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Flooring Warranties: The Tangled Web

What Is a Warranty?

Relative to flooring, a warranty is a type of guarantee that a manufacturer of flooring or associated flooring products makes regarding the condition and life of its product. It also refers to the terms and situations in which repairs or exchanges will be made in the event that the product does not function as originally described or intended.

Guest Article Page 6—Concrete RH Testing to Reduce Your Risk of "Courtroom Drama" Author: Jason Spangler
Wagner Meters' Flooring Division Manager

How a Warranty Works:

Warranties usually have exceptions that limit the conditions in which a manufacturer will be obligated to rectify a problem. Typically, and most often, whatever the flooring warranty gives you in the first paragraph, it takes away in the next three. And it usually doesn't cover what you think it does. I'll elaborate on this shortly.

Warranties in the flooring industry all say the product will be free from manufacturing defects if installed according to the manufacturers guidelines. This goes for flooring materials, adhesives, cove base, floor prep products and everything associated with flooring under that manufacturer. For example, a warranty may say such things as the product will not stain, discolor, the edges won't curl up, it will not indent from normal use (which may or may not be defined). Relative to being waterproof – the product will not swell, buckle or lose integrity. Not covered – flooding or exposure to standing water. Wait; isn't that water and isn't the flooring supposed to be waterproof? Nothing beyond everyday normal spills. And then there's problems or damage due to excessive moisture or hydrostatic pressure from the sub-floor including pH levels outside the manufacturer's guidelines. Except for one or two manufacturers, no one does any testing on excessive moisture, hydrostatic pressure and pH levels. What is waterproof anyway? Immersing the product in water and touting that is unaffected by it but any other influence of moisture, in any form, including surprisingly, ugh, water – it is not covered. Absurd.

Not covered - Indentation or damage from improper loading including high heels, spiked shoes, rolling loads, chairs or other furniture not using floor protectors. Warranties will also say that the product will perform properly for the stated warranty period when installed in accordance with the manufacturer's installation guidelines. This could be a glue down installation over an approved substrate and underlayment and using the recommended adhesives – all pretty standard language.



So Called Waterproof Installation System that the warranty disavows all failures

Most flooring manufacturer's warranties are copies of or derivatives of some other flooring manufacturer's warranties because the sales guys don't want to be excluded from the pack, as it may affect the success of the products use in the marketplace. If you don't believe this, it's time to come out from under the ether.

A very legitimate warranty voiding situation would be discoloration of vinyl flooring caused by use of latex or rubber-backed floor mats. Stating that: "Note that some synthetic backed carpets contain latex in the manufacturing process that may discolor your vinyl. Always use mats marked as "non-staining." This has been known for years in the industry but may not be common knowledge to anyone else using vinyl products on their projects. One thing to note is that if you can't use a latex or rubber mat or rug over a vinyl product because it will discolor the vinyl, wouldn't you think that using a rubber or SBR mat beneath the vinyl would have some effect on it? It certainly will.



And naturally the warranty says the product has to be purchased as first quality in order to be covered. Well, of course, because if it's not first quality you won't be filing a claim and you'll have no warranty. That's just common sense.

Some warranties state where in a commercial environment the product is covered in detail. I like this because it's honest and specific and, in my opinion, a warranty must be honest. How can anyone or anything not be honest and sacrifice the trust that creates. Honesty is the most important part of business as it fosters trust. The two key components of being successful in business are honesty and trust. Yet, in this industry every day, and it's getting worse, we can't trust the products or the people providing them due to outlandish statement relative to performance and integrity of the product.

Reasons Why a Warranty Could Be Denied:

The reasons why a flooring warranty could be denied far outweigh what the warranty covers. Most warranties written for flooring products, as stated earlier, are copies of or very similar to each other for the product warranted. This would also include ancillary products like adhesive



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which would only warrant the product if it were defective. Not because it didn't stick something down or hold it in place. And a marketing or advertising statement does not constitute a warranty. For example, Michelin makes one of the best tires on the market, but they are not warranted against wearing out which all tires will do. The situation and circumstances of use will also weigh heavily on the warranty as abuse of the flooring won't be covered.

Each flooring company, and note I didn't say manufacturer because many manufacturer's today aren't, they're basically distributors of products, has its own process for addressing warranties. Even if a product is still within the timeframe designated by a warranty, the company may require multiple points of proof to show that the product failed in the normal course of operational use. If the product failed because of the actions of the owner rather than because of any fault in the design or manufacturing, the warranty is not likely to be honored. For instance, the owner of the product might have placed the product in an extreme environment that was too hot or too cold for its reasonable use. This would be something like the vinyl flooring being installed in the sun and reacting or the space not being acclimated. Of course this brings about a whole other set of circumstances such as, if you can't install flooring where flooring is normally installed, then how can it be merchantable for service or fit for the intended purpose of use?

