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With Connecticut Foundations Crumbling, ‘Your Home Is Now Worthless’

By KRISTIN HUSSEY and LISA W. FODERARO JUNE 7, 2016

STAFFORD SPRINGS, Conn. — Sandra Miller was at work in January when her daughter called from their home here on Oakridge Drive with alarming news. The house was making loud noises, as if someone had jumped off the counter and landed with a bang. For seconds afterward, the house shook.

A while later, it happened again, and again. Over the next several hours, terrifying bangs rattled the house. The next morning, Ms. Miller called Bill Neal, a structural engineer, who delivered the same stunning assessment to her that he has now told hundreds of homeowners: The concrete foundation was crumbling and, as a result, her house was gradually collapsing.

Across nearly 20 towns in northeastern Connecticut, a slow-motion disaster is unfolding, as local officials and homeowners wrestle with an extraordinary phenomenon. Hundreds, possibly thousands, of home foundations that have been poured since the 1980s are cracking, with fissures so large you can slip a hand inside.

“This is such an emotional roller coaster,” said Tim Heim, a homeowner who started the group Connecticut Coalition Against Crumbling Basements. “You can’t

eat, you can't sleep. When you're told your home is now worthless and your biggest investment is now worthless, it's devastating."

The scope of the problem is so vast that state officials have begun an investigation, and they recently announced that the crumbling foundations had been traced to a quarry business and a related concrete maker, which have agreed to stop selling their products for residential use. The stone aggregate used in the concrete mixture has high levels of pyrrhotite, an iron sulfide mineral that can react with oxygen and water to cause swelling and cracking. Over the past 30 years, the quarry has provided concrete for as many as 20,000 houses.

As officials continue their investigation, the cascade of crumbling foundations poses a thicket of legal, emotional and financial issues and has prompted the state to create an official web page dedicated to the problem. Connecticut is also seeking help from the Federal Emergency Management Agency.

"It's the psychological toll of the uncertainty," said Jonathan A. Harris, the commissioner of the State Consumer Protection Department.

Beyond the financial hit, Mr. Harris said, a person's home is "where their kids were born and grandchildren play."

"There's an intangible side to this that's horrible," he continued.

Insurers have generally refused to pay for repairs, strictly defining the coverage of collapse by inserting the word "abrupt" in policy language. Repairing the homes requires replacing the entire foundation at costs that typically range from \$100,000 to over \$200,000. So far, 223 residents have filed formal complaints about crumbling foundations with the department, but officials believe many homeowners may be reluctant to contact the state, fearing problems from their banks and insurers.

Because the affected swath of the state is home mostly to working- and middle-class families, many face financial ruin since their homes represent the biggest part of their nest egg. Ms. Miller, whose insurance company has provided no financial assistance, rented a nearby condominium after she was told that her family was no longer safe in their home.

But Ms. Miller said she could not pay both the monthly rent and the mortgage. Paying out of pocket to replace her home's foundation, she said, is well beyond reach. "I don't know too many people that have \$170,000 in their wallet," she said. "And that's what it's going to cost to fix my home."

Mr. Neal, the structural engineer, has inspected hundreds of houses. In nearly all, he found concrete walls with distinctive crack patterns that resemble a road map with lines and fissures snaking in all directions — much different than the vertical cracks typically seen in foundations as they settle.

After hearing from tearful, angry residents at packed public meetings, state officials stepped in. In October, the state's Insurance Department warned insurers not to cancel policies because of a foundation's condition. Since insurers are denying claims, that warning may not help with the concrete problem, officials say, but it should at least prevent homeowners from losing insurance protection all together.

Last month, the Connecticut General Assembly passed a bill that would, among other things, allow homeowners with failing foundations to request a reassessment of their property values and require contractors to record the supplier of concrete for residential foundations. Gov. Dannel P. Malloy, a Democrat, signed the bill into law last week.

Another measure that sought to ease victims' financial losses was less successful. State Senator Tony Guglielmo, a Republican, had proposed a \$50 million bond to help homeowners. But Democrats in the State House rejected it, arguing such a measure should wait until the full extent of the problem was better understood.

"I'm not a big-government guy, by any stretch, but there are some problems where you need government intervention because of the magnitude," Mr. Guglielmo said. "We've had meetings where there were 500 people, and it's been very emotional."

After an investigation by the NBC station WVIT, the governor directed the Consumer Protection Department and the attorney general to investigate possible wrongdoing and to determine the scope of the problem and what, if any, assistance

was available for homeowners.

While the state has traced the affected concrete to the quarry business, Becker Construction Company, which operates in Willington, officials have not ruled out other factors. One riddle is the absence of official reports of failing concrete in public or commercial projects that used material from the same quarry, and a concrete maker, the Joseph J. Mottes Company.

John Patton, a spokesman for both companies, has attributed the crumbling foundations to improper installation, specifically the tendency of some contractors to add water to wet concrete to make it pour faster. That was especially true, he said, during a building boom in the 1980s.

By law, Mr. Patton noted, inspectors are on site during commercial and public jobs, ensuring that concrete is mixed and installed properly. “We also know that during the time frame in question, other ready mix providers in the area used the same aggregate from the same source,” he said.

Stephan Lackman, a former Mottes employee, said the Becker family, which owns both Mottes and Becker, started using material from the Willington quarry after its gravel supply was depleted during the 1980s. Mr. Patton acknowledged that Mottes first began using aggregate from the quarry in the 1980s, but said the company’s original gravel supply was in use until 2014.

The mineral has been identified as a culprit in disintegrating foundations elsewhere. In April, Prime Minister Justin Trudeau of Canada repeated a pledge to allot \$30 million in aid to homeowners in the province of Quebec whose foundations were failing.

“I saw with my very own eyes the difficult situation in which too many families live because of pyrrhotite,” Mr. Trudeau told reporters.

As officials seek answers in Connecticut, homeowners are looking for someone to hold accountable. A class-action lawsuit filed in February accuses insurers of a “concerted scheme” to deny coverage. And some residents are angry that it has taken the state so long to address the problem.

Mike Halloran, a plaintiff in the lawsuit, said some of his co-workers,

neighbors and acquaintances also had cracking foundations. “Ken the plumber,” Mr. Halloran, a hospital mechanic, said. “A nurse in the O.R. A guy my wife works out with at the gym has it.”

Mr. Heim, the homeowner who started the coalition, faulted state officials for ignoring warnings from a number of homeowners with the problem in the early 2000s. In 2003, a meeting was held in Hartford among lawmakers, homeowners and representatives of the attorney general’s office and Consumer Protection Department. Nothing came of it.

“They had the power to stop this problem,” Mr. Heim said, “and they chose not to.”

It was only after the report by WVIT last summer that politicians at the state level took action, homeowners said.

Fifteen years ago, Linda J. and Robert Tofolowsky filed a formal complaint with the Consumer Protection Department against Mottes. It detailed the cracks that had formed in the foundation of their home here during the mid-1990s. The couple said several other homeowners had similar problems with concrete supplied by Mottes.

The couple sued the company in 1995 and lost. But before the resolution of the lawsuit, Mrs. Tofolowsky, in a handwritten note attached to the 2001 complaint, warned of the calamity to come.

“It has been six years since we filed against J. J. Mottes,” she wrote. “But I am not waiting for the court to make a decision, since we have found these seven other homes with failed foundations. I need to let the public know about this company, J. J. Mottes. So that maybe someone else will not lose their biggest investment, their home.”

Kristin Hussey reported from Stafford Springs, and Lisa W. Foderaro from New York.

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