degree in civil engineering from Tennessee Technical University, a master's degree in civil engineering from McNeese State University in Lake Charles, Louisiana and a law degree from the University of Tennessee. She is a member of the Worker's Compensation Advisory Council, State Insurance Plan Committee, State Local Education Insurance Plan Committee and the Tennessee Health Service Development Agency.

And if that's not enough to impress you, she is married to Jim Flowers, and they have three sons.

Paula was kind enough to take time

out of her busy schedule to answer several relevant questions for the Home Builders Association of Tennessee.

Q : On the Commerce & Insurance Department website, it states "...your agency protects the interests of consumers while providing fair, efficient oversight and a level field of competition for a broad array of industries and professionals doing business in Tennessee." What does this mean to the home building industry?

A : First and foremost, we want to ensure that all requirements are published as either law or regulation and available to licensees and the general public. I have worked diligently with staff across the Department to eliminate "desk drawer" policies that keep licensees from full understanding, and meeting requirements of their profession.

The Board for Licensing Contractors is pro-active in enforcing standards for those who operate in the home building industry.

I also believe that an informed consumer can be as good, if not better, a regulator as we can be. The Department works to ensure consumers have access to information via our website. They can check the status of licensees and can view a list of problem contractors. Furthermore, complaints received by the Board for Licensing Contractors are reviewed by legal staff, who then make a recommendation to either **CHAMPS** (Contractor/Home Owner Accountability and Mediation Program) or investigations. When complaints are referred to **CHAMPS**, the Division of Consumer Affairs mediates the complaints between homeowners and licensees. This program allows for resolutions to problems that may or may not constitute violations of law or rule. With the implementation of **CHAMPS**, both home builders and homeowners have an additional resource to resolve issues.

Q : In your position as the state's top insurance industry regulator, including self-insured trust, tell us how your department affects the homebuilding industry?

A : The department affects the homebuilding industry by approving annual loss cost filings for workers' compensation, and we approve the loss cost multiplier for the assigned risk pool. Individual carriers also file their loss cost multipliers with us. Loss costs and many other factors combine to determine rates charged by insurance carriers. We also review rate and form filings for other property and casualty lines of business.



Paula Flowers and Scott White, Deputy Commissioner

With respect to the self-insurance trust, we annually review the group's loss cost multiplier to assure it is adequate to fund expected losses and expenses. Our analytical unit reviews and approves self insurance member distributions when premium dollars exceed losses and expenses for individual plan years. Our analytical and examinations units also monitor the trust's financial stability.

Q: How does the board for licensing contractors compare to the structure of other state boards?

A: The composition of the surrounding states is basically the same as Tennessee's board. Generally superficial differences in structure exist, such as a disparity in the number of board members (they vary from 7 to 20 members). Some states incorporate other professions such as; architects, engineers and firemen, while other states just have a residential home builder's commission.

Q: Many home builders feel they are over regulated. How would you respond to this concern?

A: Purchasing a home may be one of the most important financial decisions a consumer makes. With that, we take our responsibility to regulate the industry seriously by ensuring proper licensure and licensee discipline. The Department of Commerce and Insurance wants to instill confidence in consumers,

so when buying a home the consumer feels comfortable picking a qualified residential home builder.

Q: As stated on your web-site, how does your department "assure quality and fair construction practices."

A: The board strives to ensure that competent and experienced builders are licensed through examination and financial statements. Through the complaint process the board may discipline a licensee and reprimand them according to the laws and rules.

Q: Describe how your department serves as a bridge between consumers and contractors. How do you think the responsibilities of the board of licensing changed since it was established in 1931?

A: With technology being what it is today, the board can communicate better with consumers and contractors. A consumer can now file a complaint on-line and a contractor will be able to renew his or her license online in the near future.

With the implementation of **CHAMPS** and the board's website, consumers have an option to check on prospective contractors and to see if they have had any prior discipline administered against them.

Q: What is CHAMPS? If one of our members finds their name on the "Problem Contractors List," how do they resolve the issue and get their name removed from the list?

A: **CHAMPS** - known as the "Consumer Homeowner Mediation Program" is when the Division of Consumer Affairs attempts to bring the



History of TN Department of Commerce and Insurance

In 1878, the Tennessee General Assembly recognized the need for consumer protection and insurance regulation by creating the Bureau of Insurance with the state treasurer acting as insurance commissioner. In 1913, a separate Department of Insurance was formed and put under the direction of a commissioner, who became an officer in the governor's cabinet. The Fire Prevention Division was added in 1937. To reflect its expanded role in business regulation and consumer protection, the State Insurance Department became the Department of Commerce and Insurance in 1983.



