

Forward: Eastern Connecticut Crumbling Foundations

September 18, 2001, Town of South Windsor Assessor Office was actively reviewing building permits for the 2001 Grand List. During one of the inspections the property owner asked the Assessor for consideration and assistance with the owners' concerns regarding the property dwelling foundation. The Assessor having had experience with reviewing for foundation settling, improper mix issues, quality of craftsmanship issues and other typical foundation issues agreed to the request of the property owner. The Assessor noted; the family room was partially demolished to allowed access to view, and the repair of, the foundation walls in the family room area. The inspection revealed sections of the walls appeared unusually powdery, slightly bowed, crumbly, and exhibited numerous horizontal, vertical, and diagonal cracks throughout. One area especially having the additional appearance of being "swollen", and when the Assessor applied a pencil to the foundation surface in that area of the wall the pencil quickly and easily bore a hole into the surface, at which time the Assessor quickly ceased the probe. To the Assessor that section having all the appearance of being completely decomposed, nothing like this had ever been observed by the Assessor before. Upon closer examination, the northeast corner of the family room foundation wall appeared newly poured. The owner explained that he had spent \$7000.00 to fix that corner, and expected to spend another \$30-35 thousand in foundation repair costs for the remainder. It was noted that the dwelling was built in 1984 by one of the town's premier developer/ builder/designer firms. The construction personnel at this location were all experienced craftsmen, with a reputation of excellence in their particular fields. Only the best, modern materials were employed as part of the property package. As a result, the subject property was considered by the community, financial institutes, and government officials as being a prime property in design, appeal, and location for this community and able to command a "top of the market" valuation. The current owners had purchased the property in 1991 and paid a "fair" purchase price based upon the known existing information, conditions and market. The owner, much concerned by the changes to his property foundation, was seeking assessment consideration for the "temporary" issue. Much later, the Assessor was to find out that this "new" type of foundation issue was happening all over Eastern Connecticut, affecting a multitude of concrete applications, and at an alarming rate.

In each Connecticut community the Assessor is required to "discover", list, determine valuations, and apply fair and equitable assessments to taxable properties within the community, updating known information each year for changes in status, or new "discoveries" affecting valuations. Normally this may include, as discoveries are determined, the amending of properties for prior unrecognized or unknown issues. Typically this includes items such as: new decks, sheds, perhaps a barn that may have collapsed, or items such as previously undeclared wetlands might spark such assessment changes. During a town revaluation period the assessment files reflect known allowances for most assessment considerations. When something "new or different" comes along there may be no known allowances in place and a review, analysis, and determination is required prior to any adjustments occurring.

In this 2001 instance, the Assessor immediately informed the owner that the town shall be amending the property assessment to reflect the existing conditions as of the review date, and for the 2001 Grand List. In addition the property owner could expect a review of the property for the property status each year until this issue was resolved. Furthermore, if the property owner wasn't satisfied by the Assessor's actions then further appeals, could be made to the town Board of Assessment Appeals, and if necessary through the State of Connecticut Superior Court system.

As a result of the inspection, the 2001 Grand list reflected the property had a reduction for the removal of the family room, and a functional allowance of -5% loss of value of the property improvements due to the foundation failure condition as well as reflecting the portion of the repairs having been made. The owners continued to live in the property, before, during and after the concrete issues were observed.

Note: The property owner stated, during the initial review, that there were twelve other properties on this street that have the same issue, but since then only a single property owner, in this neighborhood, has approached the Assessor's Office on this issue through December, 2015. In 2018, it is now understood that, each of the other properties affected have applied for and received amended assessments for similar concrete foundation issues.

Since the initial observation by the South Windsor Assessor in 2001 the property owner appealed the 2002 assessment and in August of 2002 filed with the State of Connecticut Department of Consumer Protection a complaint concerning the foundation failure. The Town has for each revaluation (2002, 2007, 2012) since then had very little reported, observed, or reflected in assessment adjustments, nor was there any appreciable "public cause of concern" expressed. That is until reports and questions started trickling in during 2014 from local taxpayers, neighboring towns, and several industry professionals. On the October 2017 Grand List the Town of South Windsor has 60+ properties having allowances made for "foundation issues".

As of December 2017, in Connecticut there has been a steady surge in identified residential properties having issues with "crumbling foundations". With over forty eastern and central Connecticut communities now reporting identified properties that qualify for assessment adjustment, as has been defined under the guidelines of legislation created since 2014. The issue has been further expanded as recently commercial, industrial, and public use properties are now being identified. There are reports of commercial garages, industrial buildings, schools and even roadway bridges having the same "crumbling" characteristics as observed in the residential properties. The State of Connecticut, after active interest and expressed concern by its citizens and the news media, has begun reviewing the issue and attempting to create a resolution to this complex issue. At the state legislature there have been several starts, and suggested solutions to the issues, but without meaningful resolutions at this time. The federal representatives from Connecticut have explored federal assistance approaches such as through FEMA, and IRS allowances. Again at this time, without providing satisfactory resolution to the affected properties.

With what appears to be "costs to cure" in the hundreds of thousands of dollars for each affected property, and the possibility of hundreds or thousands of affected properties, the solution to the "crumbling foundations" appears to be still years away from resolution. Homes are traditionally a major (if not The Major) asset a property owner might have. Having an uninhabitable property may be the least of the property owner concern, having lost their asset their overall future and well being could be jeopardized. At the same time, communities having these issues would be faced with similar losses, grand lists reductions, affected budgets. Potentially enough losses that the entire town could be adversely affected.

The purpose of this article, and the compilation of related articles, is to create for Connecticut assessors an historical accounting of, and an ongoing data base to refer to, on the concrete foundation failings (aka "the pyrrhotite crumbling", crumbling foundations,).