

CFR The Commercial Flooring Report

For the Commercial Floor Covering Industry

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THE EVIDENCE NEVER LIES

This is a statement I've been making for decades about flooring material. Just as in a forensic criminal investigation, the evidence, that would be the flooring material and everything associated with it relative to the failure, never lies. People lie, but never the flooring. I am a student of investigative procedures with an insatiable appetite to learn which never wanes. I want to quote the preface of a book entitled, "The Evidence Never Lies", by Alfred Allan Lewis with Herbert Leon MacDonell, a famous criminalist. In the preface MacDonell writes:

"You can lead a jury to the truth, but you can't make them believe it. Physical evidence cannot be intimidated. It does not forget. It doesn't get excited at the moment something is happening – like people do. It sits there and waits to be detected, preserved, evaluated, and explained. This is what physical evidence is all about. In the course of a trial, defense and prosecuting attorneys may lie, witnesses may lie and the defendant certainly may lie. Even the judge may lie. Only the evidence never lies."

I completely agree with this. The flooring will always tell you the story. Flooring never lies. But, you must understand it and what it's telling you. For that you must have an intimate knowledge and relationship with the material, because sometimes it speaks with a tongue that may seem foreign to most. It's not about who wins or loses; it's about the truth substantiated by the evidence and science. Very often this is incomprehensible to most, often not believed by many, and it may not vindicate the client. But the evidence, nevertheless, prevails. Like it or not.

Evaluations of a flooring problem cannot be based upon the biases of the people making them. The conclusions have to be based on the objective analysis of the evidence. More often than not in this industry, the manufacturer will conclude that the problem being experienced is the result of a faulty installation. This is even truer in the case of luxury vinyl plank and tile. Much of these products, up to this point, are being made by someone other than the "manufacturers" selling it. Very often the seller does not understand the product with its characteristics and idiosyncrasies. But the evidence revealed, that must never be concealed, will vindicate or implicate the responsible party or parties. The problem will be established by the bulk of the evidence.

We're going to look at several cases where the evidence clearly indicates what the problem is. An important point to remember is, although the evidence never lies, someone may have said something to create the problem that exists. So, in addition to understanding the product and determining what the evidence reveals, you also have to use psychology to unravel the human component of the problem. What does that mean? A history of the sale and installation up to the point of the complaint being filed must be understood. Documents relative to the project, and the product, must be studied. Nuggets of information have to be extracted, that may have instigated and influenced the conditions causing the

complaint and product/installation failure. When it comes to commercial flooring complaints, problems, and failures, you have to understand that what may seem obvious is only the tip of the iceberg when it comes to what the true cause of the problem really is.

The first case we'll look at involves the installation of sheet vinyl flooring on several floors of a new building, with the complaint being texturing telegraphing through the face of the material. In this installation, a spray adhesive was used and the flooring subsequently buffed, not



Spray adhesive pattern and texture telegraphing in sheet vinyl.

waxed, increasing the sheen of the flooring. This resulted in the pattern of the spray adhesive being visible in the flooring. The manufacturer of the flooring material specified the spray adhesive. This condition was visible on every floor the material was installed on. When sections of the flooring were removed, the spray adhesive pattern matched the pattern on the face of the sheet vinyl. When the spray adhesive was tested by spraying several cans out of the same case on a sheet of plastic sectioned off, the spray pattern was visible. The pattern from different cans of the same adhesive varied, when it dried, the coloration of the adhesive was different and the volume of adhesive also varied. The adhesive was applied exactly as it is prescribed on the can. When spray adhesive is applied, it does not "squash" out or flatten out when rolled, so the pattern remains intact. In doing so, it can easily telegraph through the face of the flooring material. We've seen this in sheet goods as well as a project in which VCT was installed the same way, resulting in the same complaint. In this case the VCT was treated with several coats of a high gloss finish. This is not an installation problem that the flooring contractor should be blamed for. The installation was done as specified by the manufacturer. The problem is the use of spray adhesive that leaves a "popcorn" textured pattern on the substrate that will telegraph through the face of the flooring material, which is then exacerbated by buffing or putting a high gloss finish on the flooring. In both cases, we pulled up existing flooring material and re-installed it using different adhesives. For the sheet goods, we used four different adhesives. Two were spray adhesives, one was troweled on, and the other adhesive was rolled on. The rolled-on adhesive is what should have been specified and used for the installations, as it