GENERAL ASSEMBLY BECOMES CHESSBOARD

April 6th Qualifying Deadline



Many members of the General Assembly are pondering their political futures. Three

of the thirty-three Senate seats, and nine of the ninety-nine House seats, will not have an incumbent running for re-election. More seats may become open as potential opponents gear up back home.

Due to the March 12, 2006 death of Republican Representative Jack Sharp of East Ridge, one seat is open today. Representative Sharp had been in the House for 12 years. The three Senators not seeking re-election are Senator Curtis Person from Memphis, Senator Jeff Miller from Cleveland and Senator David Fowler of Signal Mountain. Senator Person is running for Juvenile Judge of Shelby County. All three seats are thought to be solidly Republican.

The availability of these three seats may lead to other House seats coming open. This is due to the fact House members often run for open Senate seats that encompass their House district.

The ten House seats will become open for a variety of reasons. House District 1 will become open because Representative Steve Godsey is running for Sullivan County Mayor. In House District 6, Representative David Davis is running for the Congressional seat left vacant by 1st District Congressman Bill Jenkins. Representative Dewayne Bunch,

representing District 24 in Cleveland, is seeking Jeff Miller's Senate seat. In District 27, Representative Chris Clem is not seeking re-election and is not seeking any other elected office. Powerful House Commerce Committee Chairman Jere Hargrove is not seeking another term, nor another elected position. House Agriculture Committee Chairman Gene Davidson is not seeking re-election. He will now focus his attention on running his family's huge farming operation in Adams, Tennessee. Shelby County Republican Representative Paul Stanley is vacating his seat to run for the seat vacated by Senator Person. Shelby County Representative, a former House Republican Leader, Tre Hargett, is also not seeking reelection. Representative Sherry Jones of Nashville is running against Davidson County Criminal Court Clerk, David Torrence, in Nashville's May 2 Democratic primary. If she wins, it is anticipated that she will not run for her House seat. Hamilton County Representative Bo Watson has announced that he will leave his House seat to run for the District 11 Senate seat, now held by Senator Fowler.

The Democrats have 53 House seats and the Republicans occupy 46. If the Republicans pick up four seats they could control the House, just as they currently control the Senate.

SENATOR BRYSON ANNOUNCES RUN FOR GOVERNOR

Senator Jim Bryson of Franklin, Tennessee has announced a run for the



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Republican nomination to oppose Governor Phil Bredesen in this November's gubernatorial race. Bryson, a first-term Republican Senator, is co-owner of a market research firm. Bryson is a member of the powerful Senate Commerce Committee.

Cates Seeks Senate Seat

Brentwood developer Steve Cates has announced a run for the state senator of the 23rd District, which includes Williamson County and a portion of Davidson County. This is the seat left open by Senator Jim Bryson. Steve has long been active in the HBA of Middle TN and currently serves as the National BuildPAC chairman for NAHB. ❖

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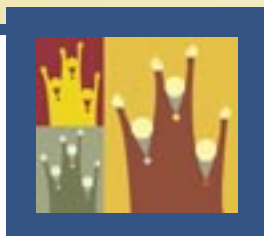
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2006 Membership Drive Breaks All National Records*

*Over 1400 New Members in 2 Days

The OLYMPIC SIZE RESULTS of the recent membership drive are nothing short of phenomenal! With a lot of planning, determination and hard work, 10 local associates of the Home Builders Association of Tennessee brought in over 1,400 new members in a 2 day drive, February 22nd & 23rd.

Why would so many people join the Home Builders Association in such a short period of time? We believe it has everything to do with the many issues facing the home building industry. There is a sense of urgency created by concerns ranging from soaring material prices, to new development taxes, to regulatory issues. These issues have a direct impact on the affordability of new homes in Tennessee. Our president, Tim Neal, has pointed out "there is strength in numbers." This is the reason so many individuals have chosen to join our association, and why our numbers will continue to grow.

The legislative process was developed to benefit the quality of life experienced by every citizen. Each position on every issue our association represents will ultimately shape the way we do business. Our combined influence will draw serious attention to industry concerns during the governmental decision-making process.

Individually, we cast votes to choose representatives to carry out the difficult task of determining which laws and policies will best serve the interests of the people. As a group, we can actively participate and make a difference in the legislative process.

