AGENDA

STATE BUILDING CODE TECHNICAL REVIEW BOARD

Friday, February 21, 2025 – 10:00am

Virginia Housing Center
4224 Cox Road Glen Allen, Virginia 23260

I. Roll Call **(TAB 1)**

II. Approval of January 17, 2025 Minutes **(TAB 2)**

III. Approval of Final Order **(TAB 3)**

In Re: Stanley Martin Homes and Beazer Homes
Appeal No. 24-11

IV. Request from Patrick Foltz, Fairfax County Attorney **(TAB 4)**

V. Public Comment

VI. Appeal Hearing **(TAB 5)**

In Re: George Karsadi
Appeal No. 24-09

VII. Secretary's Report

a. March 21, 2025 meeting update
b. Legal updates from Board Counsel

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STATE BUILDING CODE TECHNICAL REVIEW BOARD

**James R. Dawson, Chair**
(Virginia Fire Chiefs Association)

**W. Shaun Pharr, Esq., Vice-Chair**
(The Apartment and Office Building Association of Metropolitan Washington)

**Vince Butler**
(Virginia Home Builders Association)

**J. Daniel Crigler**
(Virginia Association of Plumbing-Heating-Cooling Contractors and the Virginia Chapters of the Air Conditioning Contractors of America)

**Alan D. Givens**
(Virginia Association of Plumbing-Heating-Cooling Contractors and the Virginia Chapters of the Air Conditioning Contractors of America

**David V. Hutchins**
(Electrical Contractor)

**Christina Jackson**
(Commonwealth at large)

**Joseph A. Kessler, III**
(Associated General Contractors)

**R. Jonah Margarella, AIA, NCARB, LEED AP**
(American Institute of Architects Virginia)

**Eric Mays**
(Virginia Building and Code Officials Association)

**Joanne D. Monday**
(Virginia Building Owners and Managers Association)

**James S. Moss**
(Virginia Building and Code Officials Association)

**Elizabeth C. White**
(Commonwealth at large)

**Aaron Zdinak, PE**
(Virginia Society of Professional Engineers)

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**STATE BUILDING CODE TECHNICAL REVIEW BOARD**
**MEETING MINUTES**
**January 17, 2025**
**Virginia Housing Center**
**4224 Cox Road Glen Allen, Virginia 23060**

| Members Present | Members Absent |
|---|---|
| Mr. James R. Dawson, Chairman | Mr. Alan D. Givens |
| Mr. Vince Butler | Mr. Joseph Kessler |
| Mr. Daniel Crigler | Ms. Elizabeth White |
| Mr. David V. Hutchins | |
| Ms. Christina Jackson | |
| Mr. R. Jonah Margarella | |
| Mr. Eric Mays, PE | |
| Ms. Joanne Monday | |
| Mr. James S. Moss | |
| Mr. W. Shaun Pharr, Esq., Vice-Chairman | |
| Mr. Aaron Zdinak, PE | |

Call to Order

The meeting of the State Building Code Technical Review Board ("Review Board") was called to order at approximately 10:00 a.m. by Chair Dawson.

Roll Call

The roll was called by Mr. Luter and a quorum was present. Mr. Justin I. Bell, legal counsel for the Review Board from the Attorney General's Office, was also present.

Approval of Minutes

The draft minutes of the November 15, 2024 meeting in the Review Board members' agenda package were considered. Ms. Monday moved to approve the minutes with the editorial change, recommended by the Secretary, to strike the word *"August"* on page 7 in line 73 and replace it with *"April*". The motion was seconded by Mr. Pharr and passed with Messrs. Butler, Crigler, and Zdinak abstaining.

Final Order

RVA Homes LLC: Appeal No. 24-08:

After review and consideration of the final order presented in the Review Board members' agenda package, Ms. Monday moved to amend paragraph three on page 15 of the agenda package, consisting of lines 81-89 of the final order, to read as follows:

> *"The Review Board found that the April 26, 2024 NOV was moot and the appeal was not properly before the board because, although RVA was the property manager of 1321 Porter Street, and was properly issued an NOV on April 26, 2024 (which was properly appealed to the LBBCA as she was*

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*aggrieved by the NOV at the time, and was a party to the LBBCA hearing, which then properly brought the appeal before the Review Board). Based on the testimony at the hearing and evidence provided as of May 29, 2024, RVA was no longer the property manager for 1321 Porter Street and as of the Review Board hearing, RVA was no longer a responsible party. Additionally, the Review Board directed the City to rescind the April 26, 2024 RVA Home LLC NOV to create an official record that the April 26, 2024 RVA Home LLC NOV no longer exists."*

The motion was seconded by Mr. Margarella and passed with Messrs. Butler, Crigler, and Zdinak abstaining.

After further review and consideration of the final order presented in the Review Board members' agenda package, Ms. Monday moved to amend the last paragraph on page 15, which extended to the first paragraph of page 16 of the agenda package, consisting of lines 94-102 of the final order, to read as follows:

*"The NOV is moot and the appeal is dismissed as not properly before the Board because, although RVA was the property manager of 1321 Porter Street, and was properly issued an NOV on April 26, 2024 (which was properly appealed to the LBBCA as she was aggrieved by the NOV at the time, and was a party to the LBBCA hearing, which then properly brought the appeal before the Review Board). Based on the testimony at the hearing and evidence provided as of May 29, 2024 RVA was no longer the property manager for 1321 Porter Street and as of the Review Board hearing, RVA was no longer a responsible party. Additionally, the Review Board directs the City to rescind the April 26, 2024 RVA Home LLC NOV to create an official record that the April 26, 2024 RVA Home LLC NOV no longer exists."*

The motion was seconded by Mr. Pharr and passed with Messrs. Butler, Crigler, and Zdinak abstaining.

After review and consideration of the final order as amended, Mr. Mays moved to approve the final order with two editorial corrections previously approved by vote of the board members present. The motion was seconded by Ms. Jackson and passed with Messrs. Butler, Crigler, and Zdinak abstaining.

Public Comment

Chair Dawson opened the meeting for public comment. Mr. Luter advised that no one had signed up to speak. With no one coming forward, Chair Dawson closed the public comment period.

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New Business

Stanley Martin Homes and Beazer Homes: Appeal No. 24-11:

A preliminary hearing convened with Chair Dawson serving as the presiding officer. The hearing was related to a master building plan for five buildings which will consist of 64 dwelling units submittal in Loudoun County.

The following persons were sworn in and given an opportunity to present testimony:

Ryan Kenvin, Beazer Homes
Bill Foliaco, Stanley Martin Homes
Michael Taylor, Stanley Martin Homes
Dale Wilkowske, Pinnacle Design and Consulting, Inc.
Raymond Rinaldi, Loudoun County Building Official

After testimony concluded, Chair Dawson closed the hearing and stated a decision from the Review Board members would be forthcoming and the deliberations would be conducted in open session. It was further noted that a final order reflecting the decision would be considered at a subsequent meeting and, when approved, would be distributed to the parties, and would contain a statement of further right of appeal.

Decision: Stanley Martin Homes and Beazer Homes: Appeal No. 24-11:

After deliberations, Mr. Mays moved that the appeal was properly before the Board because both Stanley Martin Homes and Beazer Homes were aggrieved by the Building Official's denial of a modification request. The motion was seconded by Mr. Moss and passed unanimously.

After further deliberations, Mr. Butler moved to schedule the appeal hearing for the merits of the case for February 21, 2025 and no more submittals be accepted. The motion was seconded by Ms. Monday and failed with Messrs. Hutchins, Margarella, Mays, Moss, Pharr, and Zdinak and Mses. Jackson and Monday voting in opposition.

After further deliberations, Mr. Pharr moved to schedule the appeals hearing for the merits of the case for March 21, 2025 and allow the parties to submit a final submittal related to the merits of the case. The motion was seconded by Mr. Mays and passed with Mr. Butler voting in opposition.

After further deliberations, Mr. Mays moved that the Review Board request the Board of Housing and Community Development consider emergency regulations to address VCC Section 903.3.1.2 NFPA 13R Sprinkler Systems as it related to sprinkler requirements for R2 and R3

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occupancy buildings. Mr. Mays further moved that SBCO staff submit a request for an interpretation to the ICC for IRC Section 903.3.1.2 NFPA 13R Sprinkler Systems as it related to R2 and R3 occupancy buildings. The motion was seconded by Mr. Butler and passed with Ms. Jackson abstaining.

Secretary's Report — Mr. Luter informed the Review Board of the current caseload for the upcoming meeting scheduled for February 21, 2025.

Mr. Bell provided legal updates to the Review Board members.

Adjournment — There being no further business, the meeting was adjourned by proper motion at approximately 1:30 p.m.

Approved: February 21, 2025

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Chair, State Building Code Technical Review Board

_____
Secretary, State Building Code Technical Review Board

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD
**[Preliminary Hearing for Properness Before the Board]**

IN RE: Appeal of Stanley Homes and Beazer Homes
Appeal No. 24-11

DECISION OF THE REVIEW BOARD

## I. Procedural Background

The State Building Code Technical Review Board (Review Board) is a Governor-appointed board established to rule on disputes arising from application of regulations of the Department of Housing and Community Development. See §§ 36-108 and 36-114 of the Code of Virginia. The Review Board's proceedings are governed by the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

## II. Case History

On August 30, 2024, the Loudoun County Building and Development Department (County), the agency responsible for the enforcement of Part 1 of the 2021 Virginia Uniform Statewide Building Code (VUSBC), denied a modification request from Stanley Martin Homes and Beazer Homes (Stanley Martin and Beazer), for two (2) condominium projects named Dulles 2 over 2 Stacked Condominiums – Tessa/Julianne and Savanah/Harper and Belmont Park 2 over 2 Stack Condominiums – Monroe/Charlotte and Hepburn/Katherine, in Loudoun County, related to VCC Section 903.3.1.2 NFPA Sprinkler Systems.

Stanley Martin and Beazer filed an appeal to the Loudoun County Building Code Board of Appeals (local appeals board). The local appeals board denied the appeal finding that *"The code official applied the code correctly based on the 2021 Virginia Construction Code"*. On October 25, 2024, Stanley Martin and Beazer further appealed to the Review Board.

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Appearing at the Review Board meeting for Stanley Martin and Beazer were Ryan Kenvin, Michael Taylor, Bill Foliaco, and Dale Wilkowske. Appearing at the Review Board meeting for Loudoun County was Raymond Rinaldi. While initially processing the appeal application, Review Board staff found that the appeal application did not reference a particular project location/address or permit number; therefore, Review Board staff scheduled a preliminary hearing for the Review Board to determine whether the appeal application was properly before the Board.

## III. Findings of the Review Board

### A. Whether the appeal was properly before the Board.

Stanley Martin and Beazer argued that their two (2) condominium projects were 2 over 2 stack condominiums Use Group R3, Type VB construction. Stanley Martin and Beazer further argued that both projects provided a two-hour fire wall between the stacked units, adhered to the limitation of four stories pursuant to VCC Table 504.4, and the maximum allowable building height of 60 feet pursuant to VCC Table 504.3. Stanley Martin and Beazer also argued that VCC Section 903.3.1.2 was changed in the 2021 edition of the VCC and requires buildings to meet three conditions in order to use a NFPA 13R sprinkler system which are (1) four stories or fewer above grade plane, (2) the floor level of the highest story is 30 feet (9144 mm) or less above the lowest level of fire department vehicle access, and (3) the floor level of the lowest story is 30 feet (9144 mm) or less below the lowest level of fire department vehicle access. Stanley Martin and Beazer further argued that the application of the second condition affected the use of a NFPA 13R sprinkler system in a 2 over 2 stacked condominium projects. Finally, Stanley Martin and Beazer argued that the application of the code as written would require them to install a NFPA 13 sprinkler system.

The County argued that the code requirement in 2021 VCC Section 903.3.1.2 is prescriptive and codified in the USBC. The County argued that the modification request Stanley

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Martin and Beazer asked for, based off a DHCD staff opinion, suggested to use the requirements of the 2024 IBC Section 903.3.1.2; however, for Use Group R3 the requirements are unchanged from those found in the 2018 VCC except for Use Group R2 which allows an overall height of 45 feet to the roof. The County further argued that Use Group R3 was not separately addressed in that code section. The County finally argued that using the future edition of the code, 2024 edition, would not work as there was no change from the 2021 and was the basis of his denial of the request for modification.

The Review Board found that the appeal application filed by Stanley Martin and Beazer was properly before the Board because Stanley Martin and Beazer were aggrieved by the building official's denial of their modification request.

## IV. Conclusion

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders as follows:

A. Whether the appeal was properly before the Board.

The Stanley Martin and Beazer appeal application is properly before the Board because Stanley Martin and Beazer are aggrieved by the building official's denial of their modification request.

_____

Chair, State Building Code Technical Review Board

Date entered _____February 21, 2025_____

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As required by VCC 119.9: “As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period”.

As required by Rule 2A:2(C): “Any party appealing from a regulation or case decision shall file with the agency secretary, within 30 days after adoption of the regulation or after service of the final order in the case decision, a notice of appeal signed by the appealing party or that party's counsel. With respect to appeal from a regulation, the date of adoption or readoption shall be the date of publication in the Register of Regulations. In the event that a case decision is required by § 2.2-4023 or by any other provision of law to be served by mail upon a party, 3 days shall be added to the 30-day period for that party. Service under this Rule shall be sufficient if sent by registered or certified mail to the party's last address known to the agency”. See Rule 2A:2(A) of the Rules of the Supreme Court of Virginia.

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# STAFF NOTE

Patrick Foltz, legal counsel for Fairfax County, submitted a letter to Review Board staff on December 13, 2024 related to the Susan Frazier appeal (Appeal No. 24-02) which appears to be a reconsideration request. Mr. Foltz received the final order on November 19, 2024. In accordance with §2.2-4023.1(A), Mr. Foltz's deadline (15 days after service of the final decision) to submit a reconsideration request was December 4, 2024. Additionally, in accordance with §2.2-4023.1(C), the Review Board could have, of its own accord, reconsidered its decision within 30 days of receipt of the decision; however, that deadline was December 15, 2024.

Included in this agenda package are the following documents for your review:

1) Email from Patrick Foltz to Review Board staff dated December 13, 2024
2) Letter from Patrick Foltz
3) Copy of the Final Order for Susan Frazier (Appeal No. 24-02)
4) Referenced Document - Copy of the Final Order for Raymond M. Parker Sr. (Appeal No. 18-20)
5) Copy of §2.2-4023.1 Reconsideration

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**From:** Foltz, Patrick
**To:** Luter, Travis (DHCD); cookiefrazier@gmail.com; Zakkak, Gabriel M
**Cc:** Potts, Richard (DHCD); Messplay Iv, Paul (DHCD); Moldovan, Florin (DHCD)
**Subject:** RE: Appeal to the Review Board for Susan Frazier (Appeal No. 24-02)
**Date:** Friday, December 13, 2024 4:34:33 PM
**Attachments:** image001.png
Frazier Letter.pdf
Frazier Letter Attachment.pdf

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Mr. Luter,

Please find the attached letter with attachment. The Property Maintenance Official is requesting a small amendment to the order so as to clarify the outcome of this appeal.

Thank you,

Patrick V. Foltz, #76736
Assistant County Attorney
Office of the County Attorney
12000 Government Center Pkwy Suite 549
Fairfax, VA 22035
Phone: 703-324-2672
Fax: 703-324-2665



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**From:** Luter, Travis (DHCD) <Travis.Luter@dhcd.virginia.gov>
**Sent:** Sunday, November 17, 2024 10:36 AM
**To:** cookiefrazier@gmail.com; Zakkak, Gabriel M <Gabriel.Zakkak@fairfaxcounty.gov>; Foltz, Patrick <Patrick.Foltz@fairfaxcounty.gov>
**Cc:** Potts, Richard (DHCD) <Richard.Potts@dhcd.virginia.gov>; Messplay Iv, Paul (DHCD) <Paul.MessplayIV@dhcd.virginia.gov>; Moldovan, Florin (DHCD) <Florin.Moldovan@dhcd.virginia.gov>
**Subject:** Appeal to the Review Board for Susan Frazier (Appeal No. 24-02)

Parties and counsel:

I have mailed a copy of the signed final order for the above referenced appeal via UPS, signature required, to Ms. Frazier and Mr. Zakkak which provides a record of the final order being sent to all parties. Attached is a courtesy copy of the signed final order.

Regards,

**W. Travis Luter, Sr., CBO**
Secretary to the State Building Code Technical Review Board
Code and Regulation Specialist
Virginia Department of Housing and Community Development (DHCD)
804-371-7163
travis.luter@dhcd.virginia.gov

# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Office of the County Attorney
Suite 549, 12000 Government Center Parkway
Fairfax, Virginia 22035-0064
Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov


December 13, 2024

**BY EMAIL**
Virginia Technical Review Board
c/o Travis Luter, Secretary
Main Street Centre
600 E. Main Street
Suite 300
Richmond, VA 23219

**RE: Appeal No. 24-02**
**From the Fairfax County Board of Building Code Appeals**

Mr. Luter,

My name is Patrick Foltz and my office represents Gabriel M. Zakkak, Property Maintenance Official for Fairfax County. I write to respectfully move the Board to take two actions before the appeal period for this expires on December 17th, 2024. First, I respectfully move the Technical Review Board, on behalf of the Property Maintenance Official, to suspend the finality of the Board's order in this case signed November 15, 2024. The purpose for this motion is that the Technical Review Board may consider and decide upon the entry of an amended order.

In its November 15, 2024 Order ("the Order"), as a final statement of its second ruling on whether Ms. Frazier's appeal is complete, the Board ruled that Frazier's appeal "was not properly before the Board because the application…was incomplete[.]" As noted in the order, the County argued that the application should be dismissed and, on June 16, 2024, staff warned that Ms. Fraizer that leaving her application incomplete left her appeal "vulnerable for being dismissed."

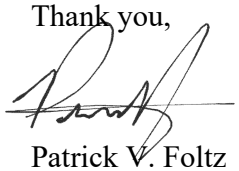
In the Order, however, the Board did not actually dismiss Ms. Frazier's appeal. The Board ruled that Ms. Frazier's appeal is not "properly before the Board." In a previous decision of this Board, IN RE: Raymond M. Parker, Sr. Appeal 18-20, the Board made the same ruling, that the appellant's appeal was not "properly before the Board" and then dismissed the appeal. (Copy of that opinion attached as Exhibit A). The Property Maintenance Official respectfully requests that the Board amend the Order to include a statement that the appeal is dismissed.

The circumstances of this case compel the Property Maintenance Official to seek this small change. While Ms. Sherry Frazier appeared on behalf of her sister, Ms. Susan Frazier, Ms. Sherry Frazier will not be able to appear behalf of her sister in a court-enforcement action. Since the Property Maintenance Official cannot pursue enforcement in court without proving the resolution

of this appeal, adding a statement that the appeal is dismissed will greatly assist subsequent courts in quickly and fully resolving the outcome of this appeal.

In conclusion, I respectfully request that the Technical Review Board enter an order suspending the finality of the Order and amend the Order to include a statement that the appeal is dismissed. I am available as above if anything further is required.

Thank you,



Patrick V. Foltz

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD
**(Preliminary Hearing for Completeness of the Application and Timeliness)**

IN RE: Appeal of Susan Frazier
Appeal No. 24-02

DECISION OF THE REVIEW BOARD

## I. Procedural Background

The State Building Code Technical Review Board (Review Board) is a Governor-appointed board established to rule on disputes arising from application of regulations of the Department of Housing and Community Development. See §§ 36-108 and 36-114 of the Code of Virginia. The Review Board's proceedings are governed by the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

## II. Case History

Susan Frazier (Frazier) filed an appeal to the Fairfax County Board of Building Code Appeals (local appeals board). On February 14, 2024, the local appeals board upheld two decisions and overturned one decision of the code official. Frazier attempted to further appeal to the Review Board; however, Frazier never submitted a completed application for appeal or copy of the code official's decision being appealed. Due to the lack of submittal of a completed application for appeal and copy of the enforcement decision of the code official, Review Board staff (Staff) processed the limited information that had been submitted and scheduled a preliminary hearing for the Review Board to determine completeness of the application and timeliness; the County, in its initial submittal, challenged the timeliness of the appeal.

Staff provides the following timeline and details of requests for submittals by staff to Frazier.

- March 8, 2024, Frazier attempted to send an email to Staff while copying the State Building Codes Office (SBCO) general email inbox, which is the email address found on the application for appeal to the State Building Code Technical Review Boards (Review Board). In Frazier's email she misspelled the name of staff; therefore, the email was only delivered to the SBCO general inbox. The SBCO team member charged with monitoring the SBCO general inbox forwarded Frazier's email to staff on Friday March 8, 2024. Frazier's email provided notice that she intended to appeal a decision of the Fairfax County Board of Building Code Appeals (local appeals board) received February 20, 2024. No application or supporting documents were attached to the email.
- Monday March 11, 2024 Staff responded to Frazier and informed Frazier she could submit her application directly to staff at the email address from which she was receiving the message. Frazier's initial appeals application, local appeals board resolution, and statement of relief sought were emailed to Review Board staff on Monday March 11, 2024.
- March 12, 2024 Staff acknowledged receipt of the appeals application, local appeals board resolution, and statement of relief sought. After review of Frazier's submittal that same day, staff emailed Frazier and outlined the documentation and/or information needed to be submitted for staff to begin processing her appeal. The email provided, in part, the following guidance for submittal:
    a) *"A complete application was not submitted.*
        - *Only one part of the Uniform Statewide Building Code may be selected on the application. Based on the resolution it appears the*

*cited code was the Virginia Maintenance Code. Verify this to be true and update the application accordingly.*

- *The Opposing Party Information was not provided. Provide the name, telephone number, and email address of the Fairfax County Property Maintenance Official.*

b) *A copy of the enforcement decision being appealed was not submitted. Submit a copy of the enforcement decision being appealed.*

c) *The statement of relief sought submitted does not request relief the Review Board can provide. The statement of relief sought should outline what relief the appellant seeks from the Review Board related to the cited code violations. In other words, what are you asking the Review Board to do related to the cited code violations. This would be what you believe Fairfax County wrongfully cited in its enforcement decision. Asking the Review Board to have the "complainant to stop making false accusations and habitual complaint about my home" is outside the scope of the authority of the Review Board and not related to the cited code violations …"*

*"Please be informed that your application is not considered as "filed" until this minimally required documentation is submitted."*

- March 13, 2024, Frazier responded acknowledging receipt of staff's email dated March 12, 2024.
- March 20, 2024, staff followed up with Frazier because the requisite documentation and/or information had not been submitted. Frazier responded the same day, indicating she was working on the revisions. Staff acknowledged her email and advised that she not delay her submittal as it needed to be done within a specified

timeframe. Staff specified in detail the timeframe and deadline for submittal based on the information Frazier has provided at that time.

- April 29, 2024, staff followed up again with Frazier because the requisite documentation and/or information still had not submitted.
- May 1, 2024, Frazier acknowledged staff's email dated April 29, 2024 and indicated she was still working on her submittal.
- June 16, 2024, staff sent Frazier a final request for the requisite documentation and/or information because she still had not submitted any of the requisite documentation and/or information, providing a deadline of July 17, 2024. Staff informed Frazier that if she *"did not provide the requisite information and documentation by end of business July 17, 2024, this appeal will be presented to the Review Board on the issues of completeness of the appeal and not on the merits of your appeal, which will leave your appeal vulnerable for being dismissed."*
- July 16, 2024, Frazier requested another copy of the appeals application. Staff provided Frazier a copy of the application that same day. Frazier acknowledged receipt the same day. Staff received no submittals from Frazier by the required deadline of July 17, 2024. Staff processed the appeal with the limited information that had been submitted by Frazier.
- July 18, 2024, Frazier requested until July 21, 2024 to submit the requisite documentation and/or information. Staff denied Frazier's request.

Appearing at the Review Board meeting for Frazier was Sherry Frazier, Frazier's sister, who testified under oath that she possessed power of attorney (POA) for Frazier. Appearing at the Review Board meeting for the County was Attorney Patrick Foltz.

## III. Findings of the Review Board

A. Whether the appeal was untimely.

B. Whether the application for appeal to the Review Board is complete.

Frazier argued that the appeal application was timely. Frazier further argued that she attempted to submit a copy of the enforcement decision of the code official.

The County argued that Frazier's appeal application filed on March 11, 2024, shown on page 47 of the record, was timely filed; however, a copy of the enforcement decision of the code official must be submitted along with the appeals application and must be submitted with 21 calendar days of receipt of the decision being appealed. The County further argued that Frazier never submitted a copy of the enforcement decision of the code official; therefore, Frazier's appeal application was incomplete and untimely; therefore, the appeal should be dismissed.

The County also argued that Frazier's statement of relief sought was insufficient as it does not identify an error made by the code official or the local appeals board. The County further argued that Frazier, neither in the record of the appeal nor in her verbal testimony at the hearing, challenged the local appeals board decision. Lastly, the County argued as to whether Sherry Frazier could file the appeal application and appear before the Review Board to argue for Frazier without providing a copy of a POA which had been requested by the County and the Review Board.

The Review Board found that Frazier's appeal was timely because an application for appeal and statement of relief sought were received within the required time frame. The Review Board also found that the appeal was not properly before the Board because the application, though received within the required time frame, was incomplete because a copy of the enforcement decision of the code official was not provided with the application as required by VPMC 107.8.

## IV. Conclusion

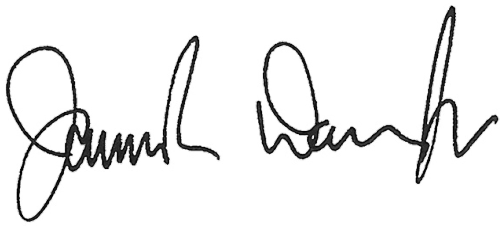
The appeal having been given due regard, and for the reasons set out herein, the Review Board orders as follows:

A. Whether the appeal was untimely.

Frazier's appeal was timely because an application for appeal and statement of relief sought were received within the required time frame.

B. Whether the application for appeal to the Review Board is complete.

Frazier's appeal was not properly before the Board because the application, though received within the required time frame, was incomplete because a copy of the enforcement decision of the code official was not provided with the application as required by VPMC 107.8.



Chair, State Building Code Technical Review Board

Date entered _____November 15, 2024_____

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period.

VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Raymond M. Parker Sr.
Appeal No. 18-20

**DECISION OF THE REVIEW BOARD**

Procedural Background

The State Building Code Technical Review Board (Review Board) is a Governor-appointed board established to rule on disputes arising from application of regulations of the Department of Housing and Community Development. See §§ 36-108 and 36-114 of the Code of Virginia. The Review Board's proceedings are governed by the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

Case History

On July 12, 2018, the Essex County Building Inspections Department (County), in enforcement of the 2012 Virginia Construction Code (VCC), performed a final inspection on one of the buildings on the property located at 531 LaGrange Industrial Drive, owned by David Stokes, and subsequently issued a certification of occupancy (CO).

Mr. Parker filed an appeal to the Essex County Local Board of Appeals (local appeals board) on August 10, 2018 for the issuance of the CO based on assertions that required permits were not issued, proper inspections were not performed, the well on his property was too close to the building being given the CO, and that "any pertinent laws or ordinances" in accordance with VCC Section 116.1 were not properly enforced by the County.

The local appeals board heard the case on October 16, 2018 and upheld the decision of the Essex County building official. Mr. Parker filed an application for appeal to the Review Board on December 5, 2018 after receipt of the local board's decision.

Review Board staff developed a staff summary of the appeal, distributed it, along with a copy of all documents submitted, to all the parties and scheduled an appeal hearing before the Review Board. The hearing before the Review Board was held on March 15, 2019. Appearing at the Review Board hearing for Essex County were Alwyn Davis, Building Official; David Stokes, owner of the property; and Chris Mackenzie, legal counsel for Essex County. Jeffrey L. Howeth, P.E. appeared at the hearing on behalf of Mr. Parker, who was properly notified; however, did not appear at the hearing.

## Findings of the Review Board

A. Whether or not to dismiss Mr. Parker's appeal due to Mr. Parker not being an aggrieved party.[1]

Essex County, through legal counsel, argued that Mr. Parker was not an aggrieved party because he does not own any property near the subject property of this appeal. The adjoining properties are owned by corporations partially owned by Mr. Parker. Essex further argued that Mr. Parker was not harmed in a way different from the public because of the issuance of the CO.

Mr. Howeth was unable to provide evidence or testimony related to the arguments presented by Essex County; however, the record of the appeal included written arguments from Mr. Parker. In Mr. Parker's written arguments he expressed his belief that he was aggrieved by the location of his well, which predated the industrial park, in proximity to potential sources of pollution, specifically primary and reserve drain field areas and an infiltration trench and sump which are installed within 100' of the well.

[1] See Review Board Case No. 17-6

The right to appeal is laid out by statue and by the building code. The Virginia Construction Code reads in part:

***119.5 Right of appeal; filing of appeal application.*** *Any person aggrieved by the local building department's application of the USBC or the refusal to grant a modification to the provisions of the USBC may appeal to the LBBCA.*

The Construction Code clearly states that the right of appeal is for applications of the code and being aggrieved by those applications of the code. The Review Board consistently interpreted that the right to appeal is tied to applications of the code and the aggrievement by applications of the code.[2] In other words, without applications of the code or being aggrieved by applications of the code, there is no right to appeal.