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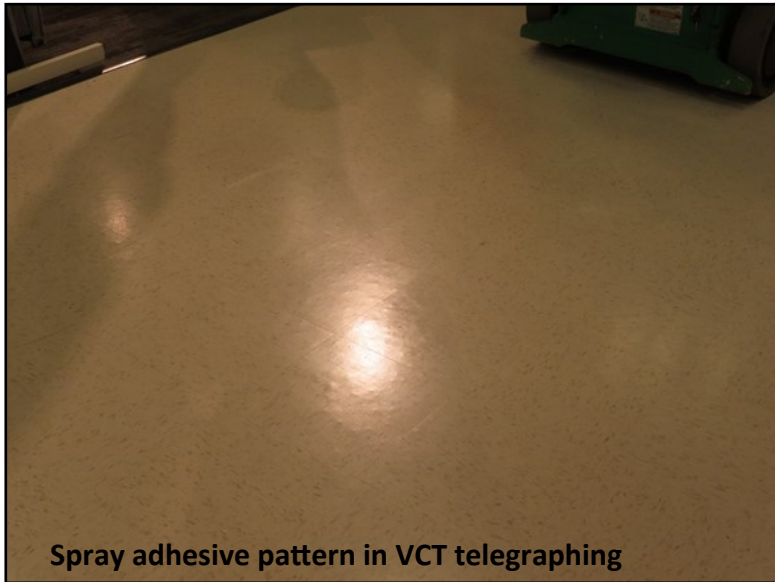
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leaves no pattern to show through the face of the flooring. If the flooring contractor is told how to install the flooring and what to use, and that process and component causes a complaint, the flooring contractor should not be blamed for following instructions.



Spray adhesive pattern in VCT telegraphing

In another case, the flooring contractor installed stair treads that were not uniformly made and varied significantly in size and shape. The flooring contractor did everything possible to make the stair treads work to no avail. The manufacturer insisted this was an installation issue. The people who were sent to look at the material, on more than one occasion, said this was an installation issue. Had anyone who knew what they were looking at seen the stair treads, they would have known they were inconsistent. This was a material problem and not installation.



Variation in stair treads.

In another case, luxury vinyl plank was installed in a multi-family condo project. The problem was the vinyl shrinking. The shrinking was blamed on installation. Fortunately, we had pictures of the flooring as well as having looked at it physically on two occasions. The manufacturer insisted the problem was installation. The flooring was adhered so tenaciously that it could not be pulled up without heating it and even then it peeled apart. The material continued to shrink.

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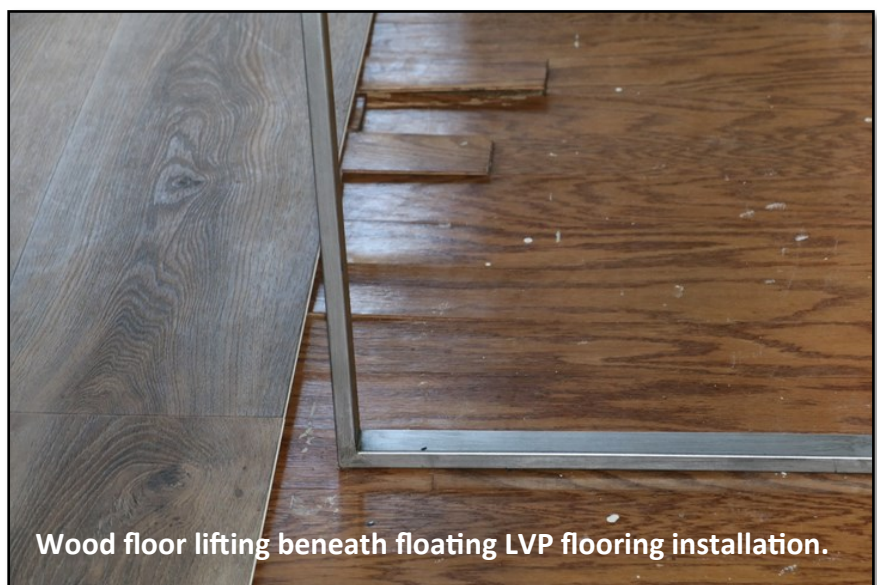
See Page 6 Regarding Excess
Inventory Offer



Still, the problem was blamed on the flooring contractor. Shrinking flooring material is never an installation problem or the flooring contractor's problem. Dimensional changes in flooring material, whether shrinking, expanding, doming, cupping, curling, or lifting are inherent instabilities in the material itself. Nothing anyone does during installation will cause these issues.