Terms of warranties can vary from free repairs on the defective product to an entire replacement of the product, depending on the situation and the warranty. Warranties almost never cover labor. And if they cover the product it will only be for the affected area or, in the case of modular type flooring such as carpet tile or vinyl tiles, the replacement would be for those pieces that are affected and not for the whole job.

In the flooring industry warranties aren't worth the paper they're written on. None of them cover what you think they do and then you have to deal with the claims departments whose job it is to, rightfully, protect the manufacturer from frivolous claims against their products, but they also run interference for all the other complaints. So, the first line of defense is to deny the claim. They may send out an independent inspector to look at the complaint or, for a very few legitimate manufacturers, one of the field tech reps. Add on the fact that most of the people they send out to look at the LVP or LVT claims don't understand these products, since the exposure to them has been over a very short

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period of time. No one understands how they are produced and the characteristics and idiosyncrasies of them that cause problems and failures in the field. Most of the entities promoting themselves as “manufacturers” don’t produce an inch of the product since about 83% of the vinyl tile and plank is manufactured overseas.

Warranties would be tied to marketing of which sales are a part explained below.

What is marketing?

Marketing is the process of teaching, or convincing, consumers why they should choose one manufacturer's product or service over those of their competitors. If you're not doing that, then you're not marketing. Many if not most of the people selling flooring today, especially vinyl tile and plank, are simply selling, they aren't marketing. The key is finding the right marketing method and messaging to educate and influence your consumers. In the flooring industry we pick a thing, such as stains, wear or waterproof or something that includes a buzz word. Marketing includes and encompasses all aspects of a business, including product development, distribution methods, sales, and advertising. In the flooring industry, relative to luxury vinyl plank and tile, for the most part, the product development component is missing. Other than a thimble full of legitimate US manufacturers, most of the suppliers of these products are distributors. And even the manufacturers who produce these products in the US source much of the products from overseas, so they too are actually distributors of the product. And when you don't control the manufacture of the product, you don't control the product. I've mentioned this before, taught to me by one of many of my mentors, “if you don't control the product; the product controls you.” We don't have a lot of product controlling to the extent that the people who should be controlling it don't know what to do about it. This is a whole new ball game the industry is dealing with and they haven't gotten all the plays down yet.

I'm going to leave you with some questions and segments of warranties to ponder that have created complaints in the industry for years, regardless of the product, be it soft or hard surface. What is wear? What is a stain? Why can't you install in the sun? So, what and who should you believe in the promotion of flooring products?

Vinyl products are subject to tension during manufacture and must be relaxed to stabilize the product. Were you aware of this? And if they're not, what happens to them as a result?

Read this, as this manufacturer offers a repair kit and then they don't warrant for repairs if you make them and aren't authorized.

Minor Repair Instructions:

In the event that accidental damage occurs to one of the planks, minor scratches or dents can be repaired using a Flooring Touchup or Color-fill Kit. This special touchup kit is a filler material, color-coordinated to the color of your floor that, when used properly, makes repaired area often invisible. The repaired area will hold up to foot traffic and wear just like the rest of your laminate flooring.

This Residential Limited Warranty is subject to the following conditions: This limited warranty is valid only in North America. The warranty is not transferable and extends only to the original purchaser. This limited warranty applies only where the affected area is visible and covers an area greater than one square inch. The flooring must be installed in accordance with (the manufacturer's) recommended installation instructions. ***This limited warranty shall not apply to damage arising from any of the following:***

- Accidents, abuse or misuse
- Exposure to extreme heat
- Scratch, impact, or cutting
- Improper installation
- Improper care and maintenance
- **Modification, alterations, repair, or service by a nonauthorized floor covering dealer.** Hey, wait! Didn't they just say they offered a repair kit for this? So if you make the repair is the warranty now void?
- Water damage resulting from improper installation or flooding caused by natural disaster, plumbing failures, etc.
- Damage due to failure to use appropriate chair pads under caster desk chairs (Use only seamless Plastic caster wheels to help prevent scratches)
- Damage resulting from or in connection with subfloor conditions

Let me add one more thing relative to warranties. Often flooring materials that fail on the job site are sent into the lab for testing. The Lab tests are done in real time, which is limited by the test protocol. The actual time line of the flooring failure, in measured finite time, could have taken months. The lab test to determine or replicate the failure is done in finite time in accordance with the test protocol. So, for example, if the lab test takes 21 days but the problem with the material in the field took months or years to occur, the test may not reveal the issue. Therefore, the lab test may or may not expose the problem and just because it doesn't does not mean the material is not defective. This is why we retain tested samples as they may react after a period of time after having been lab tested.

If you have questions that you need answers to, want to prevent a problem from occurring or have a problem that you need to know what went wrong, why, who's at fault and how to fix it, contact us. We always have the answer. You might not like what you hear but rest assured that you can trust us to be honest with you. We've spent 48 years doing that for our clients.