With respect to the issue of whether to dismiss Mr. Parker's appeal due to his lack of standing as an aggrieved party, the Review Board finds that Virginia courts have provided guidance in determining whether a party is aggrieved. In Virginia Supreme Court cases, the court has held that to have standing, a person's rights have to be affected by the disposition of the case and that to be an aggrieved party, the party has direct interest in the subject matter and an immediate, pecuniary and substantial interest, and not a remote or indirect interest. In addition, the court has held that to be aggrieved, there is a denial of some personal or property right, legal or equitable, or imposition of a burden or obligation upon a party different from that suffered by the public generally.

The Review Board finds that the appeal is not properly before the Board as it was not properly before the local appeals board because Mr. Parker is not aggrieved by the decision of the building official.

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[2] *Id.*

Final Order

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders the appeal to be, and hereby is, dismissed.

Chairman, State Building Code Technical Review Board

Date entered: ___May 17, 2019_____

**Certification**

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period.

Code of Virginia
Title 2.2. Administration of Government
Subtitle II. Administration of State Government
Part B. Transaction of Public Business
Chapter 40. Administrative Process Act
Article 3. Case Decisions

# § 2.2-4023.1. Reconsideration

A. A party may file a petition for reconsideration of an agency's final decision made pursuant to § 2.2-4020. The petition shall be filed with the agency not later than 15 days after service of the final decision and shall state the specific grounds on which relief is requested. The petition shall contain a full and clear statement of the facts pertaining to the reasons for reconsideration, the grounds in support thereof, and a statement of the relief desired. A timely filed petition for reconsideration shall not suspend the execution of the agency decision nor toll the time for filing a notice of appeal under Rule 2A:2 of the Rules of Supreme Court of Virginia, unless the agency provides for suspension of its decision when it grants a petition for reconsideration. The failure to file a petition for reconsideration shall not constitute a failure to exhaust all administrative remedies.

B. The agency shall render a written decision on a party's timely petition for reconsideration within 30 days from receipt of the petition for reconsideration. Such decision shall (i) deny the petition, (ii) modify the case decision, or (iii) vacate the case decision and set a new hearing for further proceedings. The agency shall state the reasons for its action.

C. If reconsideration is sought for the decision of a policy-making board of an agency, such board may (i) consider the petition for reconsideration at its next regularly scheduled meeting; (ii) schedule a special meeting to consider and decide upon the petition within 30 days of receipt; or (iii) notwithstanding any other provision of law, delegate authority to consider the petition to either the board chairman, a subcommittee of the board, or the director of the agency that provides administrative support to the board, in which case a decision on the reconsideration shall be rendered within 30 days of receipt of the petition by the board.

D. Denial of a petition for reconsideration shall not constitute a separate case decision and shall not on its own merits be subject to judicial review. It may, however, be considered by a reviewing court as part of any judicial review of the case decision itself.

E. The agency may reconsider its final decision on its own initiative for good cause within 30 days of the date of the final decision. An agency may develop procedures for reconsideration of its final decisions on its own initiative.

F. Notwithstanding the provisions of this section, (i) any agency may promulgate regulations that specify the scope of evidence that may be considered by such agency in support of any petition for reconsideration and (ii) any agency that has statutory authority for reconsideration in its basic law may respond to requests in accordance with such law.

2016, c. 694.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters

whose provisions have expired.

VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of George Karsadi
Appeal No. 24-09

CONTENTS

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VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of George Karsadi (GLK Construction Services Inc.)
Appeal No. 24-09

REVIEW BOARD STAFF DOCUMENT

Suggested Statement of Case History and Pertinent Facts

1. On April 9, 2024, the Fairfax County Department of Land Development Services (County), the agency responsible for the enforcement of Part 1 of the 2015 Virginia Uniform Statewide Building Code (VUSBC), issued a Corrective Work Order (CWO) to George Karsadi, registered agent for GLK Construction Services Inc. (Karsadi), for a deck on the property located at 8418 Master Court, in Fairfax County. The CWO cited 11 violations; however, Karsadi only appeals six (6) of the 11 cited violations while requesting an extension of time for compliance from 30 days to 90 days. The six (6) cited violations being appealed by Karsadi are as follow:

- *Hidden fasteners require 2x6 bracing at underside of deck, Per Fairfax County Detail, Using hidden Deck Fasteners, Pg.5, R507.3.5 Installation of Plastic Composites*
- *Landing at bottom of stairs requires guard post and railing on patio side. Fairfax County Detail pg. 20, Guard Construction R312.1 Guards, R312.1.1 Where Required*
- *All footings and footing connections need to be verified, Fairfax County Detail, Post to Footing Detail, pg.13,R507.8.1 Deck Post To Deck Footings, R507 .1 Decks*
- *New top landing cannot be attached to overhang of house, Fairfax County Detail, Prohibited Ledger Attachments, Pg.16, R507.2.2 Band Joist Detail*
- *All Guard Post connections need to be constructed per Fairfax County Detail, Guard Post Connections, Pages 20,21,24, Figures 37,38,40 (hold down brackets missing in some areas, missing blocking, joist not long enough to attach band board) R312.1 Guards, R301.5 Live Loads, Table R301.5 Minimum uniformly Distributed Live Loads*

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- *New deck extensions (blocking) are not per code. Need to be a min. 3 to 1 ratio at deck cantilever. R502.3.3 Floor Cantilevers, Table R502.3.3(2), Table R301.5*

2. Karsadi filed an appeal to the Fairfax County Building Code Board of Appeals (local appeals board). The local appeals board found that *"The items identified as non-code compliant and the subject of the appeal were determined to be accurate and in need of further work to bring them, and the subject deck, handrail and stair/landing construction, into compliance with the code. One clarification was noted to the list of items, specifically that only new footings (not existing footings from the previous deck, were to be subject to the corrective work order."*

3. On October 8, 2024, Karsadi further appealed to the Review Board.

4. This staff document, along with a copy of all documents submitted, will be sent to the parties and opportunity given for the submittal of additions, corrections, or objections to the staff document, and the submittal of additional documents or written arguments to be included in the information distributed to the Review Board members for the hearing before the Review Board.

Suggested Issues for Resolution by the Review Board

1. Whether to uphold the decision of the County and the local appeals board that a violation of R507.3.5 *Installation of Plastic Composites* exists.

2. Whether to uphold the decision of the County and the local appeals board that a violation of R312.1 *Guards* and R312.1.1 *Where Required* exists.

3. Whether to uphold the decision of the County and the local appeals board that a violation of R507.8.1 *Deck Post To Deck Footings* and R507 .1 *Decks* exists.

*4.* Whether to uphold the decision of the County and the local appeals board that a violation of R507.2.2 *Band Joist Detail* exists.

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5. Whether to uphold the decision of the County and the local appeals board that a violation of R312.1 *Guards,* R301.5 *Live Loads,* and Table R301.5 *Minimum uniformly Distributed Live Loads* exists.

*6.* Whether to uphold the decision of the County and the local appeals board that a violation of R502.3.3 *Floor Cantilevers,* Table R502.3.3(2), and Table R301.5 exists.

7. Whether to grant the requested extension for compliance from 30 days to 90 days to complete the necessary repairs to the deck.

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# Basic Documents

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# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

## CORRECTIVE WORK ORDER (CWO)
**Virginia Construction Code**

| | |
|---|---|
| **DATE OF ISSUANCE:** | April 9, 2024 |
| **METHOD OF SERVICE:** | Certified Mail: 7021 1970 0001 1504 5162 |
| **LEGAL NOTICE ISSUED TO:** | GLK Construction Services Inc.<br>George Karsadi, Registered Agent |
| **REGISTERED AGENT ADDRESS:** | 8356 Wagon Wheel Road<br>Alexandria, Virginia 22309 - 0000, USA |
| **CONTRACTOR LICENSE#:** | 2705085865 |
| **LOCATION OF VIOLATION:** | 8418 Masters Court<br>Alexandria, VA 22308 |
| **TAX MAP REF:** | 102310080013 |
| **CASE #:** | LDSCOMP-2024-00119 |

Per authority granted by the Virginia Construction Code, inspections were made on June 21, 2023 regarding the above referenced property. Violations of the 2015 Virginia Residential Code, effective September 4, 2018 the applicable building code were found. You have 30 days from the date this CWO to abate the violations.

| Code | Violation |
|---|---|
| 2015 VRC - INSP | Hidden fasteners require 2x6 bracing at underside of deck, Per Fairfax County Detail, Using hidden Deck Fasteners, Pg.5, R507.3.5 Installation of Plastic Composites |
| 2015 VRC - INSP | Post to beam connections at top and bottom landings not attached correctly, Fairfax County Detail, Post to Beam connection, pg.14, figure18 (bottom of post at top landing appears to be notched) R507.7.1 Deck Beam To Deck Post, Figure R507.7.1 Deck Beam To Deck Post |
| 2015 VRC - INSP | Landing at bottom of stairs requires guard post and railing on patio side. Fairfax County Detail pg. 20, Guard Construction R312.1 Guards, R312.1.1 Where Required |
| 2015 VRC - INSP | All footings and footing connections need to be verified, Fairfax County Detail, Post to Footing Detail, pg.13,R507.8.1 Deck Post To Deck Footings, R507.1 Decks |
| 2015 VRC - INSP | New top landing cannot be attached to overhang of house, Fairfax County Detail, Prohibited Ledger Attachments, Pg.16, R507.2.2 Band Joist Detail |
| 2015 VRC - INSP | Need to use correct joist hangers at end joist and stair stringers, etc., Fairfax County Detail, Joist hangers, pg.9 and Stringer Bearing, pg.24, R507.7 Deck Joist and Deck Beam Bearing, R502.6 Bearing |

| | |
|---|---|
| 2015 VRC - INSP | Need ES Report and installation instructions for Guard Railings and decking to verify proper length and installation, also spacing of stringers for material used. R507.3.5 Installation of Plastic Composites |
| 2015 VRC - INSP | Spacing between guard post at top of stairs is more than 4 inches, need to secure stair treads properly. R312.1.3 Opening Limitations, R507.3.5 Installation of Plastic Composites |
| 2015 VRC - INSP | All Guard Post connections need to be constructed per Fairfax County Detail, Guard Post Connections, Pages 20,21,24, Figures 37,38,40 (hold down brackets missing in some areas, missing blocking, joist not long enough to attach band board) R312.1 Guards, R301.5 Live Loads, Table R301.5 Minimum uniformly Distributed Live Loads |
| 2015 VRC - INSP | New deck extensions (blocking) are not per code. Need to be a min. 3 to 1 ratio at deck cantilever. R502.3.3 Floor Cantilevers, Table R502.3.3(2), Table R301.5 |
| 2015 VRC - INSP | Stair stringer bearing incorrect, Fairfax County Detail, Stringer Bearing, Pg. 24, figure 4, R502.6 Bearing |

Failure to correct these defects within the time limits specified shall result in the issuance of a Notice of Violation being issued under the applicable State and County Codes.

You are directed to notify Donald Weyant, Combination Inspector, by return correspondence to 12055 Government Center Parkway, Suite 334, Fairfax, VA 22035 or by telephone at 571-221-6393. Failure to do so shall result in the immediate initiation a Notice of Violation and eventual legal action to bring the above referenced property into compliance.

If you have any questions, you may contact Donald Weyant at 571-221-6393.

Order Issued By: Donald Weyant
Technical Assistant to the Building Official
Land Development Services
Email: donald.weyant@fairfaxcounty.gov

Signature: 

# RESOLUTION

**WHEREAS** the Fairfax County Board of Building Code Appeals (the Board) is duly appointed to resolve disputes arising out of enforcement of the Uniform Statewide Residential Code/2018 Edition.

and

**WHEREAS** an appeal has been timely filed and brought to the attention of the Board; and
**WHEREAS** a hearing has been duly held to consider the aforementioned appeal; and
**WHEREAS**, the Board has fully deliberated this matter; now, therefore, be it

**RESOLVED**, that the matter of

**Appeal No.** CDAPPL-2024-00003
**In RE:** Department of Code Compliance **v.** GLK Construction Services

The appeal is hereby denied 3-0-0-CNV for the reasons set out below.

The items identified as non-code compliant and the subject of the appeal were determined to be accurate and in need of further work to bring them, and the subject deck, handrail and stair/landing construction, into compliance with the code. One clarification was noted to the list of items, specifically that only new footings (not existing footings from the previous deck, were to be subject to the corrective work order.

**FURTHER**, be it known that:

1. This decision is solely for this case and its surrounding circumstances.
2. This decision does not serve as a precedent for any future cases or situations, regardless of how similar they may appear.
3. No significant adverse conditions to life safety will result from this action; and

**Date:** September 13, 2024 **Signature:** Signed by: Dave Conover 6DFFDB519E374A1... Chairman, Board of Building Code Appeals

**Note:** Upon receipt of this resolution, any person who was a party to the appeal may appeal to the State Building Code Technical Review Board within twenty-one (21) days of receipt of this resolution. Application forms are available from the Virginia Department of Housing and Community Development, 600 East Main Street, Suite 300, Richmond, VA 23219 or by calling 804.371.7150.

I _____ hereby certify that this is a true copy of a Fairfax County Department of a
CUSTODIAN

Land Development Services record of which I am a custodian _____
CUSTODIAN

I _____ hereby certify that this is a true copy of a Fairfax County
SUPERVISOR OF CUSTODIAN

Department of a Land Development Services record of which _____ is the
CUSTODIAN

custodian and that _____ reports to me _____
CUSTODIAN SUPERVISOR OF CUSTODIAN

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Envelope Originator:
Kyle Kratzer
12055 Government Center Pkwy, Ste 619
Fairfax, VA 22035
Kyle.Kratzer@fairfaxcounty.gov
IP Address: 71.63.90.89

## Record Tracking

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Kyle.Kratzer@fairfaxcounty.gov
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Location: DocuSign

| Signer Events | Signature | Timestamp |
|---|---|---|
| Dave Conover<br>drconover9@aol.com<br>Security Level: Email, Account Authentication (None) | Signed by:<br>Dave Conover<br>6DFFDB519E374A1...<br>Signature Adoption: Pre-selected Style<br>Using IP Address: 73.198.228.236 | Sent: 9/13/2024 9:32:22 PM<br>Viewed: 9/15/2024 3:02:14 PM<br>Signed: 9/15/2024 3:02:55 PM |
| **Electronic Record and Signature Disclosure:**<br>Accepted: 9/15/2024 3:02:14 PM<br>ID: 59defcdd-68d7-49b4-b037-0eb8359493b7 | | |
| Kyle Kratzer<br>kyle.kratzer@fairfaxcounty.gov<br>Security Level: Email, Account Authentication (None) | Signed by:<br>kyle kratzer<br>8CC86D9F9440496...<br>Signature Adoption: Pre-selected Style<br>Using IP Address: 71.63.90.89 | Sent: 9/15/2024 3:02:56 PM<br>Viewed: 9/16/2024 7:45:40 AM<br>Signed: 9/16/2024 7:46:06 AM |
| **Electronic Record and Signature Disclosure:**<br>Not Offered via DocuSign | | |
| Jay Riat<br>Jay.Riat@fairfaxcounty.gov<br>Director, Building Division<br>LDS<br>Security Level: Email, Account Authentication (None) | DocuSigned by:<br>Jay Riat<br>FCDAF24AB966414...<br>Signature Adoption: Pre-selected Style<br>Using IP Address: 72.83.5.181 | Sent: 9/16/2024 7:46:07 AM<br>Viewed: 9/16/2024 7:51:22 AM<br>Signed: 9/16/2024 7:51:42 AM |
| **Electronic Record and Signature Disclosure:**<br>Accepted: 9/14/2022 1:32:37 PM<br>ID: 56fae38c-8a6e-4d37-8795-ea1d4428d357 | | |

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| **Notary Events** | **Signature** | **Timestamp** |
| **Envelope Summary Events** | **Status** | **Timestamps** |
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| Certified Delivered | Security Checked | 9/16/2024 7:51:22 AM |
| Signing Complete | Security Checked | 9/16/2024 7:51:42 AM |
| Completed | Security Checked | 9/16/2024 7:51:42 AM |
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| **Electronic Record and Signature Disclosure** | | |

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From time to time, FFX - LDS (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

**How to contact FFX - LDS:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: jeff.putiyon@fairfaxcounty.gov

**To advise FFX - LDS of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at jeff.putiyon@fairfaxcounty.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to jeff.putiyon@fairfaxcounty.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

**Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify FFX - LDS as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by FFX - LDS during the course of your relationship with FFX - LDS.

**COMMONWEALTH OF VIRGINIA**
**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**
**State Building Codes Office and Office of the State Technical Review Board**
**Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219**
**Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhcd.virginia.gov**

APPLICATION FOR ADMINISTRATATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

☐ Uniform Statewide Building Code
- ☐ Virginia Construction Code
- ■ Virginia Existing Building Code
- ☐ Virginia Maintenance Code

☐ Statewide Fire Prevention Code

☐ Industrialized Building Safety Regulations

☐ Amusement Device Regulations

**RECEIVED**
**October 7, 2024** WTZ
**OFFICE OF THE REVIEW BOARD**

Appealing Party Information (name, address, telephone number and email address):
GLK Construction Services Inc
8307 Sabine St. Alexandria, VA 22309
703-626-5262 GKARSADI@COX.NET

Opposing Party Information (name, address, telephone number and email address of all other parties):
Dept. of Code Compliance
Melissa Smarr
12055 Govt Center Pkwy Suite 334
Fairfax VA 22035
703-324-1929
Amy.Smarr@FairfaxCounty.gov

Additional Information (to be submitted with this application)
- Copy of enforcement decision being appealed
- Copy of the decision of local government appeals board (if applicable)
- Statement of specific relief sought

CERTIFICATE OF SERVICE

I hereby certify that on the 27 day of September, 2024, a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

**Note:** This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant: _____

Name of Applicant: GEORGE KARSADI
(please print or type)

**COMMONWEALTH OF VIRGINIA**
**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**
**State Building Codes Office and Office of the State Technical Review Board**
**Main Street Centre, 600 E. Main Street, Suite 300, Richmond, Virginia 23219**
**Tel: (804) 371-7150, Fax: (804) 371-7092, Email: sbco@dhcd.virginia.gov**

APPLICATION FOR ADMINISTRATATIVE APPEAL

Regulation Serving as Basis of Appeal (check one):

- [x] Uniform Statewide Building Code
  - [x] Virginia Construction Code
  - [ ] Virginia Existing Building Code
  - [ ] Virginia Maintenance Code
- [ ] Statewide Fire Prevention Code
- [ ] Industrialized Building Safety Regulations
- [ ] Amusement Device Regulations

**RECEIVED**
**October 8, 2024** WTZ
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Appealing Party Information (name, address, telephone number and email address):
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703-626-5262 ALEXANDRIA, VA 22309 GLK Const. SERVICES INC.

Opposing Party Information (name, address, telephone number and email address of all other parties):
DEPT. OF LAND DEVELOPMENT SERVICES 12055 GOVT. CENTER PKWY
JAY RIAT JAY.RIAT@FAIRFAXCounty.gov FAIRFAX, VA 22035
703-324-1617

Additional Information (to be submitted with this application)
- Copy of enforcement decision being appealed
- Copy of the decision of local government appeals board (if applicable)
- Statement of specific relief sought

CERTIFICATE OF SERVICE

I hereby certify that on the 7 day of October, 2024, a completed copy of this application, including the additional information required above, was either mailed, hand delivered, emailed or sent by facsimile to the Office of the State Technical Review Board and to all opposing parties listed.

**Note:** This application must be received by the Office of the State Technical Review Board within five (5) working days of the date on the above certificate of service for that date to be considered as the filing date of the appeal. If not received within five (5) working days, the date this application is actually received by the Office of the Review Board will be considered to be the filing date.

Signature of Applicant: _____

Name of Applicant: GEORGE KARSADI
(please print or type)

September 30th, 2024

State Technical Review Board
VA Department of Housing and Community Development
600 East Main Street
Suite 300
Richmond, VA 23219

CDAPPL-2024-00003

RE: Application for administrative appeal

To whom it may concern,

I am requesting an appeal to my Building code appeal hearing that was conducted on September 11th 2024. There are a few reasons why I believe the review board was misled and understaffed to thoroughly conduct the necessary research to conclude a righteous decision. The review board consists of six (6) board members. However there were only three that actually voted. That is half of the decision-making process not included in this decision.

When I was at the appeal hearing my allotted time for my opening statement was kept to 60 seconds or under a minute. Not enough time to give a thorough opening statement. Near the end of the hearing, the board was discussing amongst themselves the appeal details and the county attorney invited the homeowner to the floor to make a prepared written statement. Her statement was almost five minutes long. The homeowner made misleading statements regarding my conduct and workmanship and was able to mention things outside the scope of the appeal. For example, our conversations that had nothing to do with the permit but was about our contract. She was allowed to portray her DPOR complaint against me as under serious investigation, when in reality there was no mention of misconduct from the DPOR against me since the filing, which was over 6 months ago.

The homeowner was allowed to go into length about anything she wanted and only was stopped when she finished reading 5 pages of material and then distributed 20 pages of pictures with notations that were not true to the picture or were extremely misleading. For example, she showed a picture of a handrail that showed a length of 80" and said she called the manufacturer and they said it was installed incorrectly. Her statement is misleading because it can go to 96" and that is on the manufacturers ES Report. She was allowed to make falsehoods like that throughout her speech. Most of the pictures were like that, which showed something that was taken out of context to influence the board and give a false negative impression about me, which swayed their vote unfavorably.

The board turned to me and I was given 1 minute for my closing statement to address these new misleading allegations the homeowner was freely levying against me, along with my original closing statement. The homeowner was supplied a copy of my appeal

statement before the meeting however the homeowner never supplied a copy of her statement or pictures to the county or myself beforehand so that I could respond fully to most of her frivolous claims. I had no time to defend myself from these statements and they had a negative impact on the board, and most of her statements were not about the CWO but were focused on whether I was guilty of getting a permit. This meeting was suppose to be about the inspection report, not whether or not I obtained a permit.

One of the homeowners' comments that rang out during her speech was that the homeowner mentioned that the inspector that came to her house to do the final inspection asked her what "she wanted on the inspection report" because she was not satisfied with his findings. The inspector then obliged apparently because the inspection report grew larger each time the inspectors came out. That type of coordination where the homeowner has a say in what goes into a report should not be allowed. This information came to light during the homeowners' speech. To escalate the situation, the homeowner would not allow me on to the property to work on the inspection report. She threatened prosecution with her attorney and then she waited two years before she reached out again. She held onto the report until she was ready, and then complained to the county that I was not completing the report. At that exact same time she complained to the county, I was still not allowed on the property. The county wrote up a CWO as if I was holding up the process for two years, which actually was three years in the making by the homeowner.

I was appealing to the board that the county was not was not giving me enough time to resolve the issues before a CWO needed to be written. They overlooked the fact that the homeowner was not allowing me on the property, which made the length of time grow, and thus made the interpretation that I (the contractor) was negligent for years. The inspector stated himself that they do not care about disputes and that I was still responsible, even though I could not physically do the repairs. I was in an impossible situation and I wanted some time to get things figured out and how to do it. They did not care and wanted it done in 30 days. I needed more time and I decided to appeal the CWO because I know I should have been given some leeway because of my flawless history and that this is my first CWO in over 20 years working in the county. Quite literally my hands were tied and I would be arrested if I went onto the property to comply with the CWO. I chose not to go to jail and fight this injustice instead.

Another factor the board overlooked was that the homeowner stated in her DPOR complaint that she has a contractor lined up with a deposit in hand waiting for this permit to close to demolish the deck and rebuild it. The county gave me an option to demo the deck but the appeals board did not write in their resolution that removal is an option to repair as was accepted by the county. I requested a copy of the transcript and the homeowners paperwork that she submitted that day so that I could have a chance to properly reply without being blindsided at the meeting without proper time to respond either. I am still waiting on the full transcript and the meeting minutes.

Lastly, the board did not review all the evidence that showed the intention of the county to apply retribution to me (the contractor) when I spoke up about the inspection violations growing for years, and not being allowed onto the property, but still being responsible.

There is evidence to show there were situations going on with the county staff that had an adverse affect on me as a contractor and as a contractor making an appeal over a final inspection report. They treated me as a repeat offender, which I am not.

There were three items that I wanted removed from the report and they were 1. Existing footing verification (which they granted), 2. An overhang being cut back (which they denied) and an overhang for an upper landing that needed to be free standing (which they denied). The last two were not looked at as a common sense approach but as a cynical view from a tainted jury, which was the board. I was under the impression that the board conducted its business through a different lens than the black and white codebook. Some issues are not covered by code and thus a review board should hear an alternative approach to a situation. I do not believe the board looked at these items in that way and instead deferred to the county for answers. It became a lopsided meeting where the county and board were working together as one instead of being independent from each other. The county attorney made claims in their response that mentioned retribution is not uncommon and accepted and I could not respond to the attorney's comments, which pulled the board in their favor.

In conclusion, there are a few things that made the county appeal process a little skewed against me. One example would be that a portion of the meeting the board was being biased against me and showing obvious favoritism to the homeowner and her false misleading claims that should have not been allowed into the record without a proper response from myself. The board overlooked a serious issue with the county and how they conducted their inspections and the appeal process. I wanted to be given the opportunity to respond to the allegations before a board ruling would be issued. Also there was not a full appeal board but half of one and that would mean I was half shorted and a full panel could have decided a different outcome. I am requesting a formal appeal where all the information is heard and the facts lay out completely. My specific relief would be to have the CWO tossed out because it was written prematurely. Also due to the fact the homeowner was involved in the making of it and it kept growing out of spite. Or have the couple of items I mentioned previously removed and the rest can stay. I am seeking relief that I would have a full board panel to hear the evidence. I am seeking relief that, due to the time restraints, the CWO should be paused beyond the typical 30 days and I be allowed 90 days to complete it if at all due to the irregularities around the making of it. The homeowner had this for three years and there is nothing life threatening on the inspection report. A few more days will not hurt. Thank you for your consideration.

Thank you

Sincerely,

George Karsadi
GLK Construction Services Inc
8307 Sabine St
Alexandria, VA 22309

# Documents Submitted
# by
# George Karsadi

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GLK Construction Services Inc.
8307 Sabine St.
Alexandria, VA 22309
703.626.5262

Date: 8/15/2024

Board of Building Appeals
12055 Government Center Parkway, Fairfax Virginia 22035
Suite 941

RE: File # 2024-02279

To whom it may concern,

I am writing this letter to appeal the final inspection report dated September 9th 2022 and subsequent CWO dated April 9th 2024 for property address 8418 Masters Court in its entirety. You will see in the evidence that I present that the Homeowner and the county have their hands in this mess and that I had tried to be compliant in rectifying the failed inspection items since May 12th 2022. I will present evidence that the homeowners' actions made a simple inspection report blossom into this CWO. I will present evidence that the Fairfax County Building Officials had a biased regulatory overreach and displayed authority retribution against me during and after the inspection process and after filing the appeal to the board.

To start out, I built Mrs. Cruttenden's deck 3 years ago and I am, and have been, actively trying to address her concerns over that period of time. I have been in communication with Fairfax County Building Department over this issue and we have been trying to get Mrs. Cruttenden to allow me to conduct the work to satisfy the final inspection report. Mrs. Cruttenden finally gave me written consent, after three years, to allow me back onto the property to conduct my work in an email dated April 2024. I declined to participate in this debacle and I explained in a response to Mrs. Cruttenden why I was not going to do the final report now. Soon after that Mrs. Cruttenden then files a complaint against me to the Code Enforcement department that ultimately wrote up the CWO. I immediately filed for an appeal of the final inspection report within days or receiving the CWO and then a few weeks later, Mrs. Cruttenden files a complaint with the DPOR. I already had responded to DPOR about the complaint and they determined I was not at fault and that this is a matter of a workmanship dispute. No action will be taken against me.

As I will explain herein this letter, Mrs. Cruttenden's main focus has been a middle landing that she did not get because it was not contracted and now she is mad that she agreed to a project and later changed her mind about the stair design "post project completion" or when she realized she made a mistake. The contract clearly stated upper and lower landing and Mrs. Cruttenden is mad that she did not understand what an upper and lower landing meant. Mrs. Cruttenden is mad that she could not force me into giving her a middle landing at my

cost and she is mad that no inspector would agree with her complaints in order to make me build something I was not contracted to build or required to build based on Fairfax County's building code. Mrs. Cruttenden was trying to use her tactics to shake me down by making the County and State authorities take her direction. It ultimately failed and Mrs. Cruttenden finally realized that Fairfax County does not regulate design or workmanship or aesthetics at all. They do not care how a project looks or what is a better solution and make the builder change the design. After Mrs. Cruttenden realized what the county would and would not do, she then came back to me (two years later) to clean up the inspection report, which would be the 5th installment of the report she created.