In another situation, the client had new carpet they couldn't keep clean. The manufacturer sent a service to clean the carpet with little improvement. The carpet was a light color and there were floor to ceiling windows on outside walls that magnified the soiling. The bright overhead fluorescent lighting added to the ugly appearance of the carpet. A simple test revealed that the carpet was loaded with soil attracting soapy cleaning solution. We sent a local associate cleaning expert into the facility and were able to resurrect the appearance of the carpet. This eliminated the complaint and saved the carpet from what the client thought was inevitable replacement. This was a case of the wrong color in the wrong place and a cleaning process that did nothing to eliminate the problem. By identifying the cause and knowing how to resolve the issue the client was saved the headache of a fight and replacement.

We hear it touted by those selling luxury vinyl plank flooring that you can install floating LVP over any type flooring and in some cases you can. In this situation, a floating LVP floor was installed over wood flooring that was installed on a slab on grade substrate in Florida. There was no moisture vapor retarder under the slab. After about eight months the new flooring began to separate, lift, and cup. The end user felt it was either a defect in the vinyl plank floor or an installation issue. A great deal of money was spent on testing for water leaks under the slab, arguing who was at fault and finger pointing. Most flooring issues are not rocket science and if one understands what the flooring is saying, understands some physics and chemistry, the answer is often not as complicated as people want to make it. In this situation, the existing flooring was wood that was glued down on the concrete slab. While it existed on its own, it could withstand the influences of the slab. When the LVP was installed, the LVP became a moisture vapor retarder on top of the slab and the existing wood flooring. Since vinyl is not permeable, the moisture was trapped, and what happens to wood flooring when it is influenced by moisture?



It reacts. In this case swelled, expanded, and lifted up, lifting the new flooring installed over it. This was a case of ignorance by the people who sold and installed the LVP not understanding the consequences of installing the new flooring over the existing wood over slab on grade concrete. This was an accident waiting to happen. The result was the failure of both flooring materials that had to be removed and the installation started over. After taking up the flooring, there are several ways that a successful installation could be accomplished.

These are just a few examples of the situations we get involved with on a daily basis. Whether they are concrete issues or any type of flooring that goes down on a substrate, we find that there are several cliché's that apply to the flooring failures we see. One that's very common is the "SODDI" defense. That is "Some Other Dude Did It." Another is the twisting of the facts to fit the theory which is stated as "the alternate truth." This is usually a crock of BS offered by someone who thinks they know what they're talking about but doesn't. Another is "willful ignorance", that is, you don't know what you don't know; this is extremely common.

Our job is to know. That's what we get hired to do and we're in a league of our own. We can tell you what went wrong and why, who is at fault, and most importantly, how to fix it. We can also tell you on a large project, how to avoid a flooring failure in the first place. Whether it's having our team write the concrete spec, testing materials being considered to determine what will actually perform, or having an installation expert on site to oversee the installation or even take over a challenging installation. No one else in the industry has LGM's capabilities. As one manufacturer stated, "LGM are not the guys you want sitting on the other side of the table." We ARE the flooring experts with the answers. So, if you have a flooring complaint, concern, failure or question, contact us. We can help and we ALWAYS have the answer.

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"WHEN NO ONE ELSE HAS ANSWERS, WE DO"

Excess Inventory Offer

Most of you have flooring material sitting around that's taking up space and costing you money.

Dispose of your excess inventory - remnants, hospitality carpet, carpet tile and any hard surface flooring materials. Avoid paying insurance or taxes on flooring materials taking up rack space and convert it into cash.

We have a contact in Calhoun, GA that will pay you for this material and arrange for shipping from your location. They'd need a complete inventory of what you have so they can make you an offer. This firm is well financed and established with a stellar reputation.



This is a great opportunity to get rid of merchandise taking up space and make some money in the process. Call or email Kolt or Cynthia with any questions so they can help you.

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Kolt Privett - 770-530-4709

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Thanks,

Lew Migliore