

CFR The Commercial Flooring Report

For the Commercial Floor Covering Industry

Volume 179 - August 2023

[Click here to View and Download all CFR Newsletters](#)

Somebody Wants to Blame Somebody

What do you do when you know you've done everything right and something still goes wrong with a flooring installation? We see this more frequently than we should, since one never knows when the job site or the product will have their own ideas of introducing a failure to your otherwise by the book installation procedure, or as close to that as possible. When a failure occurs the first ones in the line of fire to blame are the flooring contractor and the installers. Even though you may have done everything right, the flooring you installed is exhibiting the problem. The first thought the end user, owner or GC has is that you messed up. Certainly no one else could be to blame but you. Hey, you installed this stuff so you must have done something wrong, right? Hold on Bucko, there may be more to this mystery than meets the eye. You must look further since the flooring may just be manifesting the root cause of the problem. And you can't just look at the flooring because something is making it do what somebody doesn't like. What could that be? Well, it could be the product itself, a substrate issue, an environmental issue, a specification issue, a chain reaction of products not working together, something in the flooring assembly, forcing the materials to do things they don't want to or can't do, or some unforeseen circumstance that instigated the problem.

Very often today, especially with the variety of hard surface flooring materials whose composition changes almost daily, it is likely to be the product. And if you don't completely understand the product, you're not going to know why it's doing what it's doing. Most people don't know this, even the people selling the product or "making" it. A lot of this stuff is not made by the people selling it who are often clueless about the characteristics or idiosyncrasies of these products. And, even if they are, and the product fails they aren't going to lay down and admit that their product is the problem. But they'll look for somebody to tell them that it isn't and hang their hat on that. Saying all this you must know that there is always a cause and it ain't all that hard to determine if you know what you're doing. You can't assume anything. Remember, the flooring never lies, it will always tell you what's wrong if you know how to interpret what it's telling you. People lie but not the flooring.

We're going to look at some actual cases we've had where the questions arise as to who is to blame for the flooring failure. What's interesting is when we get into researching the flooring failure how many things we find wrong that created the issues – it was an accident waiting to happen. Sometimes the issues are so blatantly obvious that you can just look at them and tell what went wrong. However,



most often you must look into the issue and not just at it, even if you think you know by looking at what the problem is. Somebody along the line did something to create the underlying flooring failure and it was most likely not the flooring contractor or the installer. You have to weigh the evidence. Most often you have to go backwards to find out why, unless you know where to look, who to ask and what to ask for. You can't just look at the issue and determine what the actual cause is and why. The final determination has to be made beyond a reasonable doubt, just as in the law. That is to prove your case to such a degree that no reasonable doubt can be left. That's what we do here. And we'll also include some additional legal jargon here, and that is the Preponderance of Evidence – (the majority of the evidence) which simply means to prove that something is more likely than not.

It always amazes me when I hear or read something in a case, or on a job site, or in some report that comments on what the cause of the flooring failure is. The person or entity making the comments is often clueless about the real facts of the matter. For example, working with a multitude of construction attorneys on various types of flooring cases, we are privy to documents and emails that reveal the true crux of the matter. We will find that nugget of evidence that puts the blame squarely where it belongs, whether it actually is the flooring contractor, installer or whomever. LGM is not the place you come to hear what you want to hear. You engage our services to get the truth, like it or not. And you will get the truth and know what went wrong, why, who's at fault and how to fix it. Our job is to stop the finger pointing.

Let's take a look at some of the more recent cases we've had.

Round and round, we go. This was a new hospital where several types of vinyl flooring, vinyl sheet, and plank as well as carpet tile were installed. The problem was with some of the sheet vinyl lifting off the concrete substrate and some of the vinyl plank installation failing. This was a huge, multi-million dollar claim that extended over two years with a multitude of experts involved. Actually, very little of the entire installation failed and what did fail could be corrected. Bottom line was that a topical silicate moisture mitigation system was applied right after the concrete was poured which didn't work. The flooring contractor and installers were blamed for the problem when in fact the cause was a silicate, chosen by someone else, failed to do what was expected of it – that was to stop moisture from the concrete. This was a specification problem, the product at fault was chosen long before the flooring was installed.



THE COMMERCIAL FLOORING REPORT

Lewis G. Migliore—President

P: 706.370.5888 or Email: lgmtcs@optilink.us

Just Click Here to Go to Our Website for All CFR Articles

LGMANDASSOCIATES.COM

***LGM* and Associates**

**Experts in Everything Flooring
From Substrates to Surfaces**

**No Issue is too Big, too Small or
too Far Away for Us to Handle**

- Complaint Determination, Consulting,
Resolution of Flooring Issues
Concrete/Moisture Issues and
Certified Product Testing
Dispute Resolution, Legal/Litigation
Assistance, and Proffered Expert Witness
Project Assistance
Develop Flooring Specifications and
Product Sample Evaluation**

*"When No One Else has Answers,
We Do"*

*Just click the image below or search under
Lew Migliore and let's connect on LinkedIn!!*



Page Layout By: Anita S. Drennon

The next case is a very expensive carpet installed in the executive offices of a business that the General Contractor protected with a pressure sensitive plastic covering. The plastic covering was left on the carpet for several weeks. Since the carpet fiber was a very fine denier nylon in a cut and loop pile style, which was tip sheared so the loop pile yarn, when sheared becomes a singles yarn. When they pulled the plastic off the carpet it took some of the carpet fiber with it, stuck to the plastic that was in contact with the carpet. This freaked out the owners who assumed the carpet was defective and coming apart. We tested the carpet which complied with tuft bind and filament slippage requirements. What should have been used to protect the carpet was Kraft paper covered with Masonite. Pressure sensitive plastic protective covering should never be used on any carpet. The adhesive can leave a residue that will attract soil and you'll never get all of it out. We've had a few cases like this over the years which all resulted in the carpet having to be replaced. And most of those carpets were very expensive woven Axminster's, or high-end tufted products. The people who put the plastic down caused the problem. It wasn't the carpet that was defective as was thought to be the case.