Congratulations on bringing in a record number of new members, giving our association the ability to be more influential for every individual in the home building industry and new home buyers in Tennessee.

During the 2006 Legislative Conference and Spring Board of Directors Meeting in Nashville, membership accomplishments were celebrated and awards were presented to top performers.

Quest of the Dream Teams Results:



Greatest Percentage Increase

Gold Medalist:	69.1%	HBA of Greater Kingsport
Silver Medalist:	62.1%	Rutherford County HBA
Bronze Medalist:	52%	Memphis Area HBA

Greatest Number of Members Recruited

Gold Medalist:	533 Recruited	Memphis Area HBA
Silver Medalist:	231 Recruited	HBA of Greater Knoxville
Bronze Medalist:	167 Recruited	Rutherford County HBA

Greatest Members Recruited by Individual

Gold Medalist:	29 Members	John Floyd	Rutherford County HBA
Silver Medalist:	28 Members	Joe Swanson	Rutherford County HBA
Silver Medalist:	28 Members	Tim Wilson	Memphis Area HBA
Bronze Medalist:	23 Members	Tom Mason	HBA of Greater Knoxville
Honorable Mention:	22 Members	Tim Neal	President, HBA of TN

2005 Membership Awards (See page 25)

• 82.9% Retention		HBA of Greater Knoxville
• 83.4% Retention		Clarksville Montgomery County HBA
• 85.7% Retention		Sevier County HBA
• 80.6% Retention	73 New Members	HBA of Southern TN
• 81.4% Retention	20 New Members	Kingsport Area HBA
• 84.3% Retention	23 New Members	Maryville/Alcoa HBA

Membership Drive Breaks All Records

Individual Recruiters



Gold Medalist: 29 New Members, John Floyd (not pictured) along with Silver and Bronze Medalists



Silver Medalists: 28 New Members, Karen Beaty (for Joe Swanson) and Tim Wilson



Bronze Medalist: 23 New Members, Tom Mason pictured with George Wright and Tim Neal

Percentage Increase



Gold Medal: 69.1% Increase, HBA of Greater Kingsport.

Silver Medal: 62.1% Increase, Rutherford County HBA

Bronze Medal: 52.2% Increase, Memphis Area HBA

Numerical Increase



Gold Medal: 533 New Members, Memphis Area HBA

Silver Medal: 231 New Members, HBA of Greater Knoxville

Bronze Medal: 167 New Members, Rutherford Co HBA



Individual Recruiters

Honorable Mention:

22 New Members,
President Tim Neal pictured
with James Carbine (left)



2006 MEMBERSHIP DRIVE

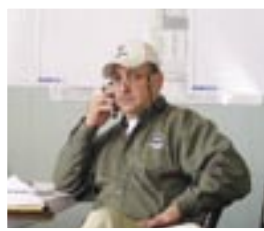
Memphis Area HBA



Rutherford Co. HBA



Jackson Area HBA



Clarksville/Montgomery Co. HBA



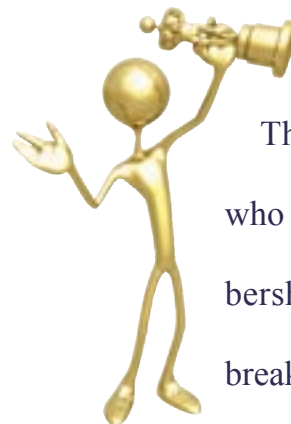
HBA of Greater Kingsport



Middle Tennessee HBA



Ocoee Region BA



Thank you to all participants who helped make the 2006 Membership Drive a national record breaking success.

WE MADE PROJECT MANAGEMENT EASIER, INCREASED PRODUCTION AND STREAMLINED PROFITS

BY LARRY OMPS, PRESIDENT & CEO
COLONIAL VILLAGE INDUSTRIES

For us, stick-building was becoming harder every day as a custom home builder. The limited availability of skilled labor becomes more magnified when you have 6-10 residential, multi-family and light commercial projects going at any one time. To help accomplish what we had on the drawing board, including three developments and one of them a 50 lot community, we turned to Mod-U-Kraf. It was obvious we had outgrown stick-building.

Everyone from the management and designers, to the expeditors at Mod-U-Kraf, works to make our lives easier and is concerned with delivering a quality product. The entire process is engineered to automatically control and know a fixed cost. And with the flexibility we have available, we don't miss a beat in versatility from tray ceilings to the customizing features homeowners want.