To begin, it is important to refresh our memory about the permit process during the spring of April, 2021. Covid was in the air, materials prices were rising and also in short supply and it was taking many weeks to even months to get a single deck permit. It still takes over a month or two today to get a screened porch permit and a few weeks for a simple deck one. Sometimes sooner I will admit. It would normally take two hours if I could walk in and get the permit. It would even take a week at least to even get an inspection. All inspections were done virtually and Fairfax County was also upgrading from a FIDO system to the now Plus system for submitting building permits. There were definitely glitches and extreme delays to say the least with the new system. Sometimes permits did not go through to the correct departments and it would sit in cyberspace until I would have to ask where it was. Sometimes I would call in a virtual inspection on line and I would have to wait a week for a virtual inspection or maybe someone would come out to the job. There was a time when I called in an inspection and no one called or came by because the inspector never received a computer generated inspection notification. Sometimes even when I would get an inspection the results may not show up on the Plus system. To get to the point, it was not great if you were a contractor to navigate all this knowing (what use to take two hours to get a building permit) now takes 2 months or at least many weeks at a minimum. Fairfax County has improved over the past three years, but during that time things were hectic and worrisome. It was chaos and a stressful time for contractors and the county staff. The future was unknown and contractors were losing work left and right due to the virus. Bills were still coming in but jobs and financial security was taking a hit. It was like no other time in recent history and everyone was feeling the everyday stress of this new time. It was a desperate time to say the least! Put yourself in the shoes of a contractor at this time.

**History of the Deck Built at 8418 Masters Court**

Mrs. Cruttenden contacted me for an estimate to repair her deck at 8418 Masters Court years ago. It was too small of a job for my company and nothing manifested. Then Mrs. Cruttenden reached out again to repair her deck and possibly change the size, but I was too busy to help and I explained to her that I do not do repairs. Mrs. Cruttenden then reached out again a few months later to discuss a screened porch. I guess she figured if she had a bigger project I would come back out again. I was more interested now and I gave her an estimate for one at the end of September 2020. After some time, she decided against it. She took the advice of her realtor to just keep the deck and repair it. Mrs. Cruttenden then reached out to me again in October 2020 to give her another estimate to replace the deck. I gave her an estimate by email and I did not hear back from her until she saw I was working next door in April 2021. Mrs. Cruttenden walked over and asked if I could take a look at her deck again. I mentioned with Covid rampant it would take at least 5 months to get a permit

based on the time frame of her neighbors' permitting process. The property is also in a flood plane; and at that time it would take additional months gets a permit. The attached supporting evidence shows that I was correct. I submitted the permit application on 10/27/21 and it was issued on 5/6/22, over 6 months later. That would take her well into the fall and she seemed eager to want a new deck for the summer. Mrs. Cruttenden did mention she would wait, but I said I was not coming back to repair her deck, it was too small. I told her if I build the deck new, I would need to jackhammer through her patio for footers or disrupt her patio. Mrs. Cruttenden said she only wants to change the deck boards now because of rot but to keep the framing because she did not want to disturb the patio. I looked at her 8x12 deck and steps and figured that I could fix and change the deck and steps now. If she wanted a permit now or later it did not bother me because everything was exposed and it could be inspected in the future. That is what I mentioned to Mrs. Cruttenden and she agreed.

I just wanted to give her a new deck and steps for the summer. I had an opportunity to finally upgrade her deck and give her some solace, considering that this was the 4th time Mrs. Cruttenden had approached me for a deck project. I understood her plight and I wanted to help and thought I was doing a good deed. However, I forgot the age-old saying that "a good deed never goes unpunished." And now, considering how muddy the waters have gotten, I realize that this was a big mistake and I should have just said no and moved on.

Please keep in mind that it was not uncommon since Covid to do work and take pictures or videos along the way to show an inspector later. You could also do your own footers if you documented it and left a couple open to show you met the footing requirements and used concrete. With deck and porch building everything is open and the inspector can see everything, nothing is concealed. This was common acceptable practice that the county created and used for well over a year at least.

I reiterated again that if I get a building permit the county might make me cut into her patio and expose the existing footer. But we can get it at any time. Mrs. Cruttenden was dead against that and said they don't need to do that. I just mentioned that they could make us do it, its not uncommon. I also mentioned the overhang at the steps would possibly need two more support posts. Mrs. Cruttenden said she did not want a bunch of ugly support posts right there by the door and that she uses that area for her plantings or landscaping stuff. I also mentioned that her old deck joist framing had a 45-degree cut at the end (because it was an arbor/deck combo) and that I would square it off with blocking so she could get maximum deck otherwise I would need to cut it back a little. (REF Picture #1,2,3) Mrs. Cruttenden seemed to get it and be fine with keeping it as big as possible. I proceeded with the demolition and I replaced the perimeter-framing rim and end joists of the upper deck with new pressure treated wood and kept the inner joists. So all the handrail is secured and anchored on new lumber, not old. I did not install the joist hangers; they were already there.

As you are aware, in the state of Virginia there are many counties and they all have different codes for building a deck. Fairfax County is the toughest jurisdiction. The saying goes, "if you can build it in Fairfax, then you can build it anywhere." Some jurisdictions do not require a permit if the deck is 16" or lower, some jurisdictions do not require a permit if you are replacing the same thing with the same size, some jurisdictions would not require a permit for repairs or even a new build under a certain square footage. Fairfax County

materials were more rampant in the market and old framing may not be able to support the evaluation ES report for new decking. Sometimes it was the joist spacing that was the common issue. The point being is that not getting her a permit at first was not egregious and I was not misleading the homeowner. Once I mentioned the footing and extra support posts at the overhang, Mrs. Cruttenden did not want the permit.

When work commenced at 8418 Masters Court and I was in the process of repairing the deck and steps. I reiterated my intent to Mrs. Cruttenden about how I was going to rebuild the steps and install new decking and handrail per our agreement. I finished my work in less than a week and Mrs. Cruttenden was satisfied and paid me in full without any issues or concerns. Mrs. Cruttenden commented on how nice the deck looked and she admired her new steps and walkway without any concern. She went up and down the steps several times and commented on how new and nice and clean they were. Mrs. Cruttenden was happy and excited and I took pleasure that everything was fine and wonderful for her.

Fast-forward 5 months and Mrs. Cruttenden contacts me and now she wants a permit for the deck that is complete. Mrs. Cruttenden had a worrisome tone when we spoke and I was not sure what had happened. I asked what the issue was and she stated; that she was told that the deck was not up to code and it was unsafe by another deck builder. What do you know; the competing deck builder trash talked my work, what a surprise, I replied. I admit I was a little taken aback and I had no idea what had happened in the past five months but apparently, she had other contractors over as well and they scared her into thinking the deck was unsafe for some reason. I gave her an incredible price for the work she wanted done and we contracted for that work. I gave her what is on the proposal. I will guarantee you that to this day the deck is level, straight and square. It is not loose and it feels strong and tight. In fact, if these were issues, the inspectors would have made note of it on their inspection reports. (REF Picture #4)

After Mrs. Cruttenden contacted me about her concerns, I went over right away to address those concerns. I did not hesitate and I was extremely responsive. I took responsibility immediately and I did not ignore her or try and run from my responsibilities. I did not do anything but be responsive and professional. When I get to her house Mrs. Cruttenden points out some caulking issues around the trim, some caulk on the deck that needs cleaning off and that the center post skirt on the post sleeve showed a gap. I fixed all of these items as she requested. She also mentioned that on the secondary rail going down the steps, there was a little knick that would catch her finger and I replaced and repaired the secondary rail. I will mention Mrs. Cruttenden was a little irate with me. I was stunned by her negative attitude and negative comments that I felt she was overreacting for some minor items that were cosmetic in nature and over 5 months old. I could not believe what was going on. Five months prior Mrs. Cruttenden was singing my praises and now its like she is afraid the deck is a death trap and its all my fault. I was blindsided to say the least.

Then, on top of those things, Mrs. Cruttenden mentions to me that she wants a middle landing and why was one not installed. I had no idea why she was bringing this up now, five months later and after final payment. It did not make sense to me. I told Mrs. Cruttenden the middle landing was not in my proposal and we discussed how I was going to build the new steps, which was an upper landing and a bottom landing. I was there for a week and she

could see every day I was not building a middle landing and she voiced no concern or had no objection.

Let me take a moment, you may be asking yourself, why Mr. Contractor are you telling this back-story to your CWO? What does this have to do with your report? Good question let me answer it like this. This middle landing sets in motion a series of events and inspections that concluded with the final inspection report in question today. You must be told this back-story. This final inspection report is the last one of five final inspection reports that had grown and culminated into the CWO before you today. I will point out I am not perfect by any means but I will also say I will not be taken advantage of or retaliated against by homeowners and county officials. I will stand up and point out to whomever if something is not right. That is why I am here today. With that being said, let me proceed.

You can see in my email dated April 12th 2021, prior to my proposal, that I wrote "Install set of steps to the ground with a top and bottom landing"; you can also see in my proposal that I write "4x4 upper and lower landing." (EXHIBIT 1 & 1A). Along with that, I sent an email dated October 14th, 2020 for another design we did not do, where I write in "an intermediate landing." However, the April 12th 2021 email I do not have written intermediate landing, it says top and bottom. These were two different designs, which show that Mrs. Cruttenden knew that we changed the steps. I reflected that change in my proposal. I pointed this out to Mrs. Cruttenden and she disagreed. Mrs. Cruttenden started to get angry with me and demanded I build a middle landing like it was. I again pointed out that in my proposal it is as clear as day and I was not going to build her a new middle landing. It says upper and lower landing; I replied. She said, "upper is the middle landing as there is no landing at the top of a deck, that area is the deck." I disagreed. I said, what you have is the upper landing and you knew it was an upper landing. A middle landing is not what we discussed with this project and agreed to and I mentioned that to her directly again. Keep in mind we are 5 months after I already finished. This is a contractual dispute if anything she was starting. This should have been resolved in the courts if Mrs. Cruttenden actually believed I built something different from my proposal/contract. Her next best option to getting what she wanted would be the inspectors.

Mrs. Cruttenden was getting visibly upset and adamant that I build her middle landing. Mrs. Cruttenden was not willing to work with me. To the contrary, she wanted me to fix it at my cost. I said I was not going to fix it at my cost and if you want to pay me to rebuild them then I would change them to be whatever she wanted. She declined and said why should she have to pay for it when it was something she wanted from the beginning. I told her she had all week to see what I was building and why did she not stop me. She said she thought I knew what I was doing and she did not have time to check up on me. Please be aware that her office was the kitchen table facing the sliding glass doors that lead out onto the deck. She is literally staring at me or in the projects direction all day. She could look up and see out whenever she wanted very easily. She submitted roughly 50 pictures of all the work before during and after completion to the DPOR. So she was documenting the progress the entire time. For her to say she did not know what was going on cannot be founded in reality. Back to our conversation in the backyard, Mrs. Cruttenden then said she wanted a permit, 5 months after completion. Her plan was to have the Fairfax County building officials make me build her a new middle landing. She was betting on the building officials to do her dirty work. That was the only reason why she wanted a permit now.

I told her that I have no problem with getting the building permit and I filed for one immediately. If you read her email passages and conversations with the county officials, and me, Mrs. Cruttenden keeps alluding back to this middle landing; that is her biggest gripe. Mrs. Cruttenden ignores the other elements that are not favorable to her on the inspection list (ie footers, cutting the deck back, additional posts) and then complains the inspectors are not doing their job. There is a lot of communication with Fairfax County staff about the steps and middle landing. Mrs. Cruttenden talks about how the old steps passed code and the new ones do not and that proves I should build the old steps again.

Once I received the permit application back I immediately called in a final inspection. After the final inspection on May 12th 2022, there were two items that needed attention. I mentioned the good news to Mrs. Cruttenden that I did not need to dig up and expose the existing footing in her patio. In fact, the evidence shows there is a correspondence of emails showing my eagerness in getting to a final inspection and moving on through all of May 2021 and into June 2021. See the attached exhibits (EXHIBIT 2). The evidence will show that I tried to come back ASAP every time but Mrs. Cruttenden repeatedly held me back time and time again.

The first inspection report dated May 12th 2022, (EXHIBIT 3) did not show the middle landing needed to be built, which is what Mrs. Cruttenden wanted FFX make me build. Mrs. Cruttenden was irate and then demanded another inspector come out to inspect again because in her imagination, the inspector and I were working against her. On May 31st 2022 the same inspector came out and failed the deck for not only the previous list but for 2 new items he missed prior. The two new items were blocking at the stringer steps and that the front of the deck needed to be cut flush to eliminate the blocking I installed to square up the end joist. The area where the additional handrail is needed is (REF Picture #5). But the inspector still would not write in the report that I change the stair or build a middle landing. I mentioned the items on the report that needed fixing to Mrs. Cruttenden and she did not understand what I needed to do, especially when it came to the comment of the overhang or the joists or footings. I tried explaining to her in an email chain that this is what the county wanted. When I tried to explain to Mrs. Cruttenden that the inspection report says I need to cut back the deck now, she would not let me on her property to do anything until she had a "full understanding." Mrs. Cruttenden would then call in another inspection on June 9th 2022 and it would fail again with three more items added to the last inspection report. We are at a total of 7 issues now. I would see the report and mention to Mrs. Cruttenden what the inspector wanted now and what I needed to do. (Ref. Ex 2) The inspectors would call me after the inspection and tell me what I needed to have done and I would say Mrs. Cruttenden is not letting me on the property to do the work. The inspectors mentioned to me that Mrs. Cruttenden was complaining about them, then complaining about the supervisor, and then complaining about another supervisor. Then complaining to the supervisors' supervisor (Aaron Morgan) all to try and make me build a middle landing and make me out to be a horrible contractor with poor workmanship.

In between these failed final inspections, on June 15th 2022 Mrs. Cruttenden ordered me off the project until I hear from her or her attorney. Mrs. Cruttenden barred me from her property and told me not to come back until further notice. I did not walk away from her or my responsibility to do the right thing just to make it clear. I kept warning her that she is

making things worse with the inspectors. She ignored my warnings and she schedules more inspections between June 16th thru June 21st. I cancel them immediately because I know nothing was done and if the inspector comes out again and sees nothing is done then they get annoyed and take it out on the contractor or whoever is not addressing the issues. That is just how it works. You show the inspector you are trying to comply when they ask you to fix something. If you do not then they can add more frivolous things on the report just out of spite or make you pay a fine or fee. I am not sure what she is trying to do at this point? What does she need another inspection for? We are now on five inspections and nothing has changed. I recall having a conversation with Don Weyant, the building supervisor, on June 21st 2023 at another inspection of mine at 2433 Temple Court. Mr. Weyant mentioned how he went over to conduct another inspection at 8418 Masters Court that day. I told him I have not been there since June of 2022 and I had no idea what she was doing and that I did not do any work yet because she will not let me on her property to do the inspection report. He agreed I was not holding it up and understood my situation and, at this same moment, he mentioned how Mrs. Cruttenden even called his boss, Aaron Morgan – Department supervisor to complain about me. ** Pivotal point and date to remember! ** There are two tracks running side by side with regards to this CWO. The homeowner is on the one track with her inspector complaints and Aaron Morgan of the Building Department is running on the other track, with some administrative retribution behind the scenes, but running concurrently, as you will see in my further evidence against the Building Department.

Backed to my conversation with Mr. Weyant, right at that moment I said, if Aaron is getting bad news about me from this homeowner then how does that affect his judgment about me when it comes to me complaining about his inspectors being incompetent and inexperienced, or my future inspections? Mr. Weyant said, he did not think about that and he showed some concern over the two situations colliding. Ok let's take a moment to remember this very important conversation between the inspector and myself and the timeline of when it happened, June 21st 2023. This will go to the heart of the other factor as to why I should not be liable for the CWO. I found it coincidental how right after Aaron Morgan heard I was the contractor for 8418 Masters Court, he was involved, which eventually lead to the CWO you see today.

I digress, after all this back and forth over inspections and failed items, the County inspector(s) never made me build a middle landing. But they were hammering Mrs. Cruttenden on everything else because she was being disrespectful and unrelenting to them. Between May 12th 2022 and June 9th 2022 I was trying to get back onto the property to conduct the work needed. I would see the inspection report she called in and email her that she is making it worse and she continues to call in inspections without work getting done. I would mention that the inspectors would either make us pay a fine or make her/me dig up the existing footing in the patio out of spite. Mrs. Cruttenden would not let me do anything until she called in more inspections and tried to find "someone" willing to go along with her plan to make me build a new set of steps. It is true! Ask the building department what conversations were going on between them and Mrs. Cruttenden. They told me they were not very positive.

Last and finally, fast-forward a few months, Mrs. Cruttenden called in another inspection on September 7th 2022. This inspection report ballooned up to 11 items now. That is 4 more than the previous report in June 21st 2022. But now the report says "all footings" need to be

verified. They want paperwork for the Trex handrail and an ES report for the decking. They included more bracing than what was previously noted before. This bracing is for the hidden fasteners, which was not an issue on the previous reports because it is not needed unless you have a swaying concern. The steps anchor this deck and thus there is no sway. But it is on the CWO now?

You will notice that on every inspection report prior to the September 7th 2022 report, there was no mention of footings at all. The only mention of footing verification is when I would need to install a new support post at the house to support the landing or if I wanted to hold up the deck overhang with a new beam and support posts. That was the only time footing verification came up. The existing footings of the permit application were not an issue. Only until Mrs. Cruttenden kept complaining to and annoying the inspectors did it become an issue. This is exactly what I told Mrs. Cruttenden would happen. Out of the 11 items on the list, I think a few should be removed and that is why I am appealing the inspection report with Fairfax County. The items include digging up all the footers and cutting back the deck to start. Those are issues that affect the homeowner, not me. I do not want to give her a smaller deck or dig up her patio, but she does not get it. Mrs. Cruttenden keeps fighting with me about what the report says and she does not understand I am trying to help her.

When I tell her the inspection report says I need to cut the deck back 6" she says there will be no changing of the deck. When I tell Mrs. Cruttenden the inspection report says "all footings" need to be verified now, she says not the one in the patio. When I mention to Mrs. Cruttenden that I need to install support posts at the house to hold up the landing she does not want me to dig up new footings and make it ugly. So basically Mrs. Cruttenden is preventing me from even completing the items because she does not understand them. This is what we keep going back and forth on. I tell Mrs. Cruttenden what I need to do and she disagrees but wants me to fix the deck. It is impossible to complete this inspection report or CWO and I explained this to the county that she does not understand what I need to do. I even mentioned to the county that they should have a person on site to watch me work so Mrs. Cruttenden understands what I am doing is on the list and correct, but they declined. I also asked the county if they had an independent arbiter that could settle this dispute, but they declined. I tried to do everything I could to do the work but in the end the homeowner does not trust that I will do the work correctly and I do not trust that she will understand what needs to be done and ultimately she will never be satisfied.

Fast-forward 8 months <u>into the future</u>, Mrs. Cruttenden contacted Melissa Smarr at the Fairfax County Land Disturbance Department (LDS) on May 26th, 2023 and stated, "she will be hiring a different contractor to fix violations that were discovered with the deck." (Exhibit 4) This relevant and important information was not conveyed to me until I received her DPOR complaint; which she filed on May 14th 2024. There is written confirmation from Mrs. Cruttenden to the county that I was taken off the project and another contractor will come in. Mrs Cruttenden never informed me of her intent to have another contractor do the work and left me in the dark, for two years mind you. Continually, there is more written confirmation in the DPOR claim submission form that Mrs. Cruttenden submitted where she states that "she has already selected another contractor to rebuild the deck but their permit is on hold until these violations are corrected and closed out." (Exhibit 5). Mrs. Cruttenden also mentions that the county convinced her to file a complaint against me even though another contractor was going to demo and do it all over again. At this point I should

have been removed from the permit altogether and another fresh start should take place. If the county knew that she was hiring another contractor and they are waiting in the wings to open a permit for another deck then why would they still force this CWO? Especially when the homeowner does not want me there. It does not make sense? There are two things disturbing here, (1) one is that the county is trying to force me to fix something that is going to be removed once I fix it, and (2) two that the county inspectors "convinced" Mrs. Cruttenden to file a complaint about me to the DPOR. (Exhibit 5) Mrs. Cruttenden states that Mr. Weyant mentioned to her "that contractors like me continue to get away with what we do because no one goes forward with submitting a claim". That is word for word. The unsavory part is when he says, "what we do" as though this is my normal behavior, a repeat offender or radical contractor that has been reported hundreds of times for bad behavior. Keep in mind this is my very first CWO after 20 years and 1000 projects and the first complaint the DPOR has received about my company in its existence. I believe this is the first complaint the county has received about my company or me. Why was the inspector being so harsh? This action by the county building department under the direction of Aaron Morgan (building department head) should not be part of their responsibilities or scope.

Perspective, Fairfax County building inspectors are badmouthing my company to the homeowner (without any reason) so that the homeowner can file a complaint about my company to them and the DPOR? Why? Mrs. Cruttenden states; "she was convinced" and encouraged by the inspectors to file a complaint against me. That seems like someone is tilting the scales to make the homeowner file a claim, which the county cannot. It is obvious at this point the county was retaliating against me because I stand up to their inspectors when they are wrong and abusing their authority. That's why he did it. The baffling part is that I was trying to get this work done and the homeowner stopped me. Then she files a complaint against me for me not coming back. The county then jumps on that as good enough for a CWO. I told the county I would comply I just needed some time and we agreed to that time. So what had changed? (Exhibit 6) Now I know that the fish rot from the head down and this devious maneuver by the county to convince a homeowner to file a complaint is uncalled for and adds credence to my suspicions that the county supervisor's actions are more out to get the contractor than anything else. These final actions by the homeowner and the county should be grounds for me to be taken off the CWO.

But I digress. To finish up this part, in January 2024 Mrs. Cruttenden contacted me out of the blue and said that I need to do the inspection report. I replied that my warranty was up and she is responsible for the inspection report now because she waited so long and made things worse all on her own. Every time there was an inspection report it was longer than the previous, I would tell the homeowner about it. I told her I would come by and do the work and she started to allude to a new contract and drawings showing the work to be done "before" I do any repair for the inspection report. Mrs. Cruttenden writes specifically "until I receive a plan that outlines the work to be done to make things right, to include re-doing and following the original stair footprint, and how the final inspection items will be addressed, no work is permitted." (Ref Exhibit 2, page 4) Let that sink in. Mrs. Cruttenden is now including in "her" final report, the stair to the original design and also tying it into the final inspection report or I cannot do any work on her property. That is basically extortion and strong-arming me to force me to build something I was not contracted to do. Mrs. Cruttenden could not get the inspector to put it on the final report. So she includes changing the stairs too and then she says unless you give me what I want you can't finalize the project.

When I disagree with her demands Mrs. Cruttenden then calls the county and complains I am not doing the list and then at the convincing of the county, she files a complaint about me with the DPOR. Quite ironically she filed that complaint with the DPOR after I filed for an appeal of the CWO. She also writes in an email chain that she wants to know what the plan is for fixing the items on the list. I had no idea what plan she needed to know about. You just do what is on the list and that is it. Mrs. Cruttenden is so angry with herself for missing the wordage on the proposal or not understanding what she saw when she went up and down the new steps that she needs to blame me for it instead of blaming herself. I gave her a proposal outlining the work; I built the work we discussed. I fulfilled my contractual obligations. I jumped on the permit and also the inspections. I was on the mindset to complete this task immediately. I cannot satisfy the inspection list because I won't agree to the homeowner's middle landing request. That is how we got here. The CWO was generated because I would not comply with her illegal demands, not that I was skirting my responsibilities. (Exhibit 7)

Below is a timeline of events (after Mrs. Cruttenden banned me from the property) up to today.

1. On June 21st 2022 another inspection was called in and completed and it failed again. The list grew from 4 items to 7 items. Through all of June 2022 Mrs. Cruttenden would not allow me to come onto the property to perform the work necessary to get the final approval from the county. I was not abandoning the project or my responsibilities at this time; Mrs. Cruttenden banned me and stopped my progress.

2. From June 2022 though August 2022 Mrs. Cruttenden would not allow me to come onto the property to perform the work necessary to get the final approval from the county. I was not abandoning the project or my responsibilities at this time; Mrs. Cruttenden banned me and stopped my progress.

3. On September 7th 2022 another inspection was called in and completed and it failed again. The list grew from 7 items to 11 items. Through all of September 2022 Mrs. Cruttenden would not allow me to come onto the property to perform the work necessary to get the final approval from the county. I was not abandoning the project or my responsibilities at this time; Mrs. Cruttenden banned me and stopped my progress.

4. From September 2022 through January 2024 (16 months) Mrs. Cruttenden would not allow me to come onto the property to perform the work necessary to get the final approval from the county. I was not abandoning the project or my responsibilities at this time; Mrs. Cruttenden banned me and stopped my progress.

5. On January 2024 Mrs. Cruttenden sent me an email stating that I need to come back and do the items on the final report and that I needed to tell her how I was going to do it.

6. February 2024 I wrote a reply to Mrs. Cruttenden (Exhibit 7) stating my position of the matter and that I was not going to come back and do the work.

7. March 2024 I did not hear from Mrs. Cruttenden in response to my February email, but I heard from Code Enforcement regarding the fact that Mrs. Cruttenden filed a complaint to the county and that I needed to go back and complete the work. I said I would be there within 90 days to do the work. They agreed.

8. April 2024 I received a Corrected work order (CWO) for 8418 Masters Court and they were giving me 30 days to start and complete the work. I thought there were issues with the final report. I filed an appeal a few days after receiving the CWO.

9. May 2024 I received a complaint filed with the state DPOR from Mrs. Cruttenden and I was given two weeks to respond. Here we are today.

Let the evidence show, as you can see, over the past three plus years since we contracted our agreement, it was Mrs. Cruttenden that held this up, not me. At the beginning of February 2024 Mrs. Cruttenden sent me an email correspondence saying that I need to correct the work on the final inspection report immediately. At this point I mentioned that we are not under contract. My warranty is good for 12 months and I did the work, I got the permit and I tried to do my due diligence but only to be stopped at every chance by Mrs. Cruttenden. I am not at fault for not going back as I was locked out from doing my work. I do not trust Mrs. Cruttenden because of her devious past actions with the inspector and her scheme with the stair issue. On top of that Mrs. Cruttenden does not trust me. Mrs. Cruttenden wrote in her complaint over and over again how poor my workmanship was. Mrs. Cruttenden claims my work is so bad it even devalued her home. (Exhibit 5) Mrs. Cruttenden attacked my character and my company's character in her communication with the County to sound sympathetic and make the County look at me as the bad, menacing contractor causing trouble. She is doing the same thing with the DPOR. I am extremely obligated to take a moment to respond to that line of character assassination at this time.

Let me begin, my company GLK Construction Services Inc. has been in business since October 2003. In that time, I have built over 1000 projects with most of them requiring permits. With 1000 projects under my belt, I have never been notified by the DPOR of a complaint filed against my company nor have I ever had a CWO levied against me either. That would make GLK Construction Services have one (1) bad review or CWO in a thousand (1000) projects. That is a 99.9999% happy customer perfect contractor percentage rating. My company is more to me than a company. I want each and every customer to be happy with the deck/porch project that I build for him or her. I want my deck projects to bring each homeowner happiness, improve their environment, and give them an addition that will add value to their home. On the flip side I have learned over that time there are some homeowners who will take advantage of you or find ways to not pay for the extra changes. I have seen it and I have tailored my work and contract to avoid any circumstance where I can become a victim again and protect myself. My proposal speaks for itself and I was clear at every turn what I was planning on doing or building.

The real narrative here is that Mrs. Cruttenden entered into an agreement and after the work was done, and she paid me, she realized five months later she wanted another design and was trying to trick me and you into believing it was my mistake. Mrs. Cruttenden only then wanted a permit because she thought she could use the county as leverage to make me build the intermediate landing, plain and simple. It had nothing to do with safety, or workmanship or devaluing her home;.none of those things. When that backfired then she filed a complaint with the county. Before I could even address the county's CWO report Mrs. Cruttenden filed a complaint with the DPOR. I will suggest once more that I would like to have the CWO thrown out and have me removed from the permit. I have already expressed with the county how Mrs. Cruttenden will not be satisfied with my work no matter what and that she will keep complaining even after I am done. I think it would be best for both parties if we went our separate ways and I should be removed from the permit or the permit closed out. Another contractor is waiting to install a new project as we speak so why should we waste any more time and move on.

With regards to the second train that was moving along parallel with this inspection report, the county and I had a few constructive interactions over the years regarding their new inspectors and the counties ever changing rules and regulations on building decks and porches. During the past three years while I had been trying to finalize the inspection reports for 8418 Masters Court, I had some inspectors come out to my other projects that were not experienced or had the character to be a worthy inspector. They had numerous flaws and most could not understand what they were supposed to inspect. I would complain to the county supervisors about these inspectors and even wrote formal complaint letters to get the Department's attention that who they hired is a waste of time and they do not know anything. I attached a couple of complaint letters, in full transparency that I sent to the county supervisors so you can see what I was dealing with (Exhibit 8). I admit there may be one or two more complaints but the point is being made that they were no good.