Author: Jason Spangler

Jason Spangler, Wagner Meters' flooring division manager, has more than 25 years' experience in sales and sales management across a broad spectrum of industries. He has successfully launched a variety of products to the market, including the original Rapid RH® concrete moisture test. Jason, who received an MBA from West Texas A&M University in November 2018, has extensive industry involvement, including the National Wood Flooring Association (NWFA), the International Certified Flooring Installers Association (CFI), and is Vice Chairman of Associations for The Flooring Contractors Association (FCICA). Call Wagner Meters today at (800) 634-9961 and ask for Jason or visit www.wagnermeters.com.

Documentation Tips for Concrete RH Testing to Reduce Your Risk of "Courtroom Drama"

As a flooring professional, your reputation and bottom line are at risk if you experience a flooring failure – even if it isn't your fault. If you don't have proper documentation of moisture testing, it can be hard to prove whose fault it is.

Nobody wants to be in that situation. So, here's some valuable information on how you can avoid an unnecessary "courtroom drama."

RH Testing and Documentation

To protect yourself from blame for a [flooring failure due to excess moisture in the concrete](#), you need to make sure that the slab is properly tested and documented in compliance with ASTM F2170, the [relative humidity \(RH\) test using in situ probes](#). ASTM F2170 is proven to be more accurate than any other test, including ASTM F1869.

Remember, it's your reputation and your bottom line, so be very careful before you leave it up to someone else. The general contractor might have moisture testing documentation, but was the testing done according to ASTM F2170? Is the documentation complete and credible? How long ago was it done? Have proper ambient conditions been maintained since the tests?

If you want to be absolutely sure the slab is ready to receive the floor, it is advisable that you test the slab yourself. Fortunately, concrete RH testing is fast, easy and economical with today's technology. With the right tools, you can [accurately test and document the](#)

[moisture conditions of the slab](#) and be ready to provide the documents to all concerned parties.

Documentation needed for concrete RH testing

The ASTM F2170 standard describes the required documentation for RH moisture testing. Typically, you'll provide reports to anyone you're contractually obligated to, like the general contractor, architect or facility owner. Keep a copy in your files in case a problem arises later.

Here's the data included in the documentation:

- Name and address of the structure
- Date and time the holes were drilled, how long the probes equilibrated in holes, date and time of the measurements
- Name, title, and affiliation of the worker performing the measurements
- Locations and depths of the test holes
- Relative humidity in each test hole, to the nearest percent relative humidity
- Temperature in each test hole, to the nearest degree
- Ambient air temperature, to the nearest degree and relative humidity to the nearest percent humidity above each test hole
- Make, model and last calibration date of the instrument used to make the measurements
- Any observations that might affect the interpretation of individual measurements such as standing water on the slab, wet coring operations, weather, or ventilating system operations

The Importance of Data Integrity

The reports you produce will be provided to others to prove that you've been diligent with your testing, and they will probably be required in court if someone sues you. That means they must be credible. If your records are incomplete, unclear, or appear to have been modified, you will have a hard time proving your case. Despite all the work you put into testing, poor data integrity can sink you.

So when you choose your tools, look for the system that provides the highest possible data integrity.

The [new Wagner Rapid RH® L6 system](#) is a complete concrete RH testing system that provides the highest data integrity using an unbroken digital stream of data from the test sensors to the final reports.

The [L6 Total Reader®](#) instantly reads slab RH and temperature data from the L6 Smart Sensor, displays it, and stores it in the Smart Sensor's onboard memory. If you're using the [free DataMaster™ L6](#) app on your mobile device, the Total Reader transmits the reading data via Bluetooth® to the app.

The DataMaster L6 app manages the temperature and RH data in one, easy-to-use app that runs on both Android and iOS devices. You can upload all the readings stored in your Smart Sensors to the app for storage, display, and reporting. It allows you to input job metadata like job name, address and hole depth. With the DataMaster L6 app, you can take pictures of blueprints and then overlay specific sensor locations onto the pictures making for a quick and accurate visual representation of sensor placement. With the DataMaster L6 app and the complete L6 Smart Sensor system, each reading is positively tied to a specific sensor installed in the concrete, so there's practically zero chance you'll mix up or lose data.

The DataMaster L6 app also generates ASTM compliant PDF format reports that include every data point required by the standard, and more. The reports can be sent to the client directly from your device and stored or transferred to other devices. The read-only PDF format further enhances data integrity.

The Rapid RH L6 system is a complete data collection, storage and reporting system that requires no manual data entry, and generates read-only PDF reports for the highest possible data integrity.

Wagner's Rapid RH L6 system will help protect your reputation, keep money in your pocket and help you prevent a "courtroom drama."