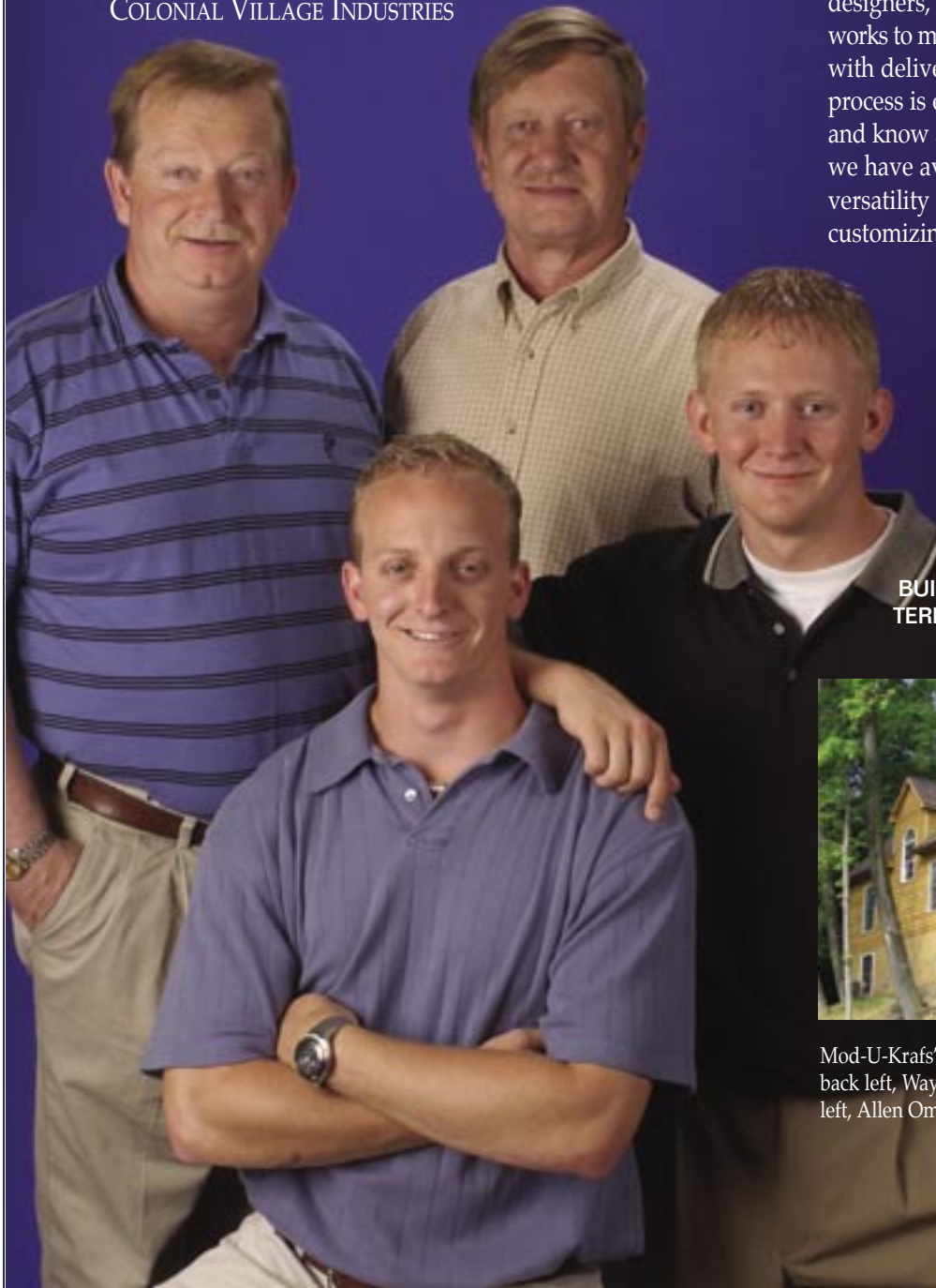


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Mod-U-Kraf's Bayview Model shown above. Shown back left, Wayne Omps, Larry Omps. Matt Omps, front left, Allen Omps, front right.



BOARD OF LICENSING CONTRACTORS



The Mission

"The Board's mission is to assure that quality and fair construction practices exist in all phases of the industry in order to protect the safety and welfare through the regulation of contracting by means of examination, licensure and disciplinary action."

If you think that Mission Statement is a wheelbarrow full, go visit a session of the Board during one of their bi-monthly meetings to see the magnitude of their responsibilities.