On a side note, I have seen the leadership shift in the building department in the past 20 years regarding inspectors. Over that time the county has been going in the wrong direction. They basically have castrated the inspectors so much that they are too afraid to pass anything. The county does not want inspectors and contractors figuring out problems in the field and getting along professionally. They took what was a healthy work relationship and soured it with filler pieces and rule changes. Today I watch sadly how the Fairfax County Building Department under this new leadership is a fail first ask questions later regime. They are taught that the contractor is the enemy and you must fail them to submission. So some acted that way towards me and I will speak up when I believe I am right about a subject and I will also stand up when I am being bullied by an inspector to do circus tricks for them so they can show their dominance over you. This is what they county require of their inspectors nowadays. It is a world away from where we were years ago. Pity.

I digress, during Covid, we would have virtual inspections and seasoned inspectors who could do more virtual inspections than in person inspections would conduct them. When the county decided to have in person inspections again, they had a hiring spree and they hired inspectors from all over that had no construction experience at all. They hired inspectors that never built anything before trying to understand how a structure worked. None had the background schooling or degree to get a better understanding of how to inspect a project. I would have these inspectors come onto a project and fail the project for things that were

never an issue before. They were too afraid to pass anything. They could not understand how loads and moment arms worked or how strong an element was in relation to where it was installed. In comparison, I have participated in building Linear Accelerators for Cancer centers, I participated in building sporting arenas, I have participated in building high-rise office/residential/hospital buildings and I have also built custom homes all the past. A simple deck is not one of those, plain and simple.

In the past, the inspectors who came out to my projects were seasoned contractors who had built things and were very knowledgeable in all trades. They were respected and envied in the construction industry. The prestige and power of being an inspector was every boys dream. While I was starting up my business 20 years ago I would learn a lot from these inspectors and I also had a good relationship with them. I was hoping one day I would become an inspector. They would listen to advice and take into account the gray areas and come up with a logical plan to resolve the situation on the spot. This was common practice and I enjoyed my conversations with them. Unfortunately those days have gone and now, under new management from the Head of the department, those same inspectors have become castrated and demoralized that they cannot be the inspector they thought they could be. They cannot listen to logic or intuition anymore. Instead lesser knowledgeable individuals filled their shoes and that lead to a decline in moral and the respect the department once had. I had some interactions with these new inspectors only to find out they are not up for the task. It was a revolving door.

You may be asking; "what does this have to do with the final inspection report?" I would say, please follow this parallel story and it will tie back in to 8418 Masters Court. Here we go, I wrote a complaint letter in November of 2022 to the county and it was ignored for 6 weeks. Not a single reply. I sent it to all the supervisors and not a single individual responded. I then contacted the county and asked whom else can I send this complaint to because I thought it had some serious issues to deal with and some major questions that needed to be answered (Ref Exhibit 8). I was told that the person I would need to talk to would be Aaron Morgan, the Head of the Building Department. The supervisors' supervisor and the head of all things building. I reached out to him and he responded in kind and we had a meeting about it. I mentioned to Aaron Morgan the issues I have with his inspectors and that the way I build is not textbook, but it is acceptable building practice to someone who has building knowledge and experience. When I mentioned a couple of things I do that had not been an issue at all for decades his reply was to see if plan review will accept it. I mentioned my installation methods are common building practice and plan review is not the issue but his inspectors. For example, I mention that sometimes I share my footing with the existing house footing. That seems like regular practice. New concrete is added on top of the existing footer. Mr. Morgan had never heard of that and then says I need to submit that to plan review to see if they accept it. I mentioned the supervisor in the room with us (Mr. Weyant) has accepted that method when he was in the field. I did not understand what the issue was but he insisted I submit to plan review. He then recommends that a supervisor come out with the new inspectors to see how they would perform their duties. I thought that would be fine and it would help with the new hires. I would then need to inform Mr. Morgan about every inspection and he would assign a supervisor and they would ride along with the inspector. That was the agreement that would help his inspectors. But what I did not realize until weeks later was that his plan was to have a supervisor on all my jobs, even with seasoned inspectors or no inspector at all. (Exhibit 9)

Side note: Keep in mind that I have a stellar record with the county (no issues, no bad behavior, no complaints) and I am one of the best contractors to deal with in the field because I listen and I do it right. The only perceived negative thing about me I could think of is that I will ask questions and voice my opinion or logic to the supervisors about their inexperienced inspector. Keep that perspective as you read on.

That made no sense to me as the issue was trying to get the new inspectors up to speed with common building practice. If there is no new inspector with the supervisor then why is he there? I had this conversation with Mr. Weyant and he agreed that this exercise was to have new inspectors learn, not have him (a lone supervisor) come out and do my inspections. Once I realized Mr. Weyant was coming out every time I stopped notifying Mr. Morgan because both Mr. Weyant and I thought there is no need to inform Mr. Morgan anymore since Mr. Weyant is coming out to do the inspections. I literally told Mr. Weyant that it is a waste of his time to come out to my projects if he does not have an inspector with him. I was a little baffled but at least I did not have to deal with the inexperienced inspectors anymore. When Mr. Morgan found out I had been doing inspections with Mr. Weyant without his knowledge he was irate. He wanted to continue this practice of informing him for a few months at this point. I did not quite understand why. The same day I had an inspection with Mr. Weyant, I drove by the very same inexperienced inspector (who would come out to my jobs) doing an inspection in my neighborhood and he was alone? No supervisor and he was inspecting a deck and screened porch? I thought this inspector needed the supervisor because he did not know how to deal with contractors or have enough real experience to inspect by himself. I then realized that Mr. Morgan was not trying to send a supervisor for the inspector sake, but he was sending the supervisor out to me only. That was not the plan. I even told Mr. Weyant this when he would show up alone. The whole issue was with the inspectors, not me I thought. But I guess Mr. Morgan wanted to keep an eye on my projects and me. This shows me that Mr. Morgan was punishing me for speaking up and trying to help him out, I thought. This went on for months and not much changed other than the inspector in question was let go due to negligence of the building industry, which further proved my point.

During 2023 I had a few complaints voiced to the county about an inspector or two. I would tell Mr. Weyant and he would inform Mr. Morgan. Now imagine that you are Mr. Morgan and you hear complaint after complaint from me all year about the people he hired and the way they are conducting themselves and that they are not experienced enough or have the mental acuity for the job. My complaints were not whining but were legitimate. Most of them were upheld because I was correct. Mr. Morgan hears from me all year and is obviously most likely annoyed or fed up with me finding fault with his new hires (you can tell by the tone of his email, exhibit 9) and then Mrs. Cruttenden calls and complains to him about me. What would he then think? I know on June 21st 2023 at 2433 Temple Court where I bump into Mr. Weyant and I tell him how I am worried that Mr. Morgan will have a negative view of me because of Mrs. Cruttenden's complaint. Well the theory I see is that Mr. Morgan instructed Mr. Weyant to deliver a knock out blow with the final inspection report on 6/21/2022 and to also "convince" the homeowner to file a complaint too, which is what Mrs. Cruttenden admits in her filing (Ref Exhibit 5). Coincidence I think not.

At this time we were looking at how the inspection report went from 2 to 11 items and the back history that Mr. Morgan had a hand in this final report and the creation of the CWO. This all happened before me filing with the appeals board. I will now take you on a final path as to what transpired after I filed the appeal with the Board of building appeals. I will show how the county tried to delay document requests and even tried to convince me that I cannot file for an appeal when it comes to a CWO.

Before I filed for an appeal with the Building review board I had a conversation with Melissa Smarr (Code Enforcement). She contacted me about the final inspection report at the end of March 2024 and asked when I would get those open unfinished items complete. I gave her a background tour of how we got here and that she needed to speak with Mr. Weyant about this homeowner. I mentioned a couple of things I needed in order to comply and one of those items was a letter from the homeowner letting me back onto the property. I also wanted an inspector there to act as referee or to witness and tell the homeowner what I was doing are things to rectify the report. I mentioned to Mrs. Smarr on the phone and in a subsequent email letter (Exhibit 10) that I would get to it in less than 90 days since I was booked up 6 months at that time. She agreed and we both planned for a June 30th 2024 start date since we were communicating in March 2024. In the email exchange she confirms the 90-day start time line. I had no issue with completing the report; I had an issue with dropping everything since I had not heard from Mrs. Cruttenden for two years at that time. The final inspection report was two years old at this time. I mentioned this to Mrs. Smarr and she seemed to agree. Then within a couple of weeks, I was sent the CWO and it said I had 30 days to comply. I mentioned to Mrs. Smarr that I thought I had 90 days and she said she spoke with Mr. Weyant and he made it 30 days. Once I heard that I knew something was not right. We already had an agreement and then they ignored it without conversation or warning of the procedure. I was treated as though I was the one ignoring the homeowner for two years and they finally caught me. All I was asking was some more time than 30 days. I decided as soon as I received the CWO that I am going to appeal it because something does not smell right and there has been a lot going on between the county and I over the past two years regarding this address and other issues. Something did not feel right and I thought I would dig deeper and get to the bottom of this. I am glad I did because what I found was shocking and Mrs. Cruttenden's complaint released some evidence that I was unaware of.

After I filed for an appeal on April 14th 2024 then things changed with regards to my inspections and even my permit applications. I file for the appeal on the Plus system website and it accepts my appeal. I thought I just needed to wait and see what to do next. I waited for (3) three weeks and I receive an email from Mrs. Smarr asking me when am I going to get the CWO done? I stated that I am appealing the CWO and I am not doing anything until that is done. (Exhibit 11). I was surprised that they were unaware of this. I thought the computer would generate something to inform them. Mrs. Smarr then emails me and states that I cannot officially appeal the CWO and when do I plan on starting the corrections. I replied that I have the right to appeal it and give me a good reason why I cannot. After I pushed back against her false claims she finally accepted my appeal as being legitimate. I only wondered how many other contractors she told they could not appeal a CWO and got away with it. You would think someone in her position of authority would have known I have the right to an appeal. It just added to my suspicions unfortunately.

While I am in the appeal process I receive a letter from the DPOR in May 2024 about a complaint levied against me from Mrs. Cruttenden and now I need to comply with my own letter in 10 days. What? Why am I getting this now I thought? Regardless I started gathering my defense paperwork together and I needed a copy of all the inspection reports. I went onto the Plus website and I went under 8418 Masters Court to look for the previous inspection reports and to my astonishment there were no reports in there at all. Basically it showed there were 9 inspections all together but I could not see anything else. What the report said or who conducted them. I asked the county for a copy of the inspection reports on April 15th 2024 so I can use that in my defense of the DPOR letter. I did not hear back for three weeks so I decided to nudge them again for the inspection reports on May 9th 2024. They respond that same day saying I need a FOIA request in order to get them. I wrote back the next day saying that makes no sense why should I have to submit a FOIA request for my own inspections? The county then dropped that tactic and I kept asking for weeks if they can just send me the reports but they kept dragging it out until finally they sent me a PDF file of the reports but I still cannot find it in the Plus system (Exhibit 12). Well as of the writing of this letter I still cannot find the past inspection reports for 8418 Masters Court. I decided not to keep asking and I used the reports Mrs. Cruttenden had when she submitted her complaint. Now I do not know where or how she obtained the reports but when I asked it took me 6 weeks and I still cannot find them on the Plus website.

Finally I filed a FOIA request and I was requesting all the final inspection reports and any verbal phone or email communication between Mrs. Cruttenden and the county staff. I received a reply from the county on May 20th2024 and they said they had no phone call logs on record. I pushed back and said there must be and the county came back on June 6th 2024 and said they could not find any. I pushed back again and they found 2 calls only and forwarded them to me on June 25th 2024. I pushed for more information, as I know Mrs. Cruttenden had mentioned all about conversations she had between county officials and herself and I wanted those call logs to submit as evidence to my DPOR and this appeals letter. On July 3rd 2024 the county responded saying they do not have any calls before September 2023 (Exhibit 13). Again; a little suspicious that the county would scrub these call logs, as they are evidentiary in nature.

As I am getting this paperwork together and awaiting my hearing with the Board of Building Appeals, I am still building new porches and decks. What I noticed since my appeal application was that the inspections were more stringent and the inspector was requiring things that were acceptable practice in the past. For example I would attach a 4x4 guard post to a flush beam and it was common knowledge that when the post is attached in this way there is no need for additional brackets, hold-downs or fasteners than what is typically required. I had built this way with a flush beam and guardrail posts for 20 years and it was a non-issue. On May 24th 2024 it all of a sudden became an issue. The inspector now wanted me to use the DTT2Z bracket in this scenario. If you unaware of this hold down bracket, it retails at $30 a pair and you need one box per 4x4 post. I told the inspector I always build it the way you see it and why now is it a concern? He said; after speaking to head leadership, I would need to amend the permit and submit a detail drawing showing what I had installed or install the DTT2Z brackets in order for him to approve it. I mentioned to the inspector that he has accepted this same 4x4 post installation method in the past so why is it an issue now? I did not understand why since the instructions on how to install these brackets did not show it installed on the condition I had, which was a flush beam. How was I to install it? I

had no instruction from the package as to how I was to install these brackets on my posts. The instructions showed end joists and rim joists. It did not show a flush beam. What was I to do?

Please put yourself in my shoes and understand that this was a final inspection on the Friday before Memorial Day weekend and I am ready to move on and get a final passed and get paid and take a needed weekend break. I was beside myself that this now new requirement was needed right now, on this job, no matter what. That seemed ridiculous and weird. I needed to speak with someone who might understand and allow some latitude under the circumstances that I was blindsided with this new rule. Installing the bracket made no sense. I immediately called Aaron Morgan (Department Head) to see why the inspector is requiring I do this now? Mr. Morgan told me that that is what we are doing now and we always did it this way. I mentioned to him that I am on a final inspection and this requirement to install these brackets or submit a drawing was unnecessary since it was settled that what I built was acceptable practice by the framing department in the past. What are we talking about here? I pleaded with him if I could comply on the next project to install them since I did not see harm in letting this issue go? He said no! I said why, you and all the inspectors know this is what we do with a flush beam and why now is this detail drawing needed? You cannot install these hold down brackets from Simpson in this condition. He reiterated I would need to submit a drawing to plan review and after they approve it I can call in another inspection. In other words, you will have to wait at least two weeks before you see your final inspection and get your final payment. That is what he did; he knew what he was doing. I thought we could have worked this out so it did not go in that direction but I know Mr. Morgan was heading out on vacation himself that day when I called and he could care less about whether I get paid or not. He just wanted me to jump through more hoops for no reason at all I suppose? I did not understand because Mr. Morgan and I had a solid relationship where I would give him clear insight on how his inspectors performed their inspection process. We would have constructive dialogue and inspectors amended their behaviors for the betterment of the county. I would shed light on the inner workings of the construction industry with regards to decking and the like. I did not understand the 180-degree turnaround, until I thought of the appeal of Mrs. Cruttenden. It was all coming together now.

I immediately called Simpson Strong Tie to get their view on this topic. I read the instructions over and over and I could not figure out how to install this or why. Mr. Bob Gentile from Simpson Strong Tie told me that the bracket in question is not suppose to be used for the condition Mr. Morgan is making me install it. (Exhibit 14). I immediately forward this information to the inspector so that he could see that what Mr. Morgan was making me do was not correct. In fact, Simpson Strong Tie had disciplined the county before when the county would use stud tie plates to hold down the guardrail post. When Simpson got word that the county was doing that they told them they could not use those stud tie plates for that condition. This is the same thing. The big question is why is Mr. Morgan now making this new requirement of me? Was Mr. Morgan trying to hold off my final inspection before the holiday as a revenge tactic? To further prove my point something is not right, when I do actually draw up the detail with a raised beam, plan review rejects it and says it does not meet Fairfax county typical deck detail. What are they talking about? A 4x4 post installed on the inside of a raised beam is basically how you install all synthetic handrail support posts. Here I am trying again to comply with the rules of this building department regime, and Mr. Morgan places his heavy hand on the scale and prevents me

from doing my job. This tactic has been going on since my appeal. The point I am making is that it is obvious when a contractor wants to appeal an inspection report or CWO the county now black lists them and makes them do extra things that are not needed to just try and push them out. They do not like when you speak up and question them. It was told to me by a senior inspector at one time that if the county does not like you they have plenty of ways to make it harder and more frustrating for a contractor that they basically leave the county altogether. Is this what is going on? I am not sure but I do know that under this new leadership every time I voice my first amendment rights and say when something is wrong, I get the screw turned a little more. Under this current leadership it became clear you obey or pay the price. I obeyed and I submitted the detail of a raised beam and 4x4 post and the county failed it because it is not to code and there is no detail in the deck details covering this install method. I replied I understand however will this method work? I already asked this question 20 years ago and it has been a "yes" every time, but not anymore. So I either have to install hold down brackets, which Simpson says I do not need to install in this condition, or I need to go to a laboratory and have this design tested and submitted for approval or have an engineer stamp it. This same design that has been accepted by the county for decades is now not to code, just another interesting timing thing that showed up since my appeal filing.

Along with that detail there is another detail (for the same address) for lateral bracing where I use a 4x4 post in lieu of a 6x6 post to use as my lateral bracing. The county has always accepted that as an option as long as you showed it on your plans. The county stamped the detail as they had done in the past. (Exhibit 14) I have been using that detail for hundreds of projects without any issue. I recently found out on the next permit application I couldn't use that detail anymore and the reviewers made a mistake all this time. The county reviewers who had accepted this detail in the past all of a sudden do not accept it any more. What? Why? Just another thing that makes me shake my head and wonder what is going on around here and then I remember, oh I am appealing the county and this is Mr. Morgan's retribution. What else could it be? Why right now after my appeal? Coincidence again?

Another quick example is that now when I submit a permit application and it comes back for corrections, the county charges me a fee that is higher than the permit itself. (Exhibit 15). It does not matter if it is one correction or a few. The frustrating part is when sometimes the corrections are already on the plans and the reviewer missed it. That has happened before where a permit application came back for things that were already on the plans. That misstep by the county added two more weeks onto the permit process. That is two weeks that I lost because of the county not doing their job and now I have to pay them for their mistake? Another ignorance of the county officials is that the contractors they fail are getting paid based on passed inspection reports. We do not have money deposited into out bank account every Friday regardless if we show up or not. We have to work and get paid for our work every time. When the inspector fails you then they are controlling your financial well-being and ultimately they can put you into financial distress by just being inexperienced or make you jump through hoops, like Mr. Morgan does when I want clarification. Like I mentioned before, I will stand up when I believe an inspector is wrong and I will speak up when I believe the county is performing authoritative government harassment. I will also defend myself when a wrong is levied against me.

The questions you should be thinking about at this point are; why did the homeowner keep calling in inspections after inspections? What was she trying to get the inspectors to do? Why did the inspection report keep growing every time? Why did the county inspector encourage the homeowner to file a complaint against me? Is that the role of a county inspector? Why did the homeowner wait so long before contacting me? Why did the homeowner wait (3) three years before she filed a complaint? Why wouldn't the county staff and supervisor give me more time? What was Mr. Morgan's role in all this?

In conclusion and to briefly summarize, I would like to state again that this final inspection report be tossed out because (1) the homeowner stated she does not want me back and that she has another contractor already waiting in the wings. It is only this final report the homeowner and her new deck builder are waiting on so they can pull a new permit. If the homeowner is getting a new permit and deck by someone else, and they will demo and start again, then why are we wasting all this time to finalize this report? It seems like a waste of time and effort just to have the deck torn out the next day. The homeowner and the county know that and they both have their reasons for making me perform this nonsensical task. (2) I have shown how I had tried over and over to get back onto the jobsite to complete the final report only to be stopped by the homeowner for almost two years. If I could have worked on the first or second report then we would not be here today. (3) The homeowner brought this upon herself by trying to make be build steps that were not contracted for and try to have the county make me build them, to no avail. She kept stirring the pot until it was so convoluted and murky that even she does not understand what is going on. (4) Why is the county pushing for this CWO? Is it vindictiveness? Is it because the county wants to get "payback" at contractors who question their authority or knowledge and expertise? The county kept increasing the inspection report failure items every time they went out. How could that be? I think it is because the homeowner had her hand in it and the county was either trying to push back at the homeowner or the inspectors were instructed to "hammer" the report in order to make me do something they know is frivolous just to get at me? Possibly? (5) The county encouraged the homeowner to file a complaint against me with the DPOR. They should remain neutral and not encourage anything. I believe all of these things contributed to this final inspection report and that is why it should be tossed out!

Thank you for your time, patience and understanding.

Sincerely,

Signed this day August 15th 2024.

George Karsadi
Owner/President
**GLK Construction Services Inc.**

By:_____
Signature
Class B Contractor License
#2705085865B

Thank you for meeting me today. I'm here to present my evidence pertaining to the CWO that is filed against me. I'm also here to respond to the responses made by Mr. Foltz and his comments related to my appeal letter.

First I do want to address that Mr. Foltz does not want you to look at the evidence I presented. Mr. Foltz wants you to ignore the evidence in front of you that….the homeowner would not allow me onto the property to conduct the work for two years. Mr. Foltz wants you to ignore the evidence that shows that the homeowner kept calling in inspections herself and kept getting failed inspection reports that were worse than the previous. Mr. Foltz also wants you to ignore the evidence that the county has not been playing straight. He wants you to ignore the evidence that shows that the county came out and was hammering the homeowner (or possibly me) with their inspection reports. He wants you to ignore all that evidence and just look at the CWO only.

But you have to ask yourself these questions.
1. Why did the homeowner keep calling in final inspections?
2. What were her interactions like with the inspectors? Did she mention anything about a landing?
3. Why did the county keep adding deficiencies to the report after every inspection?

Let me tell you something about a CWO. It's a corrective work order, which is generated because a contractor did not comply with the final inspection report in a timely manner. The CWO implies that I am negligent at repairing these items, and that, I purposely had evaded the homeowner and evaded the county and abandoned all my responsibilities. That's what this CWO says **on its face**.
Well all of that is untrue!

The last final inspection was called on September 9th 2022 by the homeowner and then nothing happened for almost two years until the homeowner decided it was time for me to come back in February of this year and complete the final inspection report because her contractor cannot get a permit until this is closed out.

When I declined, with reason, she immediately filed a complaint with the county and the county wrote up this CWO without giving me a reasonable chance to repair the issues. I mentioned in my letter that there was a back history to this corrective work order and that you needed to see the truth. When you do look at the evidence, you see that this corrective work order does not need to be written in the first place.

What I mean by that is if you just look at Exhibits 4 and 5, you will see that the homeowner has a contractor lined up, but he was put on hold from getting a permit by the county until this permit closes. However, Mr. Foltz mentions in Part F that if the project were removed, then all this gets abated. Basically, the new contractor is going to demo this deck on day one anyway, so fixing it today makes no sense.

If I can demo it today then all these violations go away and then a new deck gets put on and we all go on our way.

Let me take a brief moment to go over some of Mr. Foltz responses

**Part A** Mr. Foltz wants you to ignore the DPOR complaint and their outcome, which they found me not at fault in comparison to Mrs. Cruttendon's complaint. He wants you to take all the evidence that is filed in that complaint and throw that evidence out. I believe this is relevant because another governing body looked at the evidence between the homeowner and I and determined I committed no fault and it was dismissed.

***Part B*** *there is a correction. Mr. Foltz stated that the county did not launch the plus system until November 2022 and I made mention of it around April 2021 and that is correct. I was mixing up the in person permitting and inspections with online permitting and virtual inspections, that is what was transitioning, from the online inspections came the plus system so my point was that during that beginning of going from a walk-through permit to an online permit and from a in person inspection to a virtual inspection it did not go smoothly that was the point I was making.*

**Part C** Mr. Foltz says that there is no behind-the-scenes administrative retribution that GLK alleges and that they disagree that they were hammering Mrs. Cruttendon with respect to the inspections increasing every time.

I would strongly disagree with that.

Let me give you the scenario, when I had the first inspection in May of 2022. There were two items. The homeowner calls in another inspection on May 31st, she complains, and then 2 more items that are deficient. The homeowner calls in another inspection on June 9th, the homeowner complains, and then three more items are deficient. The homeowner calls in another inspection on September 7th, the homeowner complains, and then four more items are deficient. Can you see what is going on here? Yes, it's a hammering motion because that is exactly what was going on.

How could supervisors go to this address 4 times and keep adding on more items every time unless it is hammering the homeowner because she is being irate, and complaining about them. Mr. Foltz says, that is not happening here. And then he says, if it did happen then so what, its immaterial to the CWO. Sure seems like retribution and hammering to either the homeowner or myself.

***Part D*** *Mr. Foltz states that bracing is required for hidden fasteners but that the bracing has nothing to do with swaying as I had suggested. That is false. The bracing is for sway because hidden fasteners do not lock in the deck board to the joist and they can move left to right freely. That means you need something to stop the sway, hence the bracing. I cannot fault Mr. Foltz for not knowing this because he is not a deck builder. He is a lawyer. I am not a lawyer, I am a contractor. What we do have in common is that we deal with facts and evidence to win a case. I submitted facts and evidence to you to defend myself and bring you on this journey to show how we got here, but Mr. Foltz wants you to dismiss all the facts and evidence and only look at the CWO.*

**Part E** Mr. Foltz mentions that there are steps necessary to correct or verify the installation of the footings and that the deck needs to be cut back. These are necessary steps he says.

I have been mentioning these things to the homeowner after every report. She would not believe me and she said; I was bullying her when all I was doing is defining and explaining what I needed to do on the report. The evidence shows I was pushing to get the inspection process done ASAP.

Mr. Foltz goes on and states that the building official does not take a position on whether or not I was allowed sufficient time but that they only consider a CWO if I was given sufficient time to correct the violations and I did not act on the report.

I have to say how was I given efficient time (before the CWO) to correct the items if I wasn't allowed onto the property to correct them? The county forgot that I was not allowed to address the report because the homeowner ghosted me for two years……and in March 2023 (Exhibit 4) the homeowner stated to the county that she was getting another contractor to do the corrective work because she does not trust me. So the homeowner knew…and the county knew - but nobody told me, but the clock is still my responsibility? I strongly disagree that I had enough time.

The county informed me about this open inspection report in March 2024. I asked for 90 days to get it done. They agreed at first but then they sent me a CWO a week or two later demanding I do it and complete it in 30 days. They did not want to work things out based on the turbulent history between the homeowner and myself. That is what started this appeal process, I didn't think that was fair and I did not like how the report grew from 2 items to 11 without me being involved.

I thought I should be given more time in order to try to correct the deficiencies. I am glad they did send me this CWO because after I started the appeal process then the real county backdoor information came to light thanks to Mrs. Cruttendons detailed report she filed with the DPOR and the actions that LDS and the Building Inspection Officials took after I submitted my appeal. All the evidence I submitted shows what had happened and it also proves the homeowner and the county we're going back-and-forth with each other and I was out of the loop the whole time. Again, Mr. Foltz does not want you to see the evidence.

**Part G** Mr. Foltz mentions that inspectors have a free range to give advice and opinions on various matters. I was told that an Inspector could not give praise to a homeowner about another contractor. They have to stay neutral. If they cannot recommend a certain contractor they like to a homeowner, then they should not be allowed to say anything negative about a contractor unless there is evidence to back it up.

For example, if an Inspector is allowed to encourage a homeowner to file complaints against a contractor they do not like, then they are acting as a as a prod to have someone else do what they don't want to do or they can't do. That is wrong if I have no history of complaints about my work as a contractor. If there are no negative reports about me then why does the inspector have the authority, according to Mr. Foltz, to say negative things about me?

What Mr. Foltz is saying is that it is not improper for an Inspector to go onto any project and badmouth any contractor to the owner for no reason at all……

That sounds like slander and I don't think the county is allowed to slander contractors unless they can prove with factual evidence and present that factual evidence that there is reason for the slander. There is no evidence against me that justifies the slander by the county.

What puzzles me is that, why would the county encourage the homeowner to take action against me during the middle of the inspection process where I am trying to (and being stopped) from doing the report by the homeowner?
That makes no sense,

I was not doing anything wrong and Mr. Weyant knows it. I told him directly last year that my hands are tied and he agreed. I can understand if I were ignoring the report and evading the homeowner….and the county that they would have some reason to say negative things about me because of my checkered past…but there are none.

Mr. Weyant had no right to encourage the homeowner to do anything negative against me without merit, and he had none. This ties back into Part C of Mr. Foltz response about retribution behind the scenes. Mr. Foltz wants you to ignore any of this evidence? Mr. Foltz states that what Mrs. Cruttendon filed in her complaint to the DPOR and what I filed in my appeal letter is alleged and not possibly true.

But if it were true, there is nothing improper about it. Really? Is that part of their job description? To slander contractors, if applicable! Mr. Foltz wants you to ignore the evidence of the actions done by the inspectors, the supervisors or any county officials that happened before and after my inspections and appeal process filing. All this is relevant because it shows the state of mind of the county

**Part H** Mr. Foltz wants you to dismiss any evidence that showed the actions of the county after I submitted my appeal. I can understand that on the surface this entire section seems as though it is not relevant, however, I find this section very relevant because it shows the character of the county and how the inner gears work when a contractor pushes back against abusive authority.

I find the way the county acted after I questioned their authority of the CWO is relevant. It shows that there was an effort to try to derail this appeal from the start and slow walk the evidence I was looking for so that I could not submit it with my package.