THIS WAS CAUSED BY THE PRESSURE SENSITIVE ADHESIVE PLASTIC CARPET PROTECTOR.

Next is a case where a carpet tile is installed in three different hospitals all experiencing edge lift. The problem is the carpet tile itself, which has a history of this problem. The flooring guys were being blamed for the problem when they had nothing to do with it. The problem is inherent in the product which was proven. Sometimes when you have a curling carpet tile it can be corrected by subjecting it to a reverse curling process, a process that has

LGM and Associates
TECHNICAL FLOORING SERVICES

The Floorcovering Experts

519 Oxford Street Dalton, GA 30720 P (706) 370-5888 F (706) 270-0482
Email: lgmtcs@optilink.us Website: lgmandassociates.com

Guidance, Consulting, Determination Legal Assistance and Resolution of Flooring Issues:

- Onsite Physical Investigation - Product Sample Evaluation
- Identifying Substrate, Concrete And Moisture Issues
- Certified Product Testing - Insurance Loss Evaluations
- Dispute Resolution, Litigation Assistance and Proffered Expert Witness

Right Product in the Right Place: Get it in the Door; Keep it on the Floor

- Construction/Renovation Project Assistance to Determine Suitable Flooring
- Develop Flooring Specifications - Installation Assistance
- New Flooring Product Development and Marketing
- Educational Seminars (Corporate and Personal/Individual)

"WHEN NO ONE ELSE HAS ANSWERS, WE DO"

Commercial Flooring Report

Ad Size and Pricing 519 Oxford Street • Dalton, GA 30720 • lgmtcs@optilink.us • 706.370.5888

CFR Provides the most Coverage and Best Value for Your Advertising Dollar
Link to Your Website is Embedded in Your Ad
All Three Ad Sizes Can be Customized to Your Liking
Free to Recipients - Sharing and Posting to Your Website is Encouraged
Pertinent and Relevant Information in Each CFR Issue
Totally Green - No Paper Used for Publication
Over 100,000 plus Readers and Growing
Archived on LGMandAssociates.com and other Websites
Just Click Here

Ad Size—1" x 2" \$ 4,000—12 Issues \$ 335—per Issue	Ad Size—5" x 3.5" \$ 9,600—12 Issues \$ 800—per Issue
Ad Size—3.5" x 3.5" \$ 6,000—12 Issues \$ 500—per Issue	

been used for years. With this product we could get the curl out of it, but it had to go through at least two times to make it work.

On another very recent project, on a new core type flooring that gets glued down, much of the product was uninstalleable since it had a bow in it. When tested it was found to be grossly out of square. This was an inherent problem with the product that could have been seen by the UPS guy. The flooring contractor had to order more material so that the installers could cull enough out of the boxes of both orders to make the installation work. Naturally the manufacturer wanted to blame them, but the facts revealed that this product was so out of shape it was singing a song. We're finding this to be more of a problem with all kinds of modular flooring products today whether vinyl tile and plank, rubber, synthetic stone or otherwise.

Don't let the Fox watch the henhouse. Often a manufacturer will want you to send them samples of the product so they can test it. Most of them don't have their own test facilities and, if they do, testing a couple of random pieces won't prove a thing. One test on one small sample for a multi-thousand square foot installation is like taking a grain of sand off the beach to test it to determine that all the sand is bad. You need a sizeable sample set and even then, the lab tests are conducted in a limited time frame, under controlled conditions that do not replicate job site conditions or time. One of the things we do after having flooring product tested is to retrieve the samples from the lab, lay them out for several days and reexamine them. Most of the time the product continues to react, more closely replicating the conditions at the job site.



EDGE CURLING CARPET TILE



NOTE HOW THE PRODUCT RUNS OUT OF SQUARE FROM TOP TO BOTTOM

FCEF exists to bring awareness to the opportunities in a flooring installation career, recruit new talent, aid in the funding of their education, and facilitate job placement into flooring industry careers.

Here is a link to ALL of the FCEF Digital Marketing assets. We provide all of this to retailers for free so that can promote the career and the scholarships in their neighborhood and with their network.

[At this link](#), you will find, complete social ads ready to be customized and posted, email templates, customizable fliers, social video ads. Feel free to use any of the copy you see there – and download anything you like.



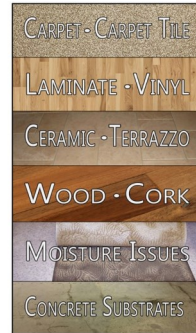
If you need answers to questions about a flooring issue, have a problem you need help with or products you need tested, contact us. We have a depth of knowledge from our team of experts that every type of flooring material, concrete and associated products. We always have the answers, always.

LGM and Associates

TECHNICAL FLOORING SERVICES

The Floorcovering Experts

519 Oxford Street • Dalton, GA 30720 P • 706.370.5888
Email: lgmtcs@optilink.us Website: lgmandassociates.com



Looking to Buy Large Lots of Carpet Tile Plus We Pay Freight



Turn Old Inventory Into Cash!!!

**Call Us – We Will Pay
You and Arrange
Shipping from Your
Location**



Kolt Privett - 770-530-4709

Overstock Floorz - koltp.of@gmail.com

We Prefer No Carpet Remnants, Right Now. We are Currently Looking for Large Carpet Tile Lots – 150 Yards and Above - We Pay the Freight

402 Beamer Road SW, Calhoun, GA 30701