The Board, which is structured under the Department of Commerce and Insurance, was originally established in 1931 and today remains a bridge between the consumers and contractors of Tennessee. As with many of the other state boards and commissions, nine of your fellow Tennesseans give extensively of their time and expertise to help provide for the protection of the consumers of Tennessee and the improvement of the contracting industry in our state.

The Board by statute is comprised of three (3) residential contractors, two (2) commercial contractors, one (1) mechanical contractor, one (1) highway contractor, one (1) electrical contractor and one

(1) public member. The members serve rotating terms to allow the Board continuity of policy and experience. The Board's administrative staff is headed by Carolyn Lazenby, Director.

As stated in the Board's Mission Statement, they have three (3) primary responsibilities:

1. Establishment of examination requirements. The Board and its' staff are tasked with establishing examination requirements that reflect the knowledge and experience necessary to insure a proficiency in a specified license.

2. Establishment of licensure policy and procedure. The primary task of much of the staff of the Board is the processing of new and renewal licensing for the thousands of contractors across the state. The Board establishes the guideline requirements for financial, technical and previous experience necessary for licensure. At any given Board meeting, they may personally interview hundreds of contractor applicants to determine if they meet the licensing requirements that have been established.

3. Disciplinary Action. When contractors do not adhere to the regulations as established by the Board and Department of Commerce and Insurance, the Board is authorized to conduct investigations in conjunction with the Office of Consumer Affairs and to conduct hearings to impose a monetary penalty or revocation of license if deemed necessary.

The citizens of Tennessee, and the industry that you are a part of, are all better served by the tireless and most often unrecognized service of these selfless individuals who bring a lifetime of industry knowledge to this important and necessary organization.

TENNESSEE BOARD OF LICENSING CONTRACTORS

500 James Robertson Parkway
Nashville, Tennessee 37243-1150
(615) 741-6307

Toll Free: (800) 544-7693

Fax: (615) 532-2868

E-mail: <http://www.state.tn.us/commerce/boards/contractors/index.html>



New Residential Representative to Board of Licensing Contractors

In late 2005 Governor Bredesen appointed HBAT member Keith Whittington to fill an unexpired term on the Board of Licensing Contractor. Keith, a long-time member of the Johnson City Area Home Builders Association and a second generation contractor, resigned his position on the HBAT Executive Committee in order to accept this appointment from the Governor.

Keith has for many years been active in leadership roles with the Johnson City Area HBA, Home Builders Association of Tennessee and the National Association of Home Builders.



2006 Tennessee State Licensing Contracting Board Members

Function	Board Member	Term Expiration Date
Electrical	Cindi G. DeBusk, Secretary GCS Group, LLC P.O. Box 5025 Knoxville , TN 37928-0025	12-31-2010
Highway	Cliff Hunt Standard Construction Co., Inc. P.O. Box 38289 Germantown , TN 38183-0289	12-31-2008
Public Member	Frank Neal, Chairman Frank E. Neal & Co., Inc. P.O. Box 40507 Nashville , TN 37204	12-31-2010
Mechanical	Donald C. Orr Nashville Machine Co., Inc. P.O. Box 101603 Nashville , TN 37210-1603	12-31-2007
Commercial	Larry Parks, Vice Chairman T. U. Parks Construction Co. P.O. Box 3308 Chattanooga , TN 37404-0308	06-30-2008
Commercial	George Sanders SMS Contractors, Inc.. Minority Representative 1790 LaPalma Memphis , TN 38114	12-31-2005
Residential	Reese Smith Haury & Smith Contractors 2033 Richard Jones Rd. Nashville , TN 37215	12-31-2004
Residential	Glenn Still Glenn Still Contractors 1711 Lake Rd. Dyersburg , TN 38204-2407	06-30-2008
Residential	Keith Whittington Whittington Construction Company, Inc. 102 Daniels Way Johnson City, TN 37615	12-31-2007

HBAT ANNOUNCES NEWEST STAFF MEMBER, BRAD CARTNER



We are pleased to introduce our newest staff member, Brad Cartner. Brad, officially the Director of

Communications, will be responsible for developing and writing promotional materials and press releases, working with the media, and writing and editing the bi-monthly Tennessee Home Builder. He will also assist with meeting planning.

Originally from Statesville, North Carolina, Brad grew up working with his family on a cattle and poultry farm. In 1988, he graduated from Wingate University with a Bachelor's Degree in Communications. For more than nine years, he worked for the Food Lion Headquarters in Salisbury, North Carolina. His responsibilities included: producing a monthly newsletter and a monthly video magazine, planning employee and stockholder events, working with government relations, media relations, public relations and advertising.