I submitted evidence that showed the county tried to tell me I could not even appeal a CWO. But Mr. Foltz is saying my evidence is unsubstantiated allegations and statements. Nothing to be trusted. So if you see an email from the county telling me that I cannot appeal a CWO in their own words and email address, don't believe your own eyes. If you see an email from the county telling me I need a FOIA request to review my own inspections, don't believe your eyes. Mr. Foltz says that is an allegation and do not consider the allegation. However it is a factual truth related to the CWO and it shows the inner gears were working against me now and then.

In conclusion, this is what we have here. There's a CWO that was illegitimately created by the homeowner and the inspectors. It should be thrown back down to final inspection status. I was not given ample time to respond to the final report, which was created by the county and the homeowner going back and forth for months ballooning it up to 11 items.

Let me point out, the homeowner does not trust me,….and she does not want me to do the work. Period. She made that clear to the county in March 2023 and she mentions it again to the DPOR this year. But the county is forcing me to go back onto a property I am not wanted.

Bottom line, the homeowner has a contractor lined up and the only thing preventing him from starting is me completing this CWO. As I mentioned previously, quoting Mr. Foltz, "if the deck is demolished then the CWO is abated". So why can't the new contractor demo the deck out and move forward?

If that were the case then this would have been settled in March of 2023 when the homeowner contracted with another deck builder. Instead, Mrs. Cruttendon has had no new deck and she is still waiting. I would even extend an olive branch out to the homeowner and help with the removal.

With all the evidence I presented and the corrected responses to Mr. Foltz's letter, I would encourage the board to take all of the evidence into account and dismiss this CWO, take it off my record, sending it back to inspections and let me demolish the deck instead of fixing it.

Which is what the homeowner is going to do….and needs to have done.

Thank you

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# Documents Submitted
# By
# Fairfax County

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# County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

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November 1, 2024

**BY EMAIL AND FIRST-CLASS MAIL**
Virginia Technical Review Board
c/o Travis Luter, Secretary
Main Street Centre
600 E. Main Street
Suite 300
Richmond, VA 23219

**RE: Appeal No. 24-10**
**From the Fairfax County Board of Building Code Appeals**

Mr. Luter,

My name is Patrick Foltz and my office represents Jay Riat, Building Official for Fairfax County. I write to respond to the grounds of appeal stated by George Karsadi in his letter of September 30, 2024. First, I incorporate, by reference, the memorandum dated August 30, 2024 addressing the specific code violations. I have attached that memorandum hereto.

1) Mr. Karsadi's first ground of appeal seems to be that the Fairfax LBBCA did not have enough members present to hear his appeal. Four members of the LBBCA were present at Mr. Karsadi's hearing – three board members and the chairman. The Board was quorate pursuant to USBC §119.6. Mr. Karsadi had the option to challenge whether a quorum were properly present and/or to ask for a continuance of the hearing. Since he did neither, he presented his case and submitted his appeal for decision. No ground exists for him to overturn the LBBCA's decision based upon a defect in the decision process.

2) Mr. Karsadi next takes issue with the testimony of the homeowner. Pursuant to USBC §119.7, hearings before the LBBCA are open meetings and "any person whose interests are affected by the building official's decision in question" are allowed to be heard. The homeowner, Ms. Cruttenden, is a person whose interests are affected and she properly testified before the LBBCA about the work and conduct of the appellant, Mr. Karsadi. Mr. Karsadi did submit a 19-page single-spaced appeal statement, much of which concerns his interactions and communications with the homeowner. While the LBBCA did not grant Mr. Karsadi additional time after the testimony of the homeowner, Mr. Karsadi's side of the story was fully before the LBBCA at the time of its decision.

3) Mr. Karsadi, without any evidence, next accuses the homeowner and County's inspector of some coordinated, strategic plan to increase the scope of the Corrective Work Order ("CWO") without allowing him access to fix the violations. Whether or not Mr. Karsadi had permission to enter the homeowner's property to perform additional work is not relevant to his appeal – his appeal is limited to whether the CWO states valid, existing violations of the Building Code. Whether Mr. Karsadi can fix the violations is relevant to enforcement. Currently, no enforcement action is pending against GLK or Mr. Karsadi. An enforcement action would begin with a Notice of Violation ("NOV") and the Building Official has yet not issued an "NOV" against Mr. Karsadi or GLK.

4) Mr. Karsadi also attacks the LBBCA decision for not granting him permission to demolish the deck. If the homeowner elected to demolish and rebuild the deck, and obtained a permit for that work, that action would abate the violations and render the CWO moot. However, the LBBCA correctly did not enter such an order and Mr. Karsadi has no right to ask for such an order as part of his appeal which, as stated above, is limited to the violations listed in the CWO.

5) In his initial appeal and in his September 30, 2024 letter, Mr. Karsadi speculates that he is the victim of specific, targeted adverse actions by County staff. Mr. Karsadi has claimed evidence exists to back this extraordinary claim but has not, to date, produced any evidence of such a scheme.

6) Mr. Karsadi seems to challenge the inclusion of certain items in the CWO while, at the same time, admitting that these items violate the code. With respect to the footing verification, the overhang being cut back, and the overhang for an upper landing, Mr. Karsadi advocates what he calls a "common sense approach" instead of the "black and white codebook" approach. The LBBCA correctly denied the appeal for these items as Mr. Karsadi did not, and has not, articulated how these violations actually conform to the USBC.

In conclusion, the Building Official respectfully requests that the Board deny Mr. Karsadi's appeal.

Thank you,

Patrick V. Foltz

Attachments

# County of Fairfax, Virginia

**MEMORANDUM**

**DATE:** August 30, 2024

**TO:** Members of the Local Board of Building and Fire Code Appeals

**FROM:** Patrick V. Foltz, Assistant County Attorney on behalf of Jay Riat, the Building Official

**SUBJECT:** Appeal Response for GLK Construction Services, Inc. – 8418 Masters Court

Staff respectfully requests that the Fairfax County Local Board of Building Code Appeals (Board) uphold the Corrective Work Order (CWO) that was issued on April 9, 2024.

**Staff Position**

The appellant, GLK Construction Services Inc., ("GLK") is a licensed Class B contractor and has filed an appeal of the CWO issued by Inspector Donald Weyant, Technical Assistant to the Building Official. Inspector Weyant cited GLK for 11 residential code building code violations found in a deck installed by GLK at 8418 Masters Court, a property in Fairfax County owned by Lawrence and Theresa Cruttenden. The cited violations are as follows:

| | |
|---|---|
| 2015 VRC-INSP | Hidden fasteners require 2x6 bracing at underside of deck, Per Fairfax County Detail, Using hidden Deck Fasteners, Pg.5, R507.3.5 Installation of Plastic Composites |
| 2015 VRC-INSP | Post to beam connections at top and bottom landings not attached correctly, Fairfax County Detail, Post to Beam connection, pg.14, figure18 (bottom of post at top landing appears to be notched) R507.7.1 Deck Beam To Deck Post, Figure R507.7.1 Deck Beam To Deck Post |
| 2015 VRC-INSP | Landing at bottom of stairs requires guard post and railing on patio side. Fairfax County Detail pg. 20, Guard Construction R312.1 Guards, R312.1.1 Where Required |
| 2015 VRC-INSP | All footings and footing connections need to be verified, Fairfax County Detail, Post to Footing Detail, pg.13, R507.8.1 Deck Post To Deck Footings, R507.1 Decks |

| | |
|---|---|
| 2015 VRC-INSP | New top landing cannot be attached to overhang of house, Fairfax County Detail, Prohibited Ledger Attachments, Pg.16, R507.2.2 Band Joist Detail |
| 2015 VRC-INSP | Need to use correct joist hangers at end joist and stair stringers, etc. Fairfax County Detail, Joist hangers, pg.9 and Stringer Bearing, pg.24, R507.7 Deck Joist and Deck Beam Bearing, R502.6 Bearing |
| 2015 VRC-INSP | Need ES Report and installation instructions for Guard Railings and decking to verify proper length and installation, also spacing of stringers for material used. R507.3.5 Installation of Plastic Composites |
| 2015 VRC-INSP | Spacing between guard post at top of stairs is more than 4 inches, need to secure stair treads properly. R312.1.3 Opening Limitations, R507.3.5 Installation of Plastic Composites |
| 2015 VRC-INSP | All Guard Post connections need to be constructed per Fairfax County Detail, Guard Post Connections, Pages 20,21,24, Figures 37,38,40 (hold down brackets missing in some areas, missing blocking, joist not long enough to attach band board) R312.1 Guards, R301.5 Live Loads, Table R301.5 Minimum uniformly Distributed Live Loads |
| 2015 VRC-INSP | New deck extensions (blocking) are not per code. Need to be a min. 3 to 1 ratio at deck cantilever. R502.3.3 Floor Cantilevers, Table R502.3.3(2), Table R301.5 |
| 2015 VRC-INSP | Stair Stringer bearing incorrect, Fairfax County Detail, Stinger Bearing, Pg. 24, figure 4, R502.6 Bearing. |

In a letter to the LBBCA dated August 15, 2024, GLK exhaustively recounted its version of the history of this deck installation. To this letter, the Building Official, by counsel, makes the following responses:

a. As to the resolution of the complaint filed by Mrs. Cruttenden against GLK before the Department of Professional and Occupational Regulation, the outcome of that complaint is irrelevant to this appeal. This appeal concerns only whether the deck, as installed, complies with the requirements of the Virginia Residential Code.

b. As for the transition from FIDO to PLUS, GLK seems to place the transition date in April of 2021. The County did not actually launch the PLUS system until November of 2022.

c. GLK alleges "administrative retribution behind the scenes" relating to the CWO. While categorically denying any such allegation, the Building Official also takes the position that any allegation is immaterial to this Board's evaluation of the building violations cited in the CWO. Nor does the Building Official agree that staff were "hammering" Mrs. Cruttenden with respect to any action or position she later assumed.

d. Pursuant to R507.3f.5, bracing is a requirement for hidden fasteners. Bracing is not solely connected to a demonstrable "swaying" concern and is required by the Code as cited by Inspector Weyant.

e. On Page 8, first full paragraph, seems to argue against the footing verification and cutting back the deck. These steps are necessary to verify correct installation of the footings. GLK states "Mrs. Cruttenden is preventing me from even completing the items[.]" The Building Official takes no position on whether GLK has been allowed sufficient opportunity to correct the violations – however, the Building Official does acknowledge that sufficient opportunity to correct violations is a significant consideration before bringing enforcement action in court.

f. On Page 9, GLK alleges that the "county is trying to force me to fix something that is going to be removed once I fix it[.]" The Building Official acknowledges that, if the deck is removed and rebuilt, that the violations in the CWO would be necessarily abated.

g. Also on Page 9, GLK alleges that County inspectors, including Inspector Weyant, have taken an adverse position against it and are encouraging Mrs. Cruttenden to submit complaints. County inspectors, in the course of their duties, are asked for their advice or opinion on various matters by complainants. Ms. Cruttenden alleges a pattern of bullying by GLK – considering the complete statement contained in Ex. 5, without admitting the truth of any allegations by either GLK or Mrs. Cruttenden, Mr. Weyant's general statements as to the DPOR complaint process are not improper or untoward.

h. Pages 12-18 of GLK's narrative focus on irrelevant, unsubstantiated allegations of events and statements relating to Fairfax County LDS staff. The Board should not consider these allegations within the space of this appeal, this appeal being limited to the existence of code violations related to GLK's installation of the deck.

Having reviewed the appellant's statements, exhibits, and what appear to be five very low-resolution photographs, the Building Official and staff cannot detect any argument as to cited code violations except statements relating to the hidden fasteners and required bracing and the verification of the footings

Pending any further submissions by the appellant, the Building Official respectfully submits that the Board should consider only those arguments relating to the hidden fasteners/hidden bracing

and verification of the footings. The Board should further dismiss any parts of this appeal relating to other cited violations for lack of evidence. In conclusion, the Building Official respectfully requests that the Board dismiss this appeal.


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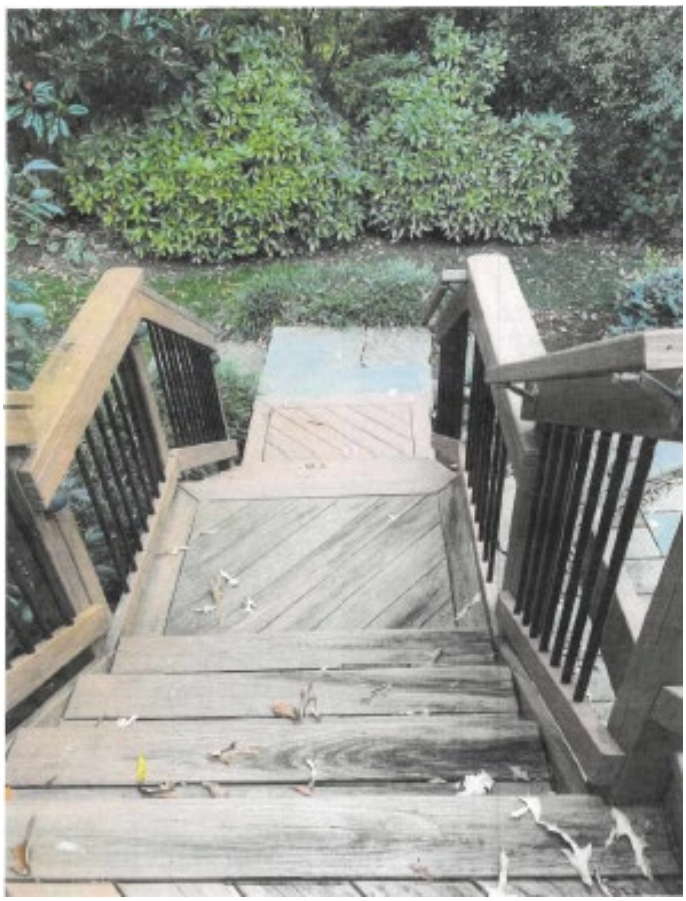
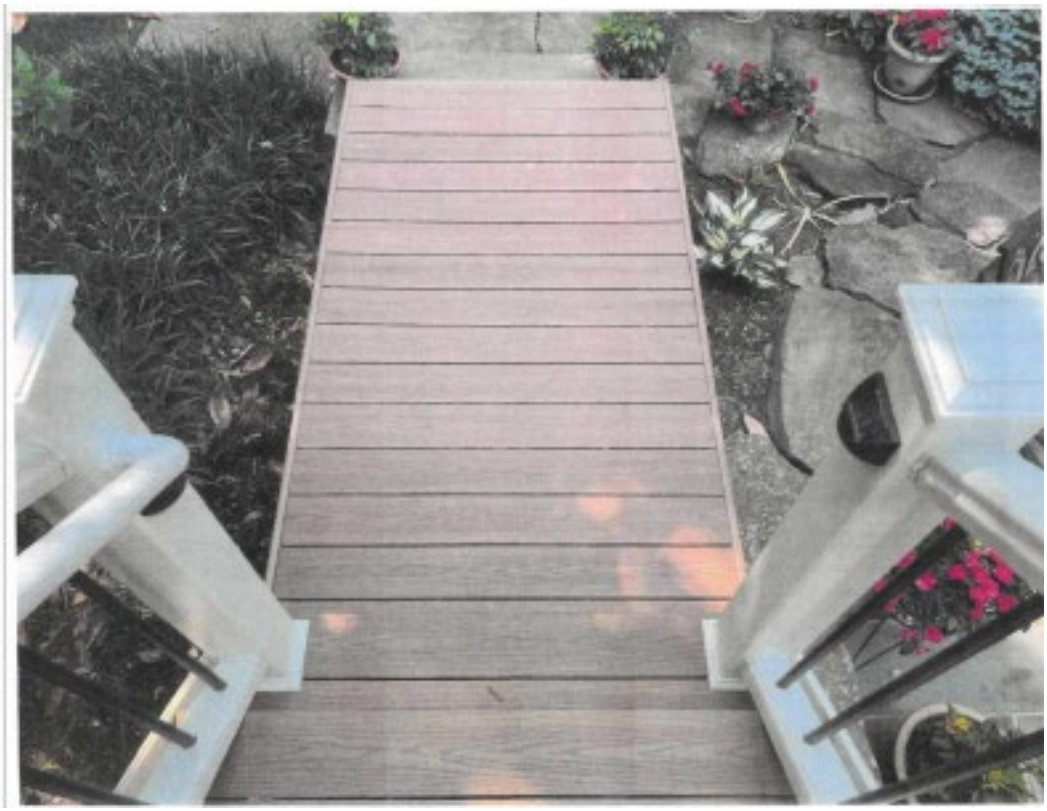


tairs were installed directly to the cantilever/overhang of the home which is prohibited. The prior installed deck design that was requested to be followed had separate support and posts installed under the stairs which the contractor cut down to the ground. Reference 8th listed inspections failure item.



Documents Submitted
By the Owner
Theresa Cruttenden

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GLK Construction Services Inc.
8307 Sabine St.
Alexandria, VA 22309
Phone: (703) 626-5262 Email: gkarsadi@cox.net
Class B Contractor License #2705085865B

# Proposal

| | |
|---|---|
| Proposal No. | 05-186xx |
| Sheet No. | 1 |
| Date: | 4/16/21 |

| PROPOSAL SUBMITTED TO: | |
|---|---|
| **Name:** Theresa Cruttenden | **Est. Start:** 4/20/21 |
| **Address:** 8418 Masters Court | **City, State:** Same |
| **City, State:** Alexandria, VA 22308 | **Est. Finish:** 4 working days |
| **Phone No.:** 703-217-6982 | **Architect:** GLK Construction Services Inc. |

GLK Construction Services Inc. hereby propose to furnish the materials and perform the labor necessary for the completion of building a 8x12 open deck with 4x4 upper and lower landing with steps while using the following materials

**Exhibit A - Materials/Notes**

Demo steps and keep deck framing, remove all decking and handrails
Install pressure treated framing
Install PVC decking for the floor boards - hidden fasteners
Install Trex Artisan pvc handrail systems - white with black pickets
Install steps to the ground as shown on plan
Install white pvc trim around framing posts and beam
Install white pvc trim around perimeter of deck
Lights for handrail posts to be half moon solar powered lighting

(Soft Soil) $75 additional charge per foot, per hole for footings deeper than 2 (two) feet or wider than 18" SQ. (NIC)

Note: Delays caused beyond the control of contractor do not constitute abandonment and are not calculated into time frame; Actual dimensions of project may deviate no more than 1-0" from plans, in any direction; any modification to contract which affect cost must be in writing and signed by both parties. Acceptance of Proposal is a binding contract which may only be terminated with consent between both parties. A 1 year workmanship warranty is guaranteed. Warranty does not include material defects.

*Fourteen Thousand Nine Hundred Dollars* ---------- Dollars ($ *$14,900* )

**With payments to be as follows**: 50% Down; 50% Completion

Failure to make payment within 30 days upon completion constitutes breach of contract and GLK reserves the right to remove above mentioned work
Owner agrees that a % of the work completed will be paid upon completion of above mentioned work (ie 100% completed, 100% payment)

Respectfully submitted George Karsadi

Date: 4/16/21

**Note**: This proposal may be withdrawn by GLK Construction Services Inc. if not accepted within 30 (thirty) days.

## ACCEPTANCE OF PROPOSAL

The above prices, plans, specifications and conditions are satisfactory and are hereby accepted.
You are authorized to do the work as outlined. Payments will be made as outlined above.

Owner: Signature: _____

Date: _____ Contractor: Signature: _____

In Mr. Karsadi's "Appellant Narrative with Homeowner's Comments" (dated 8/15/2024), submitted to the FFC Board of Appeals, he claims on the first page of this document, under Paragraph 2: "I already had responded to DPOR about the complaint, and they determined I was not at fault and that this is a matter of a workmanship dispute. No action will be taken against me."

This statement is inaccurate and misleading. On August 26, 2024, I received the following correspondence from Ms. Kyndall Tweedy-Campbell, DPOR Investigator with the Compliance & Investigations Division. I further confirmed in a phone conversation with Ms. Tweedy-Campbell that no decision had been made regarding my case (#2024-02279), as she was only beginning her review of the complaint documentation. This contradicts Mr. Karsadi's assertion that DPOR had already cleared him of fault.
His statement in the appeal document appears intended to mislead the Board into believing that DPOR had issued a favorable determination on his behalf, which is not the case**.**

**DPOR Email Correspondence:**

**Theresa Cruttenden**
**From:**tmc11787@cox.net
**To:**Tweedy-campbell, Kyndall (DPOR)
Tue, Aug 27, 2024 at 9:54 PM

Dear **Kyndall Tweedy-Campbell,**

This email is to acknowledge and thank you for your email. I will stand by to hear back from you when you are ready to discuss the complaint. I work full-time but am available on Mondays and Fridays all day, Wednesdays after 9:30AM, Tuesday morning before 11:00 AM - 11:30 AM and after 3:00 PM, and on Thursdays after 11:30AM. I am in and out of unscheduled meetings through out the week, but will do my best to answer and advise if I will need to call back at a time that works best for you.

Thank you.

Best regards,
Theresa Cruttenden

# Summary of Comments on Document 12 - from owner - TRB submital.pdf

This page contains no comments

703-217-6982

Sent from Yahoo Mail for iPhone
Hide original message
On Monday, August 26, 2024, 8:22 AM, Tweedy-campbell, Kyndall (DPOR) <Kyndall.Tweedy-campbell@dpor.virginia.gov> wrote:

Dear Theresa Cruttenden,

I am in receipt of the complaint you filed regarding GLK Construction Services, Inc. I am in the process of reviewing the complaint and will make contact with you shortly to further discuss the complaint and obtain additional information. If you have a preferred contact time please let me know. In the meantime, here is an explanation of the Department's process:

An investigation takes on average 75 days, in which it will be determined whether sufficient evidence exists to support a probable finding that the licensee violated the Board's regulations. Once the investigation is concluded, one of four things will occur:

1. Closure - If the information collected during the investigation is not indicative that a licensee may be in probable violation of the Board's regulations, the complaint will be closed.

2. Compliance – Compliance may be offered to the licensee for a probable violation of the Board's regulations. If compliance is obtained, the complaint may be closed out entirely, or disciplinary action may be considered if the information collected during the investigation supports a finding against the licensee for other probable violations.

3. Disciplinary action - Consent Order Offer – The case will proceed for disciplinary action if the information collected during the investigation supports a finding against the licensee for probable violations. The licensee may be offered a Consent Order to accept the disciplinary action probable violations, recommended sanctions, and/or fines. Sanctions and fines can include: license revocation, suspension, or probation; require the licensee to attend a remedial education class; and fines up to $2,500.00 per violation. (Note: All assessed fines are deposited into the state's Literary Fund, for public education, school construction, renovation, and teacher retirement funding.)

4. Disciplinary action - Informal Fact-Finding Conference or Prima Facie Notice - If the licensee does not accept a Consent Order Offer, the case will proceed for disciplinary action if the information collected during the investigation supports a finding against the licensee for probable violations.

- Informal Fact-Finding Conference (IFF)- the Department will hold an IFF Conference to discuss the probable violations to which you will be invited to attend. A representative or a member of the Board will be the presiding officer at the IFF, and will make a written recommendation of the probable violations, sanctions, and/or fines for consideration by the full Board.
- Prima Facie Notice (PF) – the Department may send a PF Notice to a licensee with the probable violations, recommended sanctions, and/or fines if the licensee fails to respond to the investigation.

Ultimately, all findings and recommendations for disciplinary action must be approved by the full Board for a final decision. For more information on the disciplinary process, please visit the following link: http://www.dpor.virginia.gov/Report-Licensee/.

Please be aware that as stated on the complaint form, none of the regulatory boards have the authority to require a licensee to return money, correct deficiencies, or provide other personal remedies.

At any point in the process, you may also wish to consider whether or not you qualify for the Contractor Transaction Recovery Fund, which is a payer of last-resort for consumers taken advantage of by Virginia-licensed residential contractors and is not dependent on the outcome of an investigation. For more information, please refer to the Department's website at: Contractor Transaction Recovery Fund. To file a Recovery Fund claim, you must complete a notarized Recovery Fund claim form.

If you have any questions or concerns, please let me know.

**Kyndall Tweedy-Campbell**
In-House Investigator
Compliance & Investigations Division
Virginia Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233-1485
Phone: 804-367-4871
Fax: 877-588-6450

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**It is also essential to note the following:**

The contractor's Appellant Narrative with Homeowner's Comments includes numerous false and disparaging statements aimed at undermining my character and credibility, none of which address the core issue: documented code violations that remain unresolved.

The following clarifications are essential to maintain focus on the technical issues under review:

1. **Alleged Complaints to Higher-Level Authorities**
   Contrary to the contractor's claim that I "complained to the supervisors' supervisor," Mr. Aaron Morgan, I have never contacted Mr. Morgan nor escalated concerns beyond the inspectors and Senior Inspectors directly involved in my project. This claim is entirely false and seems intended to imply an antagonistic relationship where none existed. My communications were limited to inspectors assigned to my case, and I engaged with them respectfully and solely to ensure compliance.
2. **Allegations of "Annoying Inspectors" and "Demanding New Inspections"**
   The contractor's portrayal of my interactions with inspectors as "annoying" or "demanding" is another attempt to discredit me. My engagement with field inspectors and several "Supervisors of the Day" was always focused on ensuring the project met Fairfax County code standards and addressed the noted violations. Following an initial, minimal inspection that missed multiple violations, I consulted with the appropriate inspectors to conduct a more thorough review. Any subsequent inspections were prompted by additional code-related findings, not personal grievances.
3. **Contractor's Attempts to Shift Responsibility for Oversight**
   The contractor suggested that I should have monitored his work from my home workspace. However, as a licensed contractor, it was his responsibility—not mine—to ensure all work was performed to code. My workspace does not face the deck, and I was in back-to-back Zoom meetings for much of the project. His deflection onto my supposed lack of oversight is both irrelevant and dishonest; his role was to deliver a code-compliant, safe structure independently of my remote work setup.

His statements reflect ongoing issues with professionalism and accountability, prioritizing deflection over addressing documented safety violations. His willingness to make unfounded claims without factual basis is offensive, as it demonstrates an intent to mislead rather than to provide truthful information. These false statements have no factual support and only serve to distract from his obligation to uphold safety and compliance standards.

4. **False Characterizations of Personal Interactions**
   The contractor's narrative describes me as "irate" and "demanding." In reality, my conduct has been professional, motivated solely by concerns for safety, compliance, and proper workmanship. My interactions with County inspectors, aside from one negative experience with the initial inspector, have been constructive and respectful.
5. **Attempts to Redirect Accountability for Code Violations**
   The contractor's statements attempt to deflect from his responsibility to address documented code violations by framing me as unreasonable. These deflections do not change the fact that multiple inspectors have identified specific violations that must be rectified for safety and compliance. Misrepresenting my character and intentions does not absolve him of his professional obligation to meet these standards.

While this document highlights some of the contractor's misleading statements and inaccuracies, these represent only a few of the many present in his submissions. His repeated deflections, untrue claims, and attempts to shift responsibility have complicated the process of achieving compliance with safety and code requirements.

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**Consolidated Email Correspondence Between Mr. Kasadi and Ms. Cruttenden (Most Recent at Top):**

**On Wednesday, September 25, 2024 at 07:40:21 PM EDT, George Karsadi <gkarsadi@cox.net> wrote:**

Mrs Cruttendon,

My apologies. I was going off of what you mentioned to the DPOR. I get it now, what you told them about another contractor and a deposit for their work to get a permit to rebuild the deck was not accurate at all. I hope you can see how I came to that conclusion based on what you filed with the DPOR.

I understand what you stated about it not being cost prohibitive but your DPOR filing stated the opposite. You made the DPOR believe that you were waiting on me to complete the final so

Number: 1 Author: Theresa Cruttenden Date: 10/30/2024 10:12:00 PM -04'00'

Clarification on the Contract with a New Contractor:
Mr. Karsadi's assertion that I provided "inaccurate" information to the DPOR is both misleading and unfounded. I did indeed initially engage with another contractor and began the deck permit process with Fairfax County, who holds records of this initiation. Upon further consideration of costs and discussions with the new contractor, I ultimately decided not to proceed with the new deck and instead to hold Mr. Karsadi accountable for the existing code violations. The contractor was amenable to pausing work, and this decision was made in line with the County's interest in ensuring code compliance through the original contractor.

Accusations of Misrepresentation to DPOR:
Mr. Karsadi's closing statement, "what you told them about another contractor and a deposit for their work to get a permit to rebuild the deck was not accurate at all," implies dishonesty on my part, which is untrue. His inference ignores the full context of my decision-making process, which was based on both financial considerations and the importance of holding him, as the initial contractor, responsible for compliance. His accusatory language reflects a pattern of avoiding accountability and diverting responsibility back onto me.

Non-Response to Misleading Statements:
I chose not to respond to Mr. Karsadi's final email, as it did not warrant engagement. His remarks do not accurately reflect my actions or intentions and seem to be intended more to cast doubt than to facilitate compliance. I have provided full transparency with the County, and my focus remains on having the documented violations corrected by the responsible party.