In 1996, Brad created an advertising/public relations company that is now operated by his wife Evelyn. She is also a Realtor in Dickson, Tenn. Brad and Evelyn have an eleven year old son, Kobe.

"I have worked in a lot of different environments; but I have never worked with a more dedicated, professional, and capable group than the Home Builders Association of Tennessee. I am very proud to be a part of this organization."

We look forward to working with Brad, and when you see him, be sure to welcome him into the home builder family!

Spring LEGISLATIVE CONFERENCE

(See page 28 for more photos)

Once again, the Home Builders Association of Tennessee made its' presence known on Capitol Hill in Nashville. On Tuesday, March 7th as part of our Spring Legislative Conference, over 100 home builders made their annual visit to their local legislators to share their support and concerns over legislation pending in this year's session.

There were two basic messages our members chose to share with their legislators this year:

First, the homebuilding industry is a fragile, diverse and complex system of businesses and individuals bringing together one of the largest economic factors in our nation.

For the past 3 to 4 years, the housing industry has experienced incredible success. However, there is no crystal ball to indicate what the future holds. Economists agree that a decline may be inevitable. The National Association of Home Builders (NAHB) Housing Market Index is down significantly. A University of Michigan Study indicates the percentage of people saying this is a good time to buy a house has plunged to 57% from 75% in just a few months.

The housing industry of 2006 finds itself in a very fragile position. This is why we are against any taxing measures that fracture the tax base from jobs and new construction. If enacted, much of the proposed "New Development Tax" legislation before this session could wreak havoc on the housing industry in Tennessee.

We must be mindful of the jobs created by the homebuilding industry, the income provided to families, the tax base for local communities and the constant



Sonny Richardson addresses Board of Directors meeting



Steve Cates addresses Board of Directors meeting



Senior Officers



Joe Savarese, NBIS Representative, presents HBAT President, Tim Neal with a check for \$50,000

stimulant of a strong housing market on our economy.

Second, illegal immigration is definitely an issue affecting the building industry. Unfortunately, the question turns to "who is at fault?" It is time to fix the problem. If we continue concentrating on blame, the problem remains. The answer is responsible and common sense legislation and cooperation between government and industry.

- The building industry depends on a diverse workforce to supplement our labor needs.

- Our industry is unique, creating a huge geographical operating area. Job sites create environments where sub-hiring is a necessity. The thought of policing such a wide territory, where the work-force changes from project to project, is both unfair and unreasonable.

- The housing industry as a whole wants to encourage immigration policies that are fair and nondiscriminatory. We would also like to enact necessary reforms to the current immigration system that are advantageous to those who want to work and the industries that need the workforce.

We urge our members to continue to share this information with their local legislators and to let them know how these issues affect their businesses. Our industry has been one of the strongest segments of our state's economy over the past ten years, and we must remain knowledgeable and vigilant of economic and legislative factors that can adversely effect its' ability to generate jobs and tax revenues. ♦

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From 5:00 on I work for me.”



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2005 Membership Achievement Awards

Retention and Net Growth



**80.6% Retention
and Net Growth
of 73 Members**

HBA of Southern TN
George Wright, Thom
Carmichael, Tim Neal



**81.4% Retention
and Net Growth
of 20 Members**

**Greater Kingsport
HBA**
George Wright,
Carolyn Robertson,
Tim Neal



**84.3% Retention
and Net Growth
of 23 Members**

George Wright, Bruce
Hayes, Tim Neal

Retention



82.9% Retention

HBA of Greater Knoxville
Mike Stevens, George Wright, Tim Neal



83.4% Retention

Clarksville/Montgomery County HBA
Karen Blick, George Wright, Tim Neal



85.7% Retention
Sevier County HBA



Net Growth



**Net Growth of 117
Members**

Memphis Area HBA
George Wright, Tim Wilson,
Tim Neal



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MEMBERSHIP PAYS

DOUG COLLINS
MEMPHIS AREA HBA



Doug Collins says he “loves the smell of raw wood and building something that someone can call home.” That’s reason enough to be a Tennessee Home Builder. Doug is the owner of Sovereign Homes, LLC and builds 40 – 55 houses per year. His homes are designed to meet the needs of the first time home buyer and the “first time move-up buyer.”

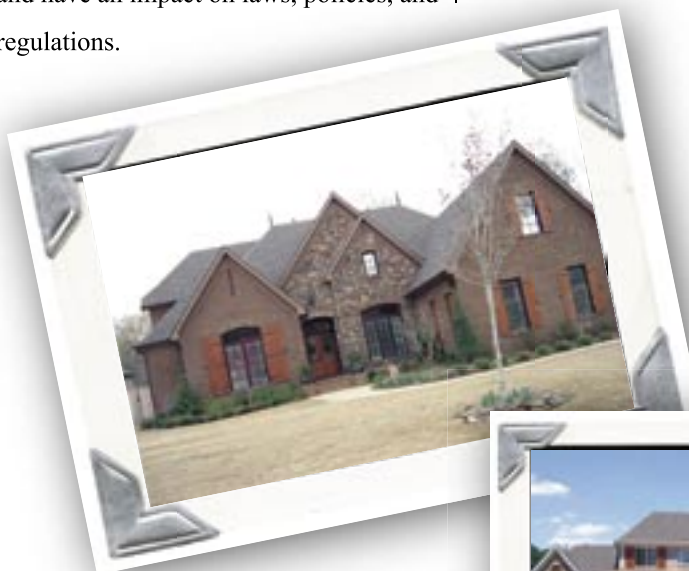
Before he endeavored to become a home builder, Doug invested 25 years in Real Estate. It seems Doug has a real ambition to make the American Dream come true. Doug is a member of the Memphis Area HBA and serves as our Vice-Chair of Government Affairs Committee. It is obvious that Doug Collins understands the value of both the local and state level Home Builders Associations.

We asked Doug why he believes MEMBERSHIP PAYS?

“There are really two huge benefits. First, through local and state cooperation, the Home Builders Association can really

have an impact on public policy. These legislative issues have to be analyzed daily and dealt with in a timely manner. Trade associations strengthen the ability to create forums which bring practicality to government regulations. We want to make sure our representatives understand the legislative issues that can help or hurt our industry. It’s a delicate balance of policy and common sense. Without our associations, we could never organize as one voice and have an impact on laws, policies, and regulations.

Second, our members create an arena for networking and the exchange of ideas. No one lives in a vacuum, and life is about relationships. Getting involved and talking to other individuals who face the same day to day victories and defeats can really help you learn and create better ways of doing business. It’s a win, win situation for every member in our local, state and national associations. *“Membership really does pay!”*



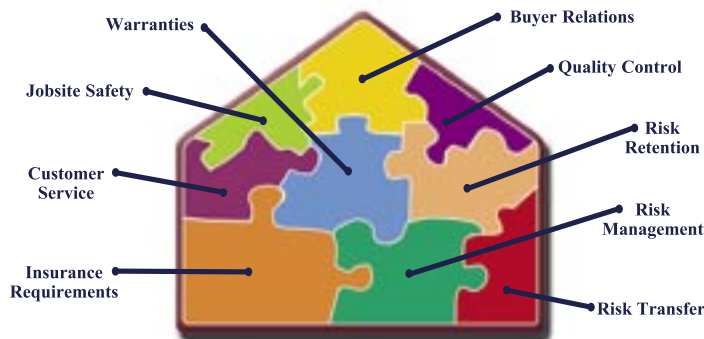
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LOCAL HAPPENINGS

Upper Cumberland Home & Garden Show Is HUGE SUCCESS!

March 2006 - The Home Builders Association of the Upper Cumberland, partnering with Habitat for Humanity, boasted the largest turnout ever during the 28th annual Home & Garden show in Cookeville. With more than 130 exhibitors, the event drew well over 7,000 attendees. The proceeds of the event are used as a fundraiser for the local Habitat for Humanity. Plans are now underway for the 2007 event.

Current HBAUC president, Andy Hammock, visited with "Builder Bob" who was a popular attraction among the children. "Bob" was actually another HBAUC member, Andy Milton, who also happens to be Andy Hammock's brother-in-law.



HBAUC member, Cookeville Kitchen Sales, won Best large Exhibitor. (L-R) Danny Lee and Penny Greene (both of Clarksville Kitchen Sales).



Nature's Creations won Best of Show. (L-R) Randy Dominique w/HBAUC Vice President Steve Black.

2006 Legislative Conference



The Memphis Area Home Builders Association's annual Legislative Dinner was a tremendous success. The event was well received, with 23 legislators from Shelby, Tipton, and Fayette County along with 30 members of MAHBA's



Tom and Trina Kelly, Charlie Busler, Senator Raymond Finney, Sandy Smith and Wayne Blazer. Senator Finney with representatives from the Sevier County HBA at the recent legislative meeting held in Nashville.