In summary, Mr. Karsadi's accusations of dishonesty and misrepresentation are baseless. The record with Fairfax County confirms my actions, and I have acted transparently at each step. His repeated redirection of responsibility underscores the need for strict adherence to the compliance measures outlined by the Board, and my commitment remains to ensure all necessary corrective actions are fulfilled.

that you can have it rebuilt by others. Those are your words in your filing and it is just so confusing because, as you stated in the appeal meeting, you decided to keep this eyesore. My sole intention was to try and help you out and possibly save you time and money and aggravation. Now that you made your final decision that you are not going to rebuild the deck as you filed, but instead will keep the deck, that is all I needed to know.

Thank you for sending the resolution too as I did not have it on hand. I am waiting on the meeting minutes and other paperwork from the county and then I will see if everything makes sense or not and what my next steps and options are. Your clarity and patience are greatly appreciated.

Sincerely,

George Karsadi

GLK Custom Decking

703-626-5262

www.glkcustomdecking.com

**On Tuesday, September 24, 2024 at 09:00:28 PM EDT, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Mr. Kasadi,

As noted in my prior email response dated Monday, September 23, 2024, 11:51 AM:

**“There is no new contractor lined up nor a desire to have the deck demolished. I am expecting the violation list to be addressed by you based on the outcome of the appeal meeting.”**

DPOR is a separate matter and does not pertain to what was stated, discussed, and decided at the Fairfax Count Appeals Board (the Board) meeting on September 11, 2024. If you recall, in my closing remarks I stated:

**“While considering having a new deck built, I realized Mr. Kasadi should be held accountable as a licensed contractor. Rebuilding a brand-new deck was cost prohibitive, especially since I had already paid him $15,200”.**

After your appeal was denied, I stated in the board meeting that you were given permission to return to my property to address the violation items listed in the updated Corrective Work Order (CWO). My approval to enter my property is granted based on the following Resolution document entry:

Number: 1 Author: Theresa Cruttenden Date: 10/31/2024 12:24:00 PM -04'00'
Correction, I paid $15,300.00

**RESOLVED, that the matter of**

**Appeal No. CDAPPL-2024-00003**

**In RE: Department of Code Compliance v. GLK Construction Services**

**The appeal is hereby denied 3-0-0-CNV for the reasons set out below.**

**The items identified as non-code compliant and the subject of the appeal were determined to be accurate and in need of further work to bring them, and the subject deck, handrail and stair/landing construction, into compliance with the code. One clarification was noted to the list of items, specifically that only new footings (not existing footings from the previous deck, were to be subject to the corrective work order.**

To be clear, you are not permitted on my property to conduct any demolition of my existing deck unless it is deemed necessary to satisfy/repair/rebuilt sections as it pertains to addressing and resolving the documented violations. The two options that you proposed in your previous email are not a consideration or accepted.

Thank you,

Theresa Cruttenden

----- Forwarded Message -----

**From: George Karsadi <gkarsadi@cox.net>**

**To: Theresa Cruttenden <tmc11787@cox.net>**

**Sent: Monday, September 23, 2024 at 09:22:39 PM EDT**

**Subject:** Re: Which one?

Mrs Cruttendon,

Sorry for the delay I had been busy and sidetracked. Ok well I am a little confused to be honest because you mentioned to the DPOR that

1. You had selected a contractor and provided a deposit so the deck can be completely rebuilt. His permit is on hold. Anyone who reads that will come to the same conclusion as I, which is you have someone lined up.

2. You told the DPOR that the steps are unsafe, not to code and unsightly.

3. You mentioned to the DPOR that no one would think the deck and steps would be pleasing and that it will devalue your property.

Why would you want to keep the deck if all of those things are true? You said in the meeting to the affect that you wanted the steps configured the way you had it before which indicates you are changing them. Correct? How would I be wrong in thinking you were starting over? Everything you said says you are.

What I am trying to do is help you out and remove the eyesore at no cost and immediately you can have a new deck the next day by him, whoever that would be. Getting a demo permit is already filed I just wanted to run it by you to see how you wanted to proceed. I am trying to be open and transparent and extend an olive branch.

Again, I thought the county attorney mentioned that there were other ways to solve the violations and removing the project is one of them. That sounds like they were leaving it up to me? No? Just trying to help.

George K

_____

Sent from Yahoo Mail for iPhone

**On Monday, September 23, 2024, 11:51 AM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Mr. Karsadi,

There is no new contractor lined up nor a desire to have the deck demolished. I am expecting the violation list to be addressed by you based on the outcome of the appeal meeting.

Theresa

Sent from Yahoo Mail for iPhone

**On Monday, September 23, 2024, 11:39 AM, George Karsadi <gkarsadi@cox.net> wrote:**

Mrs Cruttendon,

Not at all. But it's an option I was informed. The county said in the meeting that there was more than one way to rectify the violations and since your new contractor will charge you for the demo anyway I thought I would save you some time and money now. It's to your benefit actually.

George K

Sent from Yahoo Mail for iPhone

**On Monday, September 23, 2024, 11:34 AM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Mr. Karsadi,

Are you suggesting your intent is to demo the upper deck section that leads to the stairs, the stairs and the lower landing instead of addressing any and all of the FFC Deck violations for the deck that you built?

Theresa Cruttenden
Sent from Yahoo Mail for iPhone

**On Saturday, September 21, 2024, 5:04 PM, George Karsadi <gkarsadi@cox.net> wrote:The**

Mrs. Cruttendon,

At the meeting I was given an opportunity to demo the deck out as an option to repairing it. I can demo the upper landing, steps and lower landing so that they can be rebuilt by others in the fashion you choose and thus save you time and money, or I can demo the whole thing and possibly save you more time and money. Which one would you prefer?

Thanks!

Sincerely,

George Karsadi

GLK Custom Decking

703-626-5262

www.glkcustomdecking.com

**Snapshot of Email from LDS, Ms. Smarr:**

----- Forwarded Message -----

**From:** Theresa Cruttenden <tmc11787@cox.net>

**To:** Smarr, Melissa <amy.smarr@fairfaxcounty.gov>

**Cc:** tmc11787@cox.net <tmc11787@cox.net>

**Sent:** Monday, September 23, 2024 at 12:41:10 PM EDT

**Subject:** Re: Information

Hi Melissa,

Number: 1 Author: Theresa Cruttenden Date: 10/31/2024 11:51:00 AM -04'00'

Following Mr. Karsadi's email, I discovered that he failed to mention he had already submitted a demolition plan to Fairfax County Land Development Services (LDS) (Plans Received Date: 2024-09-18) without consulting me. This omission reflects a lack of transparency and an assumption of authority over the project's next steps. His unauthorized submission demonstrates a disregard for homeowner input, further complicating efforts to complete the project in a code-compliant manner.

I reached out to George to ask about the demo. He said he was presenting it as an option since he thinks I'm having a new deck built. I told him I did not want the deck demolished and was expecting the violation's to be addressed based on the hearing outcome. I have received no response but that's what I'm expecting.

Thanks,

Theresa

Sent from Yahoo Mail for iPhone

On Monday, September 23, 2024, 11:26 AM, Theresa Cruttenden <tmc11787@cox.net> wrote:

Melissa

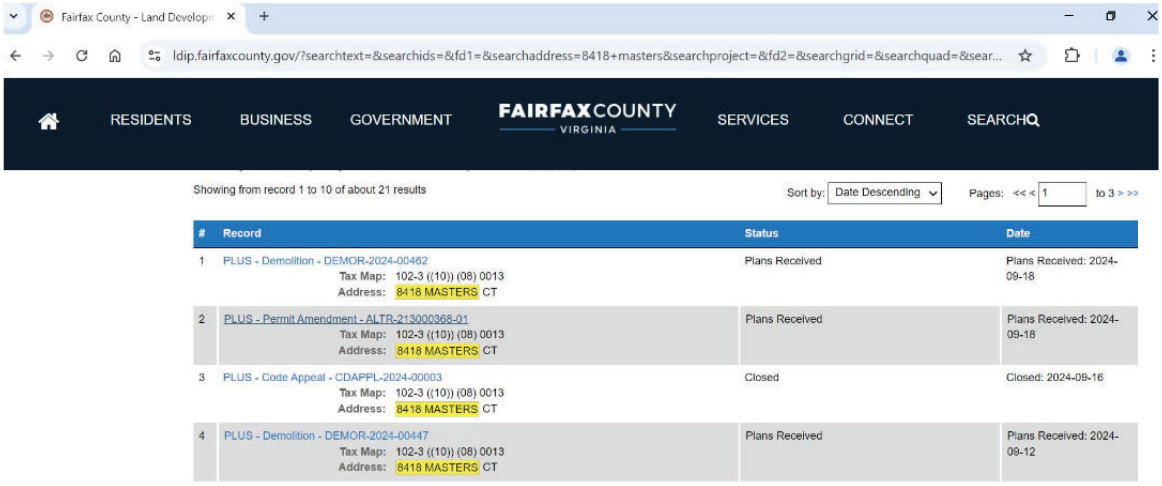
Received and thank you and found the site with this information.

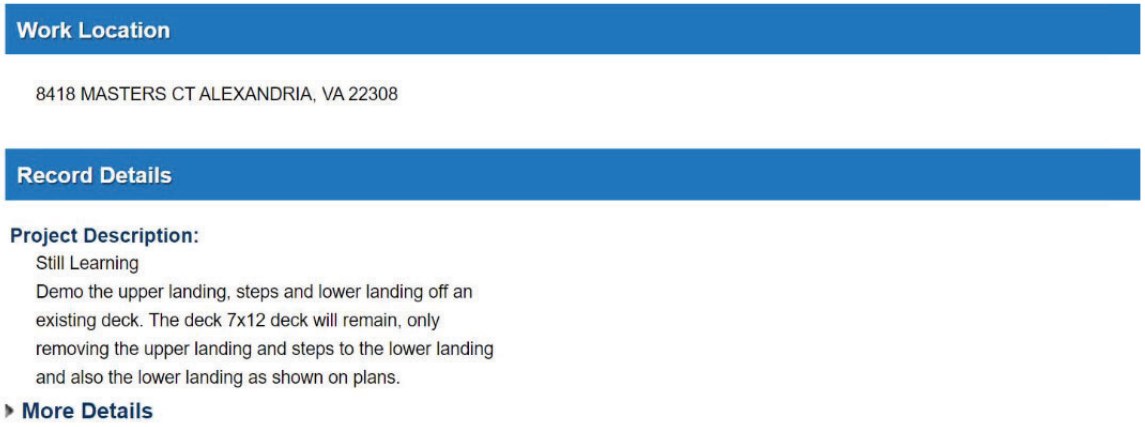
Theresa

Sent from Yahoo Mail for iPhone

On Monday, September 23, 2024, 10:52 AM, Smarr, Melissa <Amy.Smarr@fairfaxcounty.gov> wrote:

Here is the information I found.




Melissa Smarr MPA, CPM

Code Specialist III

Fairfax County Government

Land Development Services

Permits and Code Administration

Post Occupancy Enforcement and Public Outreach

12055 Government Center Parkway, Suite 334

Fairfax, Virginia 22035

https://www.fairfaxcounty.gov/landdevelopment/

melissa.smarr@fairfaxcounty.gov

703-401-9021 (work cell)

703-324-1929 (office)

703-653-1307 (fax)

Quick links to help you navigate Land Development Services (LDS):

Filing a complaint link:

https://plus.fairfaxcounty.gov/CitizenAccess/Cap/CapHome.aspx?module=Enforcement&TabName=Enforcement&TabList=Home%7C0%7CBuilding%7C1%7CEnforcement%7C2%7CEnvHealth%7C3%7CFire%7C4%7CPlanning%7C5%7CSite%7C6%7CZoning%7C7%7CCurrentTabIndex%7C2

LDS Permit Library – See all the permit and record types available through LDS (updates ongoing).

LDS PLUS Support – For questions about using the Planning and Land Use System (PLUS), including FAQs and how-to videos.

Schedule a Virtual Appointment – Sign up for one-on-one support from LDS staff.

Walk-in customer support also available in the Herrity Building. Learn more.

**This email marks the last correspondence I received from Mr. Karsadi before I proceeded with filing a complaint to the Department of Professional and Occupational Regulation (DPOR). The email, along with other preceding communications, underscores repeated instances of unprofessional conduct, disregard for agreed-upon project terms, and a lack of transparency, all of which contributed to my decision to escalate the issue formally to DPOR.:**

---------- Original Message ----------

**From: George Karsadi <gkarsadi@cox.net>**

To: "Smarr, Melissa" <amy.smarr@fairfaxcounty.gov>

Cc: "tmc11787@cox.net" <tmc11787@cox.net>, "Weyant, Donald" <donald.weyant@fairfaxcounty.gov>, George <gkarsadi@cox.net>

Date: 03/30/2024 10:04 PM EDT

Subject: Re: ALTR-213000368; 8418 Masters Court

Homeowners Submission to the State Building Code Technical Review Board Appeal Case/ Appeal to the Review Board for Fairfax County (Appeal No. 24-10)
Theresa Cruttenden
8418 Masters Court, Alexandria, VA 22308 /Cell Phone: 703-217-6982
FFC Reference #: ALTR-213000368

Hi Melissa,

Thank you for sending this over to me. As I stated in my phone conversation I am booked out for 4-6 months with projects and I will start the project in 90 days or thereabouts but that does not mean it will be completed the next day. I will do the inspections per the county requirements for inspections and associated time lines that go with those inspections.

As I stated in our conversation, "the homeowner kicked me off the job site when I was trying to complete the final inspection and threatened legal action against me almost two years ago". She even stated in an email that I would hear from her lawyer. I have not been allowed back onto the job site to complete my work because of the homeowner, not me. Please note that the homeowner banned me from her property and attempted to find someone else to complete the work, I did not abandon the project. Let's get that straight.

I will also need a letter from the homeowner stating that I am permitted back onto the property to do the work unabated and without harassment. I will not be doing any work on the property without a letter stating I may do so. I will also note that I am doing the inspection list you sent in protest as the homeowner made the inspection list grow every time she called in an inspection. The original inspection list and the one after that was warranted, but as she called in inspections without doing any work, but to just complain about the inspectors and supervisors, the list kept growing every time; I just want to point that out.

In conclusion as I stated above, I will perform the work necessary to complete the inspection list on my time and discretion. I will start (in 90 days or when the time permits between other projects) but I will not be forced to drop all my work today and perform this duty after two years of the homeowner dragging her feet and not allowing me to perform said work. One last note, I will also need a letter from the homeowner stating that I can cut and jackhammer into the existing patio to expose the existing footing (that needs inspection) but I am not responsible for a new patio. That was not on the original inspection list or my contract. I also am not responsible for the life or death of landscaping near the deck where footings need to be exposed. Unfortunately, I need to point these things out because I can see that the homeowner will continue to complain to the county about me even if I get a final inspection. I am forewarning, based on the homeowner's actions in the past, that she will never be satisfied with any final product when it is complete and say that I did something wrong or try to make me do other things that are not my responsibility. She has been trying for the past two years to ruin my reputation with neighbors and the county so that the county will revoke my license and shut down my business. I believe my request for the letters from the homeowner are warranted based on her past actions. My 90 days start once I receive the letters. Thank you for your time and understanding and patience as I will try my best to complete this final inspection and put this behind us.

Thank you

Number: 1 Author: Theresa Cruttenden Date: 4/6/2024 8:47:00 PM -04'00'

The contractor's statements to Fairfax County officials contain numerous inaccuracies that misrepresent my actions and mischaracterize my requests regarding the completion of the deck project. Here is a summary of key points where his account differs significantly from the facts:
False Claim of Legal Threats and "Banning" from the Property:
The contractor states, "the homeowner kicked me off the job site when I was trying to complete the final inspection and threatened legal action." This misrepresents my June 15, 2022, email, in which I wrote, "Stop all work on the deck. No more work will be done by you until you hear from my attorney or myself." This was not a threat of legal action but a notice of my intent to involve legal counsel if necessary due to mounting concerns about his work quality and code violations. No legal action was taken.

Requirement for a Clear Plan of Action:
I requested a detailed plan outlining how he intended to address inspection violations, specifically the need to re-do the stair design to follow the original footprint, which was both compliant and safer. The original contractor had designed this footprint for optimal safety and code compliance, but Mr. Karsadi disregarded it without consultation, leading to the current code violations. My June 15, 2022, email explicitly stated that no further work was to be performed until I received this plan for review.

Refusal to Allow Access Until a Detailed Plan Was Provided:
Contrary to his claim that I banned him from the property or was seeking another contractor, my email clearly stated my concerns about his unapproved modifications and the importance of adhering to the originally compliant stair footprint. I wrote: "Until I receive a plan that outlines what will be done to make things right, to include re-doing and following the originally installed stairs footprint design…no work is permitted." This was not a ban but a conditional request for transparency and compliance, given the failure to meet code requirements.

Disregard for Pre-Existing Support Structure and Cantilever Violation:
The contractor altered the prior deck's support configuration without consulting me. Specifically, he cut down two existing posts that had provided adequate structural support for the deck where the stairs are installed. Instead of reusing these posts, he attached the deck to the cantilever, which constitutes a code violation. The prior design was intentionally configured to ensure safety and compliance, but his alteration compromised the structure's integrity.

Unapproved Changes to the Deck's Design and Misleading Claims about the Stairs:
The contractor failed to honor my explicit request to maintain the original deck design, especially the wider and deeper stairs and the two landings that were part of the original structure. He acknowledged in his June 8, 2022, email that cutting back the deck and correcting the railing were necessary to pass inspection, but he attempted to blame these changes on "inspector opinion," when, in fact, these were required by code.

In summary, my concerns stem from the contractor's failure to provide a compliant, safe, and transparent project. I requested a plan, based on his multiple inspection violations and lack of consultation on unapproved changes, before allowing further work. His repeated misstatements about my intentions, including allegations of "banning" him from the property or seeking other contractors, are inaccurate.

Number: 2 Author: Theresa Cruttenden Date: 4/11/2024 10:02:00 PM -04'00'

The contractor's statements include baseless insinuations that undermine his credibility. I had no authority or influence over inspectors or supervisors to fabricate violations. The documented violations are consistent with the code handbook, underscoring their necessity and validity.

My request for follow-up inspections was prompted by repair quotes from other contractors, who identified violations and, in many cases, refused to correct another contractor's substandard work. These quotes, along with my diminished trust in the contractor's integrity, led me to seek additional evaluations. During this process, further violations were noted by reputable contractors who recommended consulting FFC inspectors for verification.

Number: 3 Author: Theresa Cruttenden Date: 4/6/2024 8:22:00 PM -04'00'

I would like to emphasize that I never received a formal contract from Mr. Karsadi for the deck he built. The only documentation provided was a proposal, which is included in this submission. The absence of a contract further contributed to confusion regarding project expectations, compliance, and accountability, leaving me reliant solely on his proposal and verbal assurances.

Number: 4 Author: Theresa Cruttenden Date: 4/6/2024 8:30:00 PM -04'00'

The contractor's statement contains several false and misleading remarks that dismiss the importance of my request to follow the original deck footprint, which was carefully designed with proper measurements to ensure code compliance and safety. His proposal only mentioned two landings, which I overlooked at the time because I was focused primarily on maintaining the critical upper and middle landings, assuming that the lower landing would naturally follow in line with the original deck's flow. The original layout featured a well-designed sequence of landings—an upper, middle, and lower landing—each ensuring structural soundness, proper railing placement, and protection from the drop to the patio below.

On the day of construction, the contractor suggested eliminating the upper landing to provide additional deck space, presenting it as an improvement but failing to explain how it would disrupt the natural flow and structure of the deck. This change resulted in significant deviations from the original design. By removing the upper landing, he removed the structure's support posts, which had been essential for safe, compliant construction. Instead, he attached the deck directly to the cantilever, a known safety violation, creating additional compliance issues while claiming this change would benefit me.

The contractor's decision to overlook these critical structural components and fail to account for proper railing placement compromised the deck's safety and left parts of the structure exposed, in contrast to the original design, which addressed all necessary safety needs. His claim that he "couldn't know the exact measurements" further suggests a lack of accountability and professionalism, as assessing and planning for accurate measurements are

Comments from page 13 continued on next page

Hi Melissa,

Thank you for sending this over to me. As I stated in my phone conversation I am booked out for 4-6 months with projects and I will start the project in 90 days or thereabouts but that does not mean it will be completed the next day. I will do the inspections per the county requirements for inspections and associated time lines that go with those inspections.

As I stated in our conversation, "the homeowner kicked me off the job site when I was trying to complete the final inspection and threatened legal action against me almost two years ago". She even stated in an email that I would hear from her lawyer. I have not been allowed back onto the job site to complete my work because of the homeowner, not me. Please note that the homeowner banned me from her property and attempted to find someone else to complete the work, I did not abandon the project. Let's get that straight.

I will also need a letter from the homeowner stating that I am permitted back onto the property to do the work unabated and without harassment. I will not be doing any work on the property without a letter stating I may do so. I will also note that I am doing the inspection list you sent in protest as the homeowner made the inspection list grow every time she called in an inspection. The original inspection list and the one after that was warranted, but as she called in inspections without doing any work, but to just complain about the inspectors and supervisors, the list kept growing every time; I just want to point that out.

In conclusion as I stated above, I will perform the work necessary to complete the inspection list on my time and discretion. I will start (in 90 days or when the time permits between other projects) but I will not be forced to drop all my work today and perform this duty after two years of the homeowner dragging her feet and not allowing me to perform said work. One last note, I will also need a letter from the homeowner stating that I can cut and jackhammer into the existing patio to expose the existing footing (that needs inspection) but I am not responsible for a new patio. That was not on the original inspection list or my contract. I also am not responsible for the life or death of landscaping near the deck where footings need to be exposed. Unfortunately, I need to point these things out because I can see that the homeowner will continue to complain to the county about me even if I get a final inspection. I am forewarning, based on the homeowner's actions in the past, that she will never be satisfied with any final product when it is complete and say that I did something wrong or try to make me do other things that are not my responsibility. She has been trying for the past two years to ruin my reputation with neighbors and the county so that the county will revoke my license and shut down my business. I believe my request for the letters from the homeowner are warranted based on her past actions. My 90 days start once I receive the letters. Thank you for your time and understanding and patience as I will try my best to complete this final inspection and put this behind us.

Thank you

fundamental parts of building safely.

This disregard for structural integrity, along with his suggestion that I influenced inspectors to document violations, reflects a pattern of dismissing professional obligations. For these reasons, I urge the board to hold him fully accountable to correct every documented violation without exception, as his actions reflect a clear disregard for both code compliance and the homeowner's expectations for a safe, compliant structure.

Sincerely,

George Karsadi

GLK Custom Decking

703-626-5262

www.glkcustomdecking.com

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**On Friday, March 29, 2024 at 03:04:41 PM EDT, Smarr, Melissa <amy.smarr@fairfaxcounty.gov> wrote:**

Sir:

This email is a follow to our conversation last week.

Here is the information from the inspection conducted by Supervising Field Inspector Don Weyant.

These are the violations that need to be corrected.

1)New deck extensions ( blocking ) are not per code. Need to be a min. 3 to 1 ratio at deck cantilever.

2) Landing at bottom of stairs requires guard post and railing on patio side. Fairfax Detail pg. 20, Guard Construction

3) All Guard Post connections need to be constructed per Fairfax County Detail, Guard Post Connections, Pages 20,21,24, Figures 37,38,40 ( hold down brackets missing in some areas, missing blocking, joist not long enough to attach band board)

4) Need to use correct joist hangers at end joist and stair stringers, etc., Fairfax County Detail, Joist hangers, pg.9 and Stringer Bearing, pg.24

5) Stair stringer bearing incorrect, Fairfax County Detail, Stringer Bearing, Pg. 24, figure 4

6) All footings and footing connections need to be verified, Fairfax County Detail, Post to Footing Detail, pg.13

7) Post to beam connections at top and bottom landings not attached correctly, Fairfax County Detail, Post to Beam connection, pg.14, figure18 ( bottom of post at top landing appears to be notched)

8) New top landing cannot be attached to overhang of house, Fairfax County Detail, Prohibited Ledger Attachments, Pg.16

9) Need ES Report and installation instructions for Guard Railings and decking to verify proper length and installation, also spacing of stringers for material used.

10) Spacing between guard post at top of stairs is more than 4 inches, need to secure stair treads properly.

11) Hidden fasteners require 2x6 bracing at underside of deck, Fairfax County Detail, Using hidden Deck Fasteners, Pg.5

Please let me know when your company can perform the work.

You did let me know that it would be about 90 days, which would be by June 30, 2024.

Thank you very much.

Melissa

Melissa Smarr MPA, CPM

Branch Chief and Code Specialist III

Fairfax County Government

Land Development Services

Permits and Code Administration

Post Occupancy Enforcement and Public Outreach

12055 Government Center Parkway, Suite 334

Fairfax, Virginia 22035

https://www.fairfaxcounty.gov/landdevelopment/

melissa.smarr@fairfaxcounty.gov

703-401-9021 (work cell)

703-324-1929 (office)

703-653-1307 (fax)

Quick links to help you navigate Land Development Services (LDS):

Filing a complaint link:

https://plus.fairfaxcounty.gov/CitizenAccess/Cap/CapHome.aspx?module=Enforcement&TabName=Enforcement&TabList=Home%7C0%7CBuilding%7C1%7CEnforcement%7C2%7CEnvHealth%7C3%7CFire%7C4%7CPlanning%7C5%7CSite%7C6%7CZoning%7C7%7CCurrentTabIndex%7C2

LDS Permit Library – See all the permit and record types available through LDS (updates ongoing).

LDS PLUS Support – For questions about using the Planning and Land Use System (PLUS), including FAQs and how-to videos.

Schedule a Virtual Appointment – Sign up for one-on-one support from LDS staff.

Walk-in customer support also available in the Herrity Building. Learn more.

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**From:** George Karsadi <gkarsadi@cox.net>
**Date:** January 28, 2024 at 4:25:07 PM EST
**To:** Theresa Cruttenden <tmc11787@cox.net>
**Cc:** Rhicks@beankinney.com
**Subject: Re: Footing Inspection**

Mrs. Cruttenden,

I took the liberty of responding to the last email I had received from you, prior to the 6/15/23 email. We will take the conversation from that point of view.

Mrs. Cruttenden as you can see from my last correspondence, 19 months ago, I outlined what I was willing to do based on the county report of that time. I had no problem with repairing the issues that were on their report; *that is me doing my customer service*. When you asked me to fix your handrail because there was too much of a gap, I replaced it, *that is me doing my customer service*. When you mentioned the grab rail down the stair had a little nick on it that you can feel with your finger when you grab it, I fixed it, *that is me doing my customer service*. When you pointed out that there was some white caulking on the deck board in the corner by the sliding door, I scrubbed it away, *that is me doing my customer service*.

Number: 1 Author: Theresa Cruttenden Date: 4/7/2024 4:19:00 PM -04'00'

The contractor's response pertains to my message dated June 15, 2022, at 12:19 PM, referenced earlier in this email chain within this document

I engaged Mr. Karsadi expecting a compliant, safe deck structure. Instead, the project has resulted in ongoing code violations and a lack of accountability. My only goal is to ensure the deck meets code and corrects the documented safety issues.

Mr. Karsadi downplays documented safety violations as "customer service" matters, yet these are legitimate code issues identified by Fairfax County inspectors, including missing stair landings, inadequate footings, and railing gaps. As a licensed contractor, he has a duty to ensure that all work is permitted, inspected, and compliant with code. The work performed was not initially permitted or inspected, and once it was, it failed to meet standards. My pursuit of code compliance is a reasonable expectation, not "special treatment."

Mr. Karsadi claims he fulfilled his obligations, yet repeated inspections have revealed further code violations, reflecting deficiencies in the original work. His statement that inspectors might have "punished" me for raising concerns is unfounded and deflects from his responsibility to uphold safety and compliance standards.
He references a "19-month gap" in communication, yet I sent multiple communications requesting a compliant resolution plan, which he did not provide. My June 15, 2022 email was a clear request to halt work until a detailed, code-compliant plan could be established. Payment in full does not negate his responsibility to deliver safe, compliant work.

I considered hiring a new contractor and paid a deposit to begin the permit process for a new deck. Ultimately, I decided it was cost prohibitive to pay for this work twice, especially since Mr. Karsadi should be held accountable for completing the project to code and correcting safety violations.
In conclusion, I engaged Mr. Karsadi expecting a compliant, safe deck structure. Instead, the project has resulted in ongoing code violations and a lack of accountability. My only goal is to ensure the deck meets code and corrects the documented safety issues.

Now, back to the inspection. What bothered you the most is that the county did not include in their report other concerns such as an "additional stair landing" you wanted and for some reason you started claiming I owe that to you because you thought I was suppose to build it in. However, that was 4 months after I completed my work and you paid me in full without any concerns to my work. After you came to the realization the county was not going to do your bidding, you claimed that the inspector and I were in cahoots. You then demanded to see a supervisor and he confirmed what the previous inspector saw and then you claimed we were all in cahoots. That set you off to send an email on 6/15/22 that had me stricken from your property, denied the ability to perform my work without question, and I have not heard from you until 1/24/23. Over 19 months later.

During those 19 months I had witnessed you, on a few occasions, call in final inspections only to have the county inspector include more failures than the previous inspection and with every inspection you still did not get them to agree with you and your concern; which is your middle stair landing. You obviously made the inspectors mad every time you had them come out, waste their time, and have nothing done since the last inspection, other than hearing your grievances and accusations. They tend to punish contractors who waste their time and do not listen to them. They may have just really hammered your final inspections because of it? Who knows? That is on you because of your interactions with them. For example, I hope you are aware that they now want you to expose the footing in the patio, which was not on the original final inspection report. Cutting up your patio and digging up a footing is your responsibility now. I will explain why, I warned you specifically that if you keep up your charade with the county they can make you dig that footing up. So let the final report stand as is, but you kept poking and agitating the county with nonsensical issues that are now on the final report.

Lastly, I will point out that my contract is not open ended. I have a 12 month warranty on my work. I never received any correspondence from you for over 19 months. I consider this matter closed. I offered up great customer service by doing everything you wanted to do per our contract and I was willing to do even more without question. My customer service ends when you get an attorney and you draw a complaint to the county supervisor about me. I fulfilled my contractual obligations and you paid me in full.

George Karsadi
GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

---------- Original Message ----------

From: Theresa Cruttenden <tmc11787@cox.net>
To: "gkarsadi@cox.net" <gkarsadi@cox.net>
Cc: "tmc11787@cox.net" <tmc11787@cox.net>
Date: 01/24/2024 7:58 PM EST
Subject: Permit Number 213000368 - Deck Failure Items

Hello George,

I am reaching out to request that you address all listed deck failure items based on Fairfax County's final posted inspection report for the deck that you built at my property address (8418 Masters Ct, Alexandria, Va 22308). The eleven (11) documented failure items are listed below and are associated with Permit Number 213000368. Each item must be addressed and brought to code to permit the passing of the final deck inspection. Please provide your detailed plan and approach to address each of the 11 listed items so I am aware of how each item will be fully and adequately addressed. Given that you promote "professionalism", "best quality & workmanship standard" and "best quality project", using "highly trained master carpenters with decades of experience in deck building", and "Customer satisfaction is our most important objective", I am requesting that you treat my project with the same level of standards and customer satisfaction that is promoted by you, but was not initially extended to me when you first built my deck. I would like to resolve this outstanding issue and work out the details with you, to ensure attention to detail and workmanship will be a number one priority when resolving the failure items. The deck that you built regrettably was not built to the design/existing previous footprint that was requested and discussed, nor was it built "to ensure the test of time". The intentional neglect to submit the required County permit and formal project plan, to ensure the necessary inspections took place did not align with what you promote as businessman. I hope we can move past this by ensuring the failure items are properly addressed and in manner and design that will result in quality workmanship, and an acceptable final design plan that permits full resolution of the code violations and supports what you indicated to be an important objective, to guarantee and meet customer satisfaction.

FFC Inspection Report Details:

1) New deck extensions (blocking) are not per code. Need to be a min. 3 to 1 ratio at deck cantilever.
2) Landing at bottom of stairs requires guard post and railing on patio side. Fairfax Detail pg. 20, Guard Construction
3) All Guard Post connections need to be constructed per Fairfax County Detail, Guard Post Connections, Pages 20,21,24, Figures 37,38,40 (hold down brackets missing in some areas, missing blocking, joist not long enough to attach band board)
4) Need to use correct joist hangers at end joist and stair stringers, etc., Fairfax County Detail, Joist hangers, pg.9 and Stringer Bearing, pg.24
5) Stair stringer bearing incorrect, Fairfax County Detail, Stringer Bearing, Pg. 24, figure 4

6) Newly installed or altered footings and footing connections need to be verified, Fairfax County Detail, Post to Footing Detail, pg.13
7) Post to beam connections at top and bottom landings not attached correctly, Fairfax County Detail, Post to Beam connection, pg.14, figure18 (bottom of post at top landing appears to be notched)
8) New top landing cannot be attached to overhang of house, Fairfax County Detail, Prohibited Ledger Attachments, Pg.16
9) Need ES Report and installation instructions for Guard Railings and decking to verify proper length and installation, also spacing of stringers for material used.
10) Spacing between guard post at top of stairs is more than 4 inches, need to secure stair treads properly.
11) Hidden fasteners require 2x6 bracing at underside of deck, Fairfax County Detail, Using hidden Deck Fasteners, Pg.5

I look forward to hearing from you.

Regards,

Theresa Cruttenden
8418 Masters Ct
Alexandria, VA 22308
703-360-1735

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---- Original Message ----------
From: George Karsadi <gkarsadi@cox.net>
To: Theresa Cruttenden <tmc11787@cox.net>
Cc: rhicks@beankinney.com
Date: June 15, 2022 at 1:52 PM
Subject: Re: Footing Inspection

Ok no problem, now that you are taking this to court to remedy the situation then I am not doing anything and I will inform the county of your path forward and move on.

Sincerely

George karsadi

# Page: 19

Number: 1 Author: Theresa Cruttenden Date: 10/28/2024 2:25:00 PM -04'00'

The Fairfax County Appeal Board initially clarified that only new footings—not the original ones from the previous deck—were subject to the corrective work order. However, on October 31, 2024, I removed PVC coverings from two of the original posts under the stairs, which were part of Mr. Karsadi's project work, and discovered significant issues. One post had been altered, with additional wood pieces added to one side, and showed extensive rot. The other post was incorrectly notched—an issue already cited in the FFC violation list—and displayed advanced rot at its base.

These findings, particularly the altered post, underscore the urgency Mr. Karsadi displayed in proposing to demolish the deck, suggesting a possible attempt to conceal these deficiencies. The situation highlights the need for comprehensive remediation to address both documented and potentially concealed code violations. Photo's have been provided within this submission.

On Jun 15, 2022, at 12:19 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:

Mr. Karsadi,

Stop all work on deck. No more work will be will done by you until you hear from my attorney or myself.

Theresa Cruttenden

---------- Original Message ----------

**From: George Karsadi <gkarsadi@cox.net>**

To: Theresa Cruttenden <tmc11787@cox.net>

Date: June 15, 2022 at 12:04 PM

Subject: Re: Footing Inspection

I am not rebuilding your stairs . I am installing two footings at the house. I am not building a new platform in the middle because it is not needed by code.

I am doing what is on the inspection report and you are not understanding what they are writing obviously because nowhere does it state I need to build new steps and a new middle landing. Two footers at the house, one handrail section on the lower deck and the main deck gets cut back 6", that is all and that is what is on the report. That is what I am doing. If you do not like what the inspector said then I can't help you there. Call them back out again and go over it.

You are not allowing me to finalize the deck for some reason and that Delay is in you. I am trying and you want this to be more difficult. I did not take your old moldy rotten steps and repurpose it anywhere but the trash. So to say that is wrong.

So at this point you are the one delaying the project and I will hold off and let the county know it is you holding it up and not me.

George karsadi

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---------- Original Message ----------

**From: Theresa Cruttenden <tmc11787@cox.net>**

To: Theresa Cruttenden <tmc11787@cox.net>, George Karsadi <gkarsadi@cox.net>

Date: June 15, 2022 at 8:31 AM

Number: 1 Author: Theresa Cruttenden Date: 10/13/2022 1:51:00 PM -04'00'

The earlier inspection report suggested either cutting back the deck extension by 2 feet or correcting the violation. However, the final report removed the option to cut back the extension and instead specified additional supports to bring the extension into compliance, addressing the last item from the failed inspection.

One of the violation codes states:
"New deck extensions (blocking) are not per code. Need to be a min. 3 to 1 ratio at deck cantilever."

Mr. Karsadi claimed he could extend the deck from 6 feet to 8 feet without requiring a permit. Fairfax County (FFC) Land Development personnel involved in the project stated that a contractor with his level of experience should know that such modifications require permitting.

Additionally, Mr. Karsadi has recently claimed in some documentation that the deck extension measured 7 feet, rather than 8 feet, implying minimal alteration from the original 6 feet. In reality, the extension he built measures approximately 8 feet, with only 1 to 2 inches shy of this measurement, confirming a significant increase from the original design.

Number: 2 Author: Theresa Cruttenden Date: 10/31/2024 11:48:00 PM -04'00'

The contractor's statement, "I did not take your old moldy rotten steps and repurpose it anywhere but the trash. So to say that is wrong," is unrelated and misrepresents the issue I raised.
The concern involves the support posts that were originally in place to support the first stair landing. The contractor cut down these posts, stating to my neighbor that he intended to use them for his own project. My neighbor approached me to ask him to remove them from her lawn after he temporarily left them there, having sanded them down on my patio and left the sawdust for me to clean up.
These posts/footings should have been retained and used to avoid attaching the deck to the cantilever. The cut-off stubs remain in the ground, and two new posts are now required to properly support the upper deck. My concern is both where and how these new posts will be positioned, given that buried electrical wiring exists in the area where they need to be installed—a factor the contractor did not appear to consider.

Subject: Re: Footing Inspection

George,

I did see where you did recently note two footings need to be installed, not one. I wanted to acknowledge this.

Thank you ,

Theresa

Sent from my iPhone

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**On Jun 15, 2022, at 8:15 AM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Good Morning George,

Everything related to this project affects me. Remnants from the original footings under the stairs that you cut down, took the wood to repurpose for your own home project, still remain visibly in the ground. Now you state you are adding another "footing" which I have no idea how it will be positioned. This is questionable and a concern since the inspection notes states "footings" are required, not a single one. My understanding from what the inspector told me, two (2) are required, not one.

As requested, cancel the appointment. Based on what was requested by me as the homeowner/customer, vice what you decided to modified and build without discussing with me and obtaining my prior approval is unacceptable, not only to me but to the County. The County agreed that the footprint that was previously in place should have been followed based on my request, and would have passed inspection.

No work is to be done until I receive a plan for my review that outlines/details how you are going to provide what should have been delivered based on the proposal, two 4x4 landings, stairs that had a wider and deeper footprint, and that ended with steps at the bottom that met my slate/stone step. All with handrails.

Additionally, one of the other primary inspection items did state to either shorten the deck to the original footprint or install full length joist beside existing joist for attachment of bandboard. It was not clear to me based on this write-up why you would state in one of your previous messages back on June 8th, "Too bad the deck needs to be cut back but at least the stairs and handrail were fine". Regarding the railing, we now know based on the recent inspection report, that it did indeed not meet code and was missed by the original inspector, in addition to the other added items.

# Page: 21

Number: 1 Author: Theresa Cruttenden Date: 10/13/2022 2:52:00 PM -04'00'

The contractor's email reflects several inconsistencies in his approach and responsibilities as a professional, specifically related to planning, design, and adherence to code and client expectations. Below are key points where the contractor's statements contradict a professional approach to assessing and executing a project of this nature:

Lack of Initial Assessment and Design Based on Measurements

The contractor's assertion that he "couldn't have known the exact heights of everything" and had to "change it a little" mid-project suggests a lack of proper initial assessment. As a professional, he should have taken all necessary measurements during the planning phase, particularly since he was requested to follow the original deck's layout and footprint. By not taking the required measurements at the outset, he disregarded the existing structure's alignment with code and safety requirements, which should have guided his design.

Failure to Clarify Scope and Confirm Client Approval for Changes

In the email, the contractor claims that he discussed changes with me, including the removal of staggered landings and replacing them with a single landing. However, at no point did he provide detailed plans showing the intended structure or discuss how this change would impact code compliance. Additionally, he acknowledges in the email that he originally planned for "two handrail sections" without fully accounting for the design he was going to build. This oversight reflects a lack of due diligence in ensuring that all materials and plans matched the agreed design.

Inconsistent Statements on Permit and Code Compliance

His contradictory stance on the permit—stating both that he "doesn't care to get a permit" and that he "will get the permit and final inspection"—highlights his inconsistent approach to code requirements. This contradicts his professional responsibility to secure necessary permits and ensure that all work meets local building codes, especially as he was paid to complete the project to these standards.

Dismissive Attitude Toward Code and Safety Compliance

The contractor's remark, "Code is 29" without a handrail so 12" is a lot lower than that," demonstrates a disregard for code specifications that impact safety. The final inspection revealed that the actual height of the landing required a railing to meet safety standards, which he overlooked. His insistence that I could have "asked for a handrail" fails to recognize his responsibility as the builder to advise on necessary safety features and ensure the deck was compliant.

Inappropriate Comments and Dismissal of Client Concerns

The email is filled with dismissive and unprofessional language, minimizing both the project's importance ("a small little deck project") and my concerns. His assertion that I have been "convinced" by others that he "did everything wrong" shows a lack of accountability for the design flaws and safety issues that multiple independent assessments have identified. Additionally, his dismissive approach undermines my legitimate concerns and the necessary oversight required for a safe and compliant build.

Failure to Address Design Changes and Accountability for Execution

The contractor's decision to expand the deck surface without consulting on the structural implications or impact on code compliance demonstrates a lack of forethought and responsibility. The additional issues, such as adding railing to a 4x8 landing as required by the county, further emphasize his failure to fully consider how changes would impact compliance. A professional approach would have included a clear assessment and a detailed plan that addressed both safety and design integrity from the outset.

In summary, the contractor's email demonstrates a lack of professional planning, accountability, and adherence to code. His inconsistent statements, failure to assess the layout accurately, and dismissive approach to safety requirements and my concerns as his customer, raised significant issues regarding the quality and reliability of his work on this project

Based on all these failed items, do not start any work or show up at my home without my consent. I have no trust or confidence in the work that you performed or will perform. It is clear that quality and workmanship was not a focus nor was honoring my request to follow the same stairs footprint that was in place, based on how perfectly designed and positioned they were.

Until I receive a plan that outlines what will be done to make things right, to include re-doing and following the originally installed stairs footprint design, and what and how the failed inspection items will be properly addressed and is submitted for my review, no work is permitted.

Thank you,

Theresa Cruttenden

---------- Original Message ----------

From: George Karsadi <gkarsadi@cox.net>

To: Theresa Cruttenden <tmc11787@cox.net>

Date: June 14, 2022 at 11:05 PM

Subject: Re: Footing Inspection

The work does not affect you in any way and this is the opening I have to get the final inspection. The main work will happen another day but I need to get this part done first before anything else. After that then tell me what's good for you schedule wise.

Thank you

George karsadi

**On Jun 14, 2022, at 10:32 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George ,

Please cancel the appointment for Thursday or Friday. I will get back to you when the work can be done.

Thank you,

Theresa

Sent from my iPhone

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**On Jun 14, 2022, at 9:10 PM, George Karsadi <gkarsadi@cox.net> wrote:**

Hi Theresa,

Just a heads up. I called in a footing inspection for Friday. I will send someone over to dig up the footers either tomorrow or Thursday, more than likely Thursday. He will be quiet so you do not need to worry about him. It should take about 4 hours. Thanks

George Karsadi

GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309

703.626.5262

www.glkcustomdecking.com

--------- Original Message ----------
From: George Karsadi <gkarsadi@cox.net>
To: Theresa Cruttenden <tmc11787@cox.net>
Date: June 14, 2022 at 9:09 PM
Subject: Footing Inspection

Hi Theresa,

Just a heads up. I called in a footing inspection for Friday. I will send someone over to dig up the footers either tomorrow or Thursday, more than likely Thursday. He will be quiet so you do not need to worry about him. It should take about 4 hours. Thanks

George Karsadi
GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

---------- Original Message ----------

From: George Karsadi <gkarsadi@cox.net>

To: Theresa Cruttenden <tmc11787@cox.net>

Date: June 14, 2022 at 8:46 PM

Subject: Re: Deck Documents - Cruttenden Property

Hi Theresa,

I noticed another final inspection was called. I assumed it was from you because you did not like what the other inspector had to say. I also noticed the inspector added in his opinion on the deck overhang and my blocking. Basically he mentions something about some new footers in the patio possibly to hold the overhang because of a 3/1 rule or to cut the deck back at least 6" too. Did you see that comment? I thought I was giving you maximum deck when I went out that far but I guess I should have cut it back to the original length. No problem. I also noticed that he wants a handrail on the lower landing.

With all the new work I will need a few days to repair everything. I will possibly be using a jackhammer or concrete saw and that is noisy too. So let me know when you have two-three full days where I can be noisy all day with my tools without interrupting your work and I will see when I have an opening that works with your schedule.

Thanks

George Karsadi

GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309

703.626.5262

www.glkcustomdecking.com

---------- Original Message ----------

**From: George Karsadi <gkarsadi@cox.net>**

To: Theresa Cruttenden <tmc11787@cox.net>

Date: June 9, 2022 at 6:48 AM

Subject: Re: Deck Documents - Cruttenden Property

Hi Theresa,

Attached is your drawing. Sorry for the delay I figured since it was already built then the drawings was not needed but its not a problem. Thank you

Karsadi

# Page: 24

Number: 1 Author: Theresa Cruttenden Date: 10/13/2022 3:29:00 PM -04'00'

The contractor implies the follow-up inspection was scheduled merely due to my dissatisfaction with a previous inspector's findings, rather than acknowledging serious compliance and safety concerns that arose as I consulted other contractors to potentially address the deck deficiencies. This misrepresentation downplays legitimate issues, including critical structural deficiencies that must be corrected.

During project discussions, the contractor assured me he could extend the deck by 2 feet without needing a permit, citing the minimal increase in size, and he charged me for this addition. However, the inspection later flagged the extension as non-compliant: "New deck extensions (blocking) are not per code. Need to be a min. 3 to 1 ratio at deck cantilever."

In his email, the contractor's suggestion to "cut the deck back" as an optional adjustment disregards that I paid for this extended deck space. This minimizes the correction needed, overlooking that I paid for work that remains incomplete and non-compliant. The correction should be at his expense, not mine.

The contractor's reference to "giving maximum deck" frames his deviation from the agreed-upon design as an enhancement, disregarding accountability for the compliance issues introduced. This extension was not an extra request; he suggested it on-site as a better option than the 4x4 landing, without disclosing its impact on the original stair and support plans. Instead of using two support posts as designed, he connected the deck directly to the cantilever, which is a code violation.

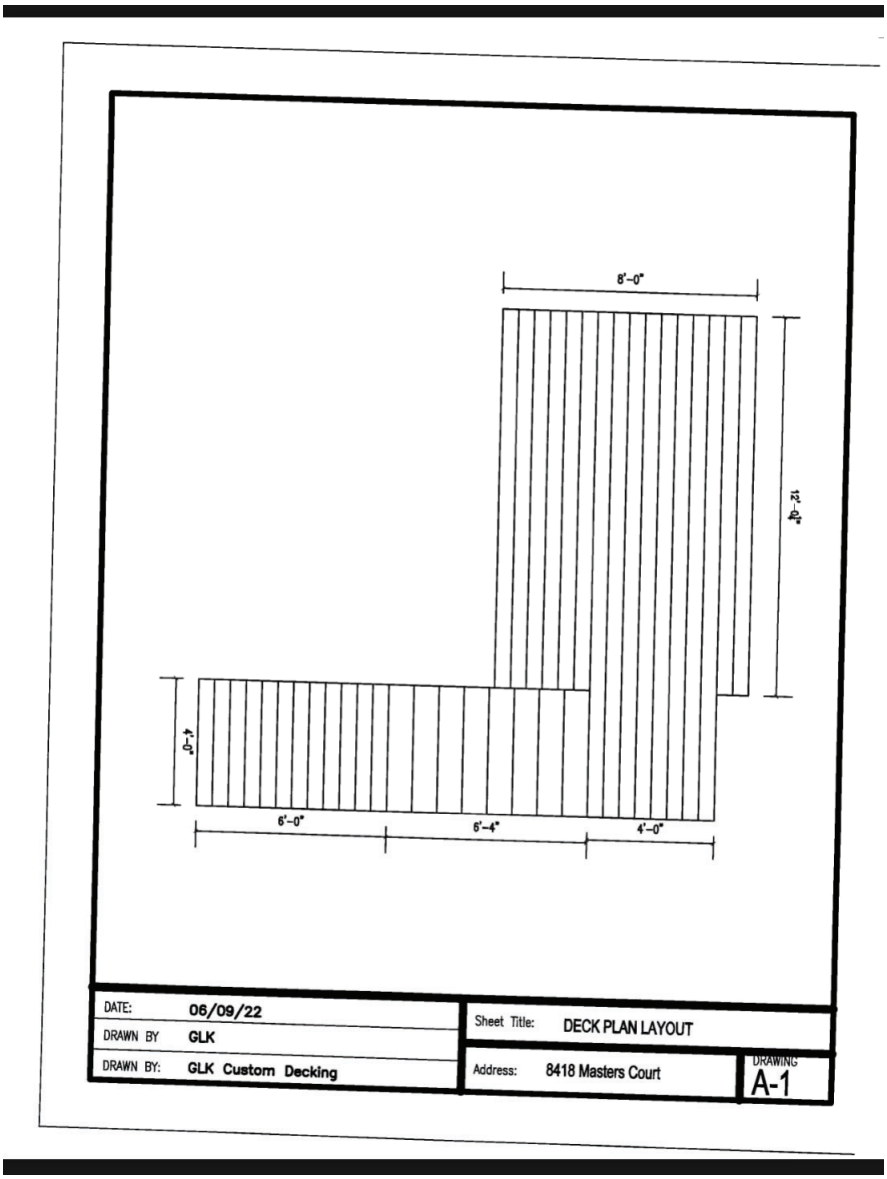
His statement, "I guess I should have cut it back to the original length. No problem," downplays the compliance and safety implications of the extension. This language suggests a lack of commitment to thoroughly correcting the structural issues caused by his changes, viewing inspection requirements as minor adjustments rather than essential corrections.

Additionally, the contractor's claim that he would "need a few days to repair everything" lacks clarity, as he has not provided a detailed scope of work. Without specifics, I cannot be assured he intends to address all inspection requirements or that his suggested time frame is sufficient to complete the corrections thoroughly.
Overall, the contractor's response demonstrates a pattern of minimizing inspection findings, evading accountability, and presenting corrective work as optional adjustments.

Number: 2 Author: Theresa Cruttenden Date: 10/29/2024 1:39:00 PM -04'00'

he contractor provided a drawing only after multiple requests, and it does not align with his original proposal. Instead, it reflects what he actually constructed without the required permit, as included in his post-construction permit documentation. I later realized he intentionally withheld a detailed plan and failed to provide an official contract. This contrasts with an earlier project for a larger screened-in porch, for which he provided both a contract and detailed plans—though I ultimately declined that project. If needed, I can supply supporting emails that document this inconsistency.

GLK Custom Decking




---------- Original Message ----------

**From: George Karsadi <gkarsadi@cox.net>**

To: Theresa Cruttenden <tmc11787@cox.net>

Date: June 8, 2022 at 5:43 PM

Subject: Re: Deck Documents - Cruttenden Property

Hi Theresa,

I was just going off of the inspection comments where it says to cut it back 6" or so to make the blocking I installed obsolete. I am not installing additional posts where the deck is only where the landing is.

You spoke with the inspector and he mentioned to you what is needed to pass, he then put those comments in the report. I will do what his comments say to pass inspection. There is nothing else to go over I am not doing any more or less that what is in the report.

The additional support posts will be at the upper landing against the bump out, there is no other place to Install them but that is where they are going if you need to take a look. Other than that it is pretty clear what needs to be done to pass and I intend on doing just that.

I will send you a drawing asap

Thank you

George karsadi

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**On Jun 8, 2022, at 4:07 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

George,

My understanding is if support beams are installed it does not need to be cut back so not sure why you are saying it does it would even consider the reduction as an option.

Please first outline in detail the work that needs to be completed to permit passing of the final inspection, before any of the work is actually scheduled and addressed. As the homeowner, I want to be fully informed and understand what needs to be done to include location of the two additional footings under the deck that need to be installed, associated with the stairs.

Also I never received based on my original requests, the drawing for the deck prior to building. I still need that copy.

Thank you,

Theresa

Sent from my iPhone

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---------- Original Message ----------

**From: George Karsadi <gkarsadi@cox.net>**

To: Theresa Cruttenden <tmc11787@cox.net>

Number: 1 Author: Theresa Cruttenden Date: 4/6/2024 7:13:00 PM -04'00'

In my email, I did not mention installing support posts; rather, I referred to the need to address the support beams, which were not properly installed to support the additional two feet added to the deck.

I am puzzled by his suggestion to cut back the deck after I paid for a 2-foot expansion. Cutting back the deck contradicts our agreement and removes usable space, which was a core part of the initial project scope that he stated he could do without a permit since it was only 2'. Instead of reducing the deck footprint, he should add the required joists alongside the existing ones to reinforce the structure to meet the violation requirement.

Number: 2 Author: Theresa Cruttenden Date: 10/28/2024 12:04:00 AM -04'00'

The contractor continues to refer to the deck surface as the "upper landing," although no such landing was built. He recommended eliminating it when installing the deck surface, suggesting it would add usable space without other major changes. He ultimately changed the design, and when I expressed my shock and disapproval when I discovered the change after he finished building the stairs, and stated he completed the work, he explained that he hadn't ordered enough railing and decided against the extra $500 cost to save me money. He proceeded with this change without my approval. As a result, he attached the deck to the cantilever and removed the original landing posts to simplify his work.
I later realized the previous contractor included the first 4'x4' landing, supported by two posts, to prevent attachment to the cantilever. Mr. Kasadi should never have eliminated this landing, as the existing support beams could have been reused. Given his claim of extensive experience building at least 650 decks, he should have known that attaching a deck to the cantilever is a major safety violation. He instead presented the removal of the landing as a simple, beneficial change. I later understood he likely never intended to build the landing, as he only procured one pair of stair railings and none for the individual landings, which may have required additional posts, and possibly customized railing pieces.

Number: 3 Author: Theresa Cruttenden Date: 10/13/2022 5:32:00 PM -04'00'

I requested a detailed drawing of the deck several times, yet the Mr. Kasadi never provided one. This omission is significant, as a drawing would have clarified expectations and scope, ensuring accountability. The lack of a drawing ultimately obscured the contractor's intended changes to the project and allowed him to proceed without formal approval for modifications. This refusal to provide drawings could be seen as an attempt to avoid transparency.

Contractors are expected to perform their duties according to industry standards, which include seeking client approval for significant design changes, ensuring code compliance, and accurately ordering materials. A contractor with over 20 years of experience would reasonably know to communicate changes, provide adequate drawings upon request, and order appropriate materials. By not providing a drawing, altering the design without notice, and making structural deviations, the contractor likely breached this duty of care.

The contractor's failure to order sufficient materials suggests intentional deviation, as he altered the design without my consent or explanation. He stated that he knowingly ordered less railing due to cost considerations without informing me as the homeowner, and obtaining my concurrence/approval. This could be deemed negligent or deceptive. His material decisions did not match the agreed scope and directly affected my project's outcome.

Code compliance is generally non-negotiable in construction. By attaching the deck to the cantilever instead of using posts and footings as per industry standards, the contractor introduced potential safety issues. Contractors are responsible if work is done in a way that violates building codes, even without a formal contract, as they are expected to know and adhere to code requirements.

Mr. Kasadi was responsible for consulting with me on significant changes, especially without a formal contract. His decision to proceed with unapproved modifications and delay in providing a detailed drawing likely breaches his duty to act transparently. When I requested the drawing again, he responded dismissively on June 9, 2022: "Attached is your drawing. Sorry for the delay—I figured since it was already built, the drawings were not needed." This response disregards my right to review and approve plans, raising serious concerns about his commitment to professional standards and client communication.

Date: June 8, 2022 at 10:16 AM

Subject: Re: Deck Documents - Cruttenden Property

Sorry for the delay I have been extremely busy. I can look to be out to you next week possibly at the end of the week. I may need to come by twice or one full day.

Too bad the deck needs to be cut back but at least the stairs and handrail were fine, just changing the hangers they always were fine with so that's good.

Thanks

George karsadi

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**On May 31, 2022, at 10:41 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George,

Please check FIDO for an update to the previous inspection and additional items added as of today to be addressed.

I am on TEAMS call or running meetings with my mic open most of the time, so I need to be sensitive to any background noise such as hammering. This Wednesday after 9:30 AM should be fine, on Thursday I am in meetings until 11:30 AM. If you decide to come Friday, I need to you to let me know the day before and prior to 3:30 PM so I can re-arrange my schedule to accommodate.

For next week starting on Monday (June 6th) I have no meetings planned so that would be a good day. Tuesday, I have a meeting from 9:00 - 10:00 and again at 11:00 - 11:30. The rest of the day is without meetings. Wednesday, only meeting is from 9:00 - 9:30 AM. Thursday meeting from 9:00 - 10:30 AM and again at 11:00 - 11:30 AM. Friday I can clear my schedule of meetings if notified in advance by Thursday at 3:30 PM. Text or phone call is preferred since I do not monitor my personnel email during the workday. I am providing this information to permit consideration to my meeting work schedule to avoid loud background noises when my mic is activated and to permit me to hear what is being discussed.

Always knock on my front door since I would never expect or hear anyone knocking on the back downstairs door, especially while engaged on TEAMS Phone calls and meetings. Please let me know which days/timeframes work for you. I will do my best to accommodate when I can, if

Number: 1 Author: Theresa Cruttenden Date: 11/1/2024 12:41:00 AM -04'00'
ADDRESS

notified in advance. Regarding lunch time, I'm typically engaged in calls and given my organization's workload, lunches are typically working lunch sessions.

Like you, I too am focused on ensuring all necessary items are properly resolved to support the scheduling and a successful outcome of the final inspection. I would like to be present when this takes place so advance notification of day and time is requested.

Thank you and I do appreciate your focus on appropriately addressing all items to support passing the final inspection and bringing this matter to closure.

Theresa

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**On May 26, 2022 at 5:51 PM George Karsadi <gkarsadi@cox.net> wrote:**

Hi Theresa,

I came to the back door not the front door and I did not know I had too to be ho eat. I did not see your email where you requested to know a time and place. I read that the permit was ready to go and ran with it, I did not notice that I needed to inform you until I went back and realized there was more to the email. I made the inspection without being aware you needed to be there.

The 2nspector came and told me what needed to be done. There is nothing secretive going on around here. We were there openly and could be noticed as it was lunchtime too.

I am extremely busy and I am trying to tie up loose ends in the time openings I have. I have no control over the inspector or the time, I wanted to get this finalized as soon as possible and there is nothing wrong with that. Sorry I did not inform you. The inspector is not my friend and I have to go back and do the work necessary for that to pass inspection. I do not know when I am going to do it but I find an opening and just do it. If you are not going to let me on the property to do the work then the final cannot be complete due to no fault of my own. If you want to give me an opening every day next week that would be great. I need a two hour window and it may take two days possibly. Not doing the work, but also grading the area. Let me know what time works for you each day and I will try to accommodate. Thank you and again I apologize for any misunderstanding or miscommunication. I understand that the focus is on getting the final inspection and that was all I was doing.

Sincerely

George karsadi

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# Page: 28

Number: 1 Author: Theresa Cruttenden Date: 11/1/2024 12:42:00 AM -04'00'
Belongs in another sections

Number: 2 Author: Theresa Cruttenden Date: 10/29/2024 4:46:00 PM -04'00'
As the homeowner, I am deeply concerned about the contractor's lack of professionalism, honesty, and compliance with safety and code requirements on this deck project. From the outset, he dismissed necessary permitting and safety protocols, conducted a rushed inspections without notifying me, and failed to provide a corrective plan or maintain transparency in addressing serious deficiencies.

The contractor has attempted to portray me as an obstacle to his progress, suggesting that I have delayed his attempts to resolve the violations. In reality, he was focused on addressing only the most immediate issues in the initial violation report, aiming to close the project quickly before additional violations could be identified through follow-up inspections, which I suspect he knew existed (which is why at one point he showed up at my home unannounced hammering away under my deck, and claiming the code handbook was updated, which was later verified as being untrue). The subsequent inspections revealed significant deficiencies that were missed by the first inspector, yet he is attempting to shift responsibility to me for what he claims are "delays".

A thorough report of violations has since been documented, including a requirement to dig up and inspect the footings under the stairs. To accomplish this correctly, a portion—or possibly all—of the lower 4x8 landing will need to be removed. Furthermore, the contractor's intent to dig these footings without involving Ms. Utility to mark underground electrical lines is reckless and demonstrates a disregard for safety, particularly since there are electrical wires in this location. Given this context, it's critical that the contractor provides a clear, safe plan for the new post placements to ensure proper support for the upper deck. His initial choice to attach the deck to the cantilever was an error, and he must be held accountable for correcting this oversight to ensure compliance and safety.

The contractor's attempt to deflect responsibility onto me is compounded by his non-compliant and evasive approach to the project. His focus has been on rushing the project to completion rather than ensuring its quality and safety. Given the extent of these issues, I request that the board hold the contractor fully accountable for all documented violations and enforce corrective measures to ensure the structure is compliant, safe, and built to professional standards.

**On May 26, 2022, at 2:34 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

George,

I have Ring. I checked and see you arrived in the morning with the inspector and left 12 mins later but not once did you come to my door to announce your arrival or advise me that the inspection was taking place. Nor did you inform me in advance of the day and time that the in-person inspection would take place based on my original request.

Do not come this week or next week to do any work/repairs. I will call you to let you know when you can enter my property to address any failed items. I will be in touch next week to advise what days work on my end. I am expecting out of town guests and have not firmed up the days and weeks they will be visiting.

Please acknowledge this email message and please be advised if you do show up, you will be asked to leave and to coordinate in advance a day that is convenient for the both of us.

Thank you,

Theresa Cruttenden

Sent from my iPhone

---------- Original Message ----------

**From: George Karsadi <gkarsadi@cox.net>**

To: Theresa Cruttenden <tmc11787@cox.net>

Date: May 26, 2022 at 6:24 AM

Subject: Re: Deck Documents - Cruttenden Property

Hi Theresa,

They[1] came out last week or the week before and it was in person. We knocked on the door but maybe you were not home at that time. He looked it over diligently and mentioned the additional post at the house where the landing is.

I will install that as soon as I have an opening. Thank you for your patience.

Sincerely

George karsadi

Number: 1 Author: Theresa Cruttenden Date: 4/6/2024 6:04:00 PM -04'00'

I'm unclear about the contractor's reference to "they" coming out last week. Ring footage shows only one inspector and Mr. Kasadi were present. I reviewed the front door Ring footage to confirm the date and time of their arrival on the morning of May 12th, and to verify the contractor's claim of knocking on my door, which was not recorded by Ring. Having lived in my home for over 20 years, I can confirm that neither he nor anyone else has ever walked around to knock on the lower-level back door to announce their arrival. If there had been any knocking, my dog would have reacted.

The contractor states that the inspector "looked it over diligently," but 12 minutes—including the time it took them to walk from their vehicles to the backyard and back—is insufficient for a thorough inspection, especially since they did not inspect the upper deck. My dog and I would have clearly heard anyone climbing the stairs, and my dog would have barked excessively.

**On May 25, 2022, at 11:54 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

George,

When did it happen? I requested it be in person.

Theresa

Sent from my iPhone

---------- Original Message ----------

From: George Karsadi <gkarsadi@cox.net>

To: Theresa Cruttenden <tmc11787@cox.net>

Date: May 24, 2022 at 8:06 AM

Subject: Re: Deck Documents - Cruttenden Property

Hi Theresa

The inspection already happened and I need to install one more post at the house where the stair landing is. Everything else was fine. I will head over there next week to install the post and then the deck will be finalized.

Thank you

Sincerely,

George Karsadi

GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309

703.626.5262

www.glkcustomdecking.com

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**On May 23, 2022 at 10:49 PM Theresa Cruttenden <tmc11787@cox.net> wrote:**

George,

Checking in to see if there are any dates to be considered for scheduling the inspection.

Thanks,

Theresa.

---------- Original Message ----------

**To: Theresa Cruttenden <tmc11787@cox.net>**

Date: May 10, 2022 at 12:06 PM

Subject: Re: Deck Documents - Cruttenden Property

Hi Theresa,

Ok no problem, will do

Thank you

George karsadi

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**On May 9, 2022, at 8:52 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hello George,

Reaching out to you based on notification that the permit has been released and the approved files are available for download.

Last Friday I had made an inquiry with FFC to check on the status, and following their review of the permit request, they realized the plan had been held up from review due to being assigned to a technician that had retired about a month ago. They quickly reassigned and completed the review process and approved the plan. The in-person inspection can now be scheduled.

Please advise in advance of dates that you are considering for an in-person inspection since I would like to ensure that I am available and present for the appointment. I am requesting that the inspection be performed in-person and not be done virtually.

I look forward to hearing back from you at your earliest convenience.

Sincerely,

Theresa Cruttenden

703-217-6982

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**On March 26, 2022 at 8:25 AM Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George,

Attached please find the deck document.

Thank you,

Theresa

Sent from my iPhone

Begin forwarded message:

From: Taylor Cruttenden <Taylor.cruttenden@gmail.com>

Date: March 26, 2022 at 8:15:20 AM EDT

To: Theresa Cruttenden <TMC11787@cox.net>

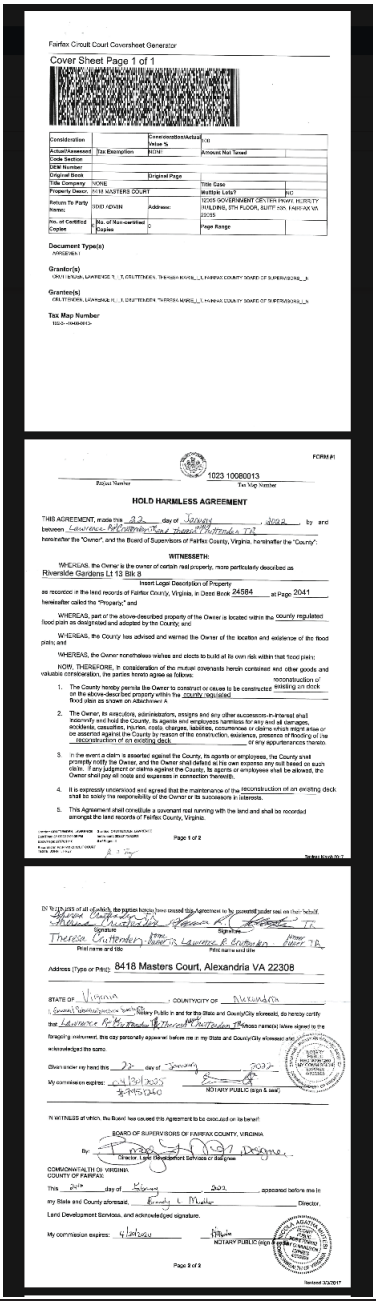
Subject: Deck Documents

See attached

Yes that is better, thanks

George karsadi

Homeowners Submission to the State Building Code Technical Review Board Appeal Case/ Appeal to the Review Board for Fairfax County (Appeal No. 24-10)
Theresa Cruttenden
8418 Masters Court, Alexandria, VA 22308 /Cell Phone: 703-217-6982
FFC Reference #: ALTR-213000368



Fairfax Circuit Court Coversheet Generator

Cover Sheet Page 1 of 1

| | | | |
|---|---|---|---|
| Consideration | | Consideration/Actual Value % | 0.00 |
| Actual/Assessed | Tax Exemption | NONE | Amount Not Taxed |
| Code Section | | | |
| ERM Number | | | |
| Original Book | | Original Page | |
| Title Company | NONE | | Title Case |
| Property Descr. | 8418 MASTERS COURT | | Multiple Lots? NO |
| Return To Party Name: | TODD ADAMS | Address: | 12055 GOVERNMENT CENTER PKWY, 8TH FLOOR, SUITE 800, FAIRFAX VA 22035 |
| No. of Certified Copies | No. of Non-certified Copies | 0 | Page Range |

Document Type(s)
AGREEMENT

Grantor(s)
UNDERWOOD, LAWRENCE T., II, CRUTTENDEN, THERESA MARIE, L/, FAIRFAX COUNTY BOARD OF SUPERVISORS, A

Grantee(s)
CRUTTENDEN, LAWRENCE R., II, CRUTTENDEN, THERESA MARIE, L/, FAIRFAX COUNTY BOARD OF SUPERVISORS, A

Tax Map Number
[redacted]

FORM #1

1023 10080013
Request Number Tax Map Number

**HOLD HARMLESS AGREEMENT**

THIS AGREEMENT, made this 22 day of January, 2022, by and between Lawrence R Cruttenden II and Theresa M Cruttenden TR hereinafter the "Owner", and the Board of Supervisors of Fairfax County, Virginia, hereinafter the "County";

**WITNESSETH:**

WHEREAS, the Owner is the owner of certain real property, more particularly described as Riverside Gardens Lt 13 Blk 8
Insert Legal Description of Property
as recorded in the land records of Fairfax County, Virginia, in Deed Book 24584 at Page 2041 hereinafter called the "Property," and

WHEREAS, part of the above-described property of the Owner is located within the county regulated flood plain as designated and adopted by the County; and

WHEREAS, the County has advised and warned the Owner of the location and existence of the flood plain; and

WHEREAS, the Owner nonetheless wishes and elects to build at its own risk within that flood plain;

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other goods and valuable consideration, the parties hereto agree as follows:

1. The County hereby permits the Owner to construct or cause to be constructed reconstruction of existing on deck on the above-described property within the county regulated flood plain as shown on Attachment A.
2. The Owner, its executors, administrators, assigns and any other successors-in-interest shall indemnify and hold the County, its agents and employees harmless for any and all damages, accidents, casualties, injuries, costs, charges, liabilities, occurrences or claims which might arise or be asserted against the County by reason of the construction, existence, presence of flooding of the reconstruction of an existing deck or any appurtenances thereto.
3. In the event a claim is asserted against the County, its agents or employees, the County shall promptly notify the Owner, and the Owner shall defend at his own expense any suit based on such claim. If any judgment or claims against the County, its agents or employees shall be allowed, the Owner shall pay all costs and expenses in connection therewith.
4. It is expressly understood and agreed that the maintenance of the reconstruction of an existing deck shall be solely the responsibility of the Owner or its successors in interest.
5. This Agreement shall constitute a covenant real running with the land and shall be recorded amongst the land records of Fairfax County, Virginia.

Page 1 of 2

Revised 3/3/2017

IN WITNESS of all of which, the parties hereto have caused this Agreement to be executed under seal on their behalf.

Signature: Lawrence R Cruttenden II
Signature
Theresa Cruttenden Owner
Print name and title
Lawrence R Cruttenden II Owner
Print name and title

Address (Type or Print): 8418 Masters Court, Alexandria VA 22308

STATE OF Virginia, COUNTY/CITY OF Alexandria

I, [redacted], a Notary Public in and for the State and County/City aforesaid, do hereby certify that Lawrence R Cruttenden II and Theresa M Cruttenden TR whose name(s) is/are signed to the foregoing instrument, this day personally appeared before me in my State and County/City aforesaid and acknowledged the same.

Given under my hand this 22 day of January, 2022

My commission expires: 04/30/2025

[redacted]
NOTARY PUBLIC (sign & seal)

IN WITNESS of which, the Board has caused this Agreement to be executed on its behalf.

BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

By: [redacted]
Director, Land Development Services or designee

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

This 24th day of January, 2022, appeared before me in my State and County aforesaid, Brenda L Muller, Director, Land Development Services, and acknowledged the signature.

My commission expires: 4/30/2025

[redacted]
NOTARY PUBLIC (sign & seal)

Page 2 of 2

Revised 3/3/2017

**On Nov 8, 2021, at 5:10 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Homeowners Submission to the State Building Code Technical Review Board Appeal Case/ Appeal to the Review Board for Fairfax County (Appeal No. 24-10)
Theresa Cruttenden
8418 Masters Court, Alexandria, VA 22308 /Cell Phone: 703-217-6982
FFC Reference #: ALTR-213000368

George,

Resending in case this document version works better for you.

Thanks
Theresa
<Document_2021-11-08_095405.pdf>

## FLOODPLAIN USE DETERMINATION REQUEST

Site Development and Inspections Division
Fairfax County Land Development Services
12055 Government Center Parkway, Suite 535, Fairfax, VA 22035
Phone: 703-324-1720, TTY 711
www.fairfaxcounty.gov/landdevelopment/

When a property is in or near the floodplain, a determination is required to ensure the proposed improvement qualifies as a "permitted use" in the floodplain. The Director of Land Development Services (LDS) is responsible for the administration of the Floodplain Regulations in Section 5105 of the Zoning Ordinance. LDS reviews all proposed uses and development to determine whether it is in the floodplain, and if it is permitted in accordance with the provisions of subsection 5105.3 and the use limitations of subsection 5105.6 of the Zoning Ordinance. In addition, there is a 15-foot minimum required yard (i.e., setback) from the floodplain for dwellings and portions thereof (i.e., additions), as specified under subsection 5105.5.

To begin the determination process, complete the below information and submit for review by the Site Development and Inspections Division of LDS. The most common types of projects include additions to houses constructed prior to August 14, 1978, and decks. As noted below, additional information may be required to demonstrate that your project meets the requirements and qualifies as a permitted use.

**The use determination request package may be emailed to the Site Development & Inspection Division at LDSSDIDADMIN@fairfaxcounty.gov or mailed to the Herrity Building, 12055 Government Center Parkway, Suite 535, Fairfax, VA 22035. Alternatively, the request package may be placed in the secured drop box located at the front of the Herrity Building.**

This request is submitted under subsection 5105.3 of the Fairfax County Zoning Ordinance. The average review time is approximately six (6) weeks.

**Once the review of the use determination is complete, an original, notarized Hold Harmless Agreement executed by all legal land owner(s) as identified by the Fairfax County Real Estate Assessment website may be required, as determined by the stormwater specialist.**

**OWNER INFORMATION** *(please print clearly)*

NAME (print): Theresa M Cruttenden TITLE: Homeowner
SIGNATURE: Theresa M Cruttenden
ADDRESS: 8418 Masters Court
CITY/TOWN: Alexandria STATE: VA ZIP CODE: 22308
E-MAIL ADDRESS: tmc11787@cox.net
PHONE NUMBER: 703-217-6982

Page 1 of 2 8/17/2021

***NOTE: The first page was a cover sheet***

---------- Original Message ----------
From: George Karsadi <gkarsadi@cox.net>
To: Theresa Cruttenden <tmc11787@cox.net>
Date: November 3, 2021 at 8:24 PM
Subject: Fwd: RE: Flood Plain Use Determination

Hi Theresa,

Please print out and fill in the Owner information on page one and send it back to me. You do not need to fill out the second page, just the first. The permit will take at least two to three months to obtain because of the floodplain and hold harmless agreement. I am moving it along as fast as I can. Thank you

George Karsadi
GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

---------- Original Message ----------
From: LDS SDID Admin <LDSSDIDAdmin@fairfaxcounty.gov>
To: George Karsadi <gkarsadi@cox.net>
Date: November 3, 2021 at 8:11 AM
Subject: RE: Flood Plain Use Determination

Good morning,

Please fill out the Floodplain Use Determination (FPUD) request form. The average review time is six weeks from when we receive all required documents. Please make sure to fill out the entire form and return it with all necessary attachments.

This can be filled out by the homeowner or agent, and there is no fee. Please send the application and attachments to Ldssdidadmin@fairfaxcounty.gov .

Once we receive the complete form, it will be assigned to a Stormwater specialist who will review the project. Please let me know if you have any questions.

Thank you,

Nicola Mutesi

Administrative Assistant II

Site Development and Inspections Division

Land Development Services

(703)-324-1720

---

**From:** George Karsadi <gkarsadi@cox.net>
**Sent:** Tuesday, November 2, 2021 6:12 PM
**To:** LDS SDID Admin <LDSSDIDAdmin@fairfaxcounty.gov>
**Subject:** Flood Plain Use Determination

To whom it may concern,

I am applying for a permit to repair a deck and I was told it is in the floodplain and I should contact you about what to do next. The permit number is 213000368. Thank you

Sincerely,

George Karsadi
GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

---------- Original Message ----------
From: George Karsadi <gkarsadi@cox.net>
To: Theresa Cruttenden <tmc11787@cox.net>
Date: October 26, 2021 at 11:02 PM
Subject: Re: MASTERS COURT 8418 Model (1).pdf

ok i will take care of it from here, thanks

George Karsadi
GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

---------- Original Message ----------
> From: George Karsadi <gkarsadi@cox.net>
> To: Theresa Cruttenden <tmc11787@cox.net>
> Date: October 26, 2021 at 8:49 AM
> Subject: Re: MASTERS COURT 8418 Model (1).pdf

Ok

George karsadi

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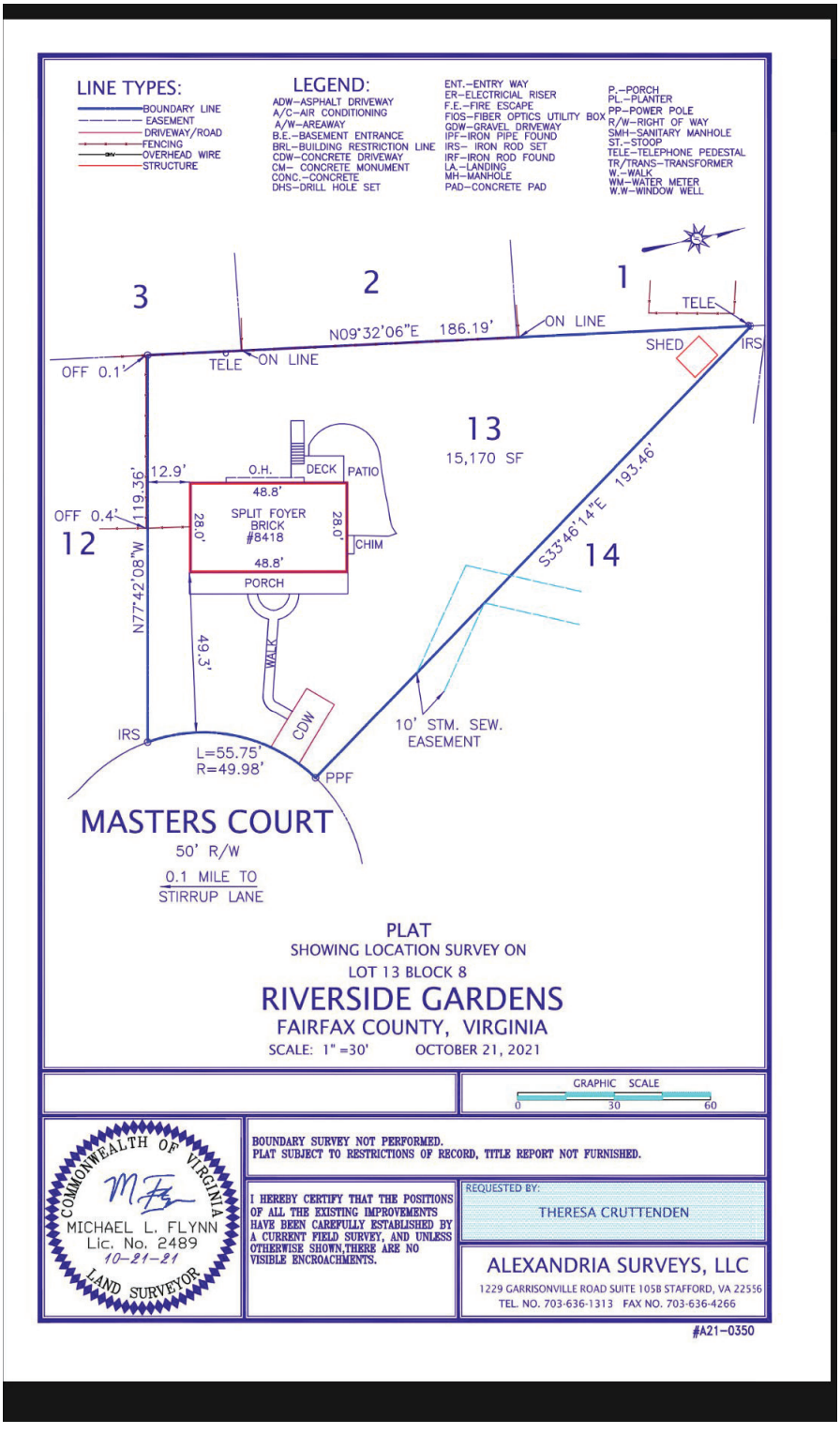
**On Oct 25, 2021, at 9:29 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George

Here is the updated survey document. Please let me know if you need anything else and when the permit documentation is submitted to the county.

Thank you
Theresa
MASTERS COURT 8418 Model (1).pdf>
Sent from my iPhone

Homeowners Submission to the State Building Code Technical Review Board Appeal Case/ Appeal to the Review Board for Fairfax County (Appeal No. 24-10)
Theresa Cruttenden
8418 Masters Court, Alexandria, VA 22308 /Cell Phone: 703-217-6982
FFC Reference #: ALTR-213000368



**From:** George Karsadi <gkarsadi@cox.net>
**Date:** October 5, 2021 at 2:28:41 PM EDT
**To:** Theresa Cruttenden <TMC11787@cox.net>
**Subject: Re: Cruttenden Screened-In Porch Project**

Hi Theresa,
Ok no problem, send it over once you get it.
Oh I think I found out where the miscommunication was with regards to the steps. If you scroll down more than halfway to April 12th, I sent you an email outlining the deck work and there is a line item #5 that can clear it up some.

I also forgot you and I discussed the porch and that is when I was completely removing the steps obviously and then when we went back to the deck, the steps were already removed in my head. Sorry for the miscommunication.
Sincerely

George karsadi

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**On Oct 5, 2021, at 9:54 AM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Good Morning George,

FYSA, I was able to track down an original plat but it's not current enough to use due to a shed replacement and move to a different part of the yard. The County states this level of detail will need to be current. I am in the process of requesting a survey which will take two to three weeks timeframe to be conducted. Hopefully will have the document with 4 weeks.

Thank you,
Theresa

Sent from my iPhone

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**On Oct 4, 2021, at 6:48 AM, George Karsadi <gkarsadi@cox.net> wrote:**

Hi Theresa,
You made a lot of accusations a and assertions pertaining to me and how I conduct my work. You make it sound like I totally messed things up and did a horrible job. Your

comments on every single thing I did from not digging properly to not installing the decking properly and the handrail is wrong and I repurposed your deck for my own is all out of left field. Your deck was rotted and there was nothing to save, nothing! Even the black pickets cannot be used either. I did not want your deck so I could use your materials elsewhere, to the contrary

I don't know why you are so stressed over this. All you had to do is give me your survey and I would get the permit and final inspection. You don't have to tell me how to build a deck and the rules for everything. And we may still need to check the patio footer too, that is not out of the question.

As far as changing things midstream, I told you about the steps and landing and that I had to change it a little because I couldn't have known the exact heights of everything. You are making this way bigger than it needs to be. But it seems everything is wrong with the deck and I did a horrible job. I installed the decking correctly. I installed the handrails correctly and I did the best job with the space and height I had to work with. I don't care to get a permit because it will pass final inspection but I do mind having my workmanship bashed over it. I did not do a shitty job as you are pointing out in your email. I went over stuff with you before I did anything and sometimes the work needs adjusting from the contract and that's not being sneaky it's just being there and knowing the drawings are schematic in purpose and not an exact replica.

I was also mentioned the extra change because the Trex handrail is not the same as wood and I could not stretch it another step as I could with wood and that one step would mean an extra two handrail sections that I could not have known about at the time I came and we talked. So to say I am changing things and didn't tell you is not true. You never mentioned you wanted another landing or something, to the contrary we discussed and I mentioned getting rid of all that mess and making one landing with steps and you agreed and I built it that way. You did not mention your disgust or displeasure with my work when I was complete and you looked it over and was fine with the way it turned out. Now you are saying that it is not what you thought you were getting?

Lastly get some perspective, we are talking about a small little deck project not a huge screened porch. I used existing framing and nothing is hidden. You are making a mountain out of a molehill.

I will get your permit and final inspection. If the inspector wants to see something then I will show him. The footer in your patio is not out of the question because you spoke with someone at the county. So you cannot say everything I did is wrong but whatever someone else did was correct. That even includes the footer in your patio. So there is nothing you need to do it will be done correctly and I have nothing to hide from the inspector. I think at this point you are looking and convincing yourself that I did everything wrong and that is stressing you out.,

Lastly. This was not a rushed job and it is not diminished work!! I built your deck personally and put in every piece myself. So to say I did diminished work is a personal attack on me and my craft!

Number: 1 Author: Theresa Cruttenden Date: 2/20/2023 8:00:00 PM

The email he references is dated 4/12/2021 at 9:32 PM. Item #5 in that email states, "Install a set of steps to the ground with a top and bottom landing," while his signed proposal dated 4/20/2021 specifies two 4x4 landings without indicating their locations. Despite this, he only constructed a single 4x8 lower landing, a significant deviation from both plans.

After completing the demolition and starting to frame the upper deck, Mr. Karsadi proposed expanding the deck surface instead of building a step down to a landing. I later realized, however, that his unexpected recommendation did not consider the overall flow and alignment of the stairs to ensure safe passage past a section with a significant drop. His disregard for this essential design consideration led directly to a code violation, as the 4x8 landing now requires additional (partial) railing on one side for safety. The prior deck design successfully addressed this issue by ensuring that the stairs and upper and mid landings with railings provided secure passage beyond the drop, but Mr. Karsadi's change compromised this, either through oversight or failure to consider this essential aspect in his redesign. Although he presented his change as an improvement, it ultimately resulted in an unacceptable and non-compliant layout.

In a previous email dated October 14, 2020, at 9:19 PM (regarding a larger deck project that plan I ultimately decide against), Item #5 included "Install steps to the ground with an intermediate landing," reinforcing my preference for staggered landings rather than a straight staircase. His email from 4/12/2021 also references "4x4 upper and lower landing," yet at no point did I agree to a landing larger than 4x4 at the bottom, especially without additional safety considerations.

Number: 2 Author: Theresa Cruttenden Date: 4/6/2024 5:41:00 PM -04'00'

The contractor's responses show a pattern of non-compliance, lack of accountability, and a disregard for best practices. His dismissive attitude and evasive explanations emphasize his unwillingness to take responsibility or deliver the quality of work I expected when I hired him as a licensed professional. His behavior further underscores the need for these deficiencies to be fully addressed to