HBA of Greater Kingsport with Representative Mike Harrison



Senior Officers Presenting Rep. Gene Davidson with a plaque honoring his thirty-two years of service.

HBA of Greater Kingsport and the Johnson City Area Home Builders Association with Senator Ron Ramsey



Contractor/Homeowner Accountability & Mediation Program

NASHVILLE – After a year-long investigation of Tennessee consumers' complaints regarding residential contractors, the state is changing the way it investigates and mediates complaints by homeowners, Commerce and Insurance Commissioner Paula Flowers announced today. "For years, our Consumer Affairs Division has successfully mediated consumer complaints for thousands of Tennesseans—on everything from rebates to fitness clubs. Now we're putting them to work for homeowners who need help dealing with contractors," said Flowers. The new consumer program is called **CHAMP**.

This was the beginning of a Media Release on January 18, 2005. The **CHAMP** program was introduced to clear up problems and misunderstandings between homeowners and contractors. The actual mediation program covers complaints filed with the Board for Licensing Contractors and the Home Improvement Commission. Before **CHAMP**, many consumers complained the previous system of reporting problems did nothing for them.

The Complaint Process

Complaint forms can be downloaded from the Consumer Affairs website area. It is an eight page document that begins with this statement:

The Board for Licensing Contractors and the Home Improvement Commission strive to protect the health, safety & welfare of Tennessee citizens from unscrupulous contractors. This is our number one concern. The Board and Commission primarily concentrate on disciplinary action for licensing violations.

Once the complaint is received, it is reviewed by the board's staff and legal counsel to determine if the board has jurisdiction in the matter. The actual complaint document states "Neither the

Board nor Commission has the authority to award monetary damages or force the contractor to make repairs." What they can do is send letters of warning/caution, civil penalties, etc. They can also "revoke or suspend the contractor's license through an adversarial Formal Hearing process under the Administrative Procedures Act. Any eligible residential complaint received in the Board and/or Commission office will be transferred to the Division of Consumer Affairs for processing through **CHAMP**."

Here Comes The CHAMP!

Once again, **CHAMP** was designed to work out differences and misunderstandings between the contractors and consumers, without administrative disciplinary hearings. Once the complaint is transferred to the Division of Consumer Affairs, you will be notified in writing. Once you receive notification, by certified mail, you will have 10 days to respond, in writing, to the complaint. Next, legal counsel will review the documentation and determine how to proceed. It may include an inspection of the job site, by an inspector, if necessary. The complaint is then ready for Board Review. "The case is presented to the board at a regularly scheduled meeting

Commissioner Flowers—

Continued from page 13



L-R: Meredith Sullivan, Asst. Commissioner of Regulatory Boards; Kristen Coile, Legislative Liaison; Paula Flowers; and Scott White

to review the recommendations of the Board's Legal Counsel relative to any further action."

Stay Off The Problem Contractor List

Respond! Respond! Respond! If you fail to respond to the consumer complaints filed by the Consumer Affairs Division, you will find yourself on the "Problem Contractor List." You can locate this list by going to www.tennessee.gov/consumer. It's located under the section called "Valuable Resources."

The Department of Commerce and Insurance states **CHAMP** is an "effort to improve the accountability, credibility and effectiveness of the state's regulatory system." The best common sense advice your Home Builder's Association can offer is to respond promptly to all complaints with courtesy and professionalism.

Consumer Affairs Director, Mary Clement, made this comment concerning the **CHAMP** program:

There are a lot of good, conscientious people in the contracting and home improvement business, who work hard to maintain a good reputation. I'm looking forward to working with them. ♦

consumer and the contractor together in hopes of resolving disputes between the two through mediation. A contractor is placed on the "Problem Contractor List" when they fail to respond to the Division regarding the complaint, or if the contractor says that they will act on the request and then fail to do so. The way to be removed from the list is for the contractor to put in writing the reasons why they did not respond. The Division of Consumer Affairs will then make a decision as to the validity of the response in order for removal to take place. ♦

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Future HBAT Meetings

2006—

Summer Meeting

July 16 – 19, 2006

Hilton Sandestin Beach Golf Resort & Spa
Destin, FL

President's Planning Meeting

September 29 – 30, 2006

Hilton Memphis
Memphis, TN

Fall Meeting

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2007—

Spring Meeting

March 4 – 7, 2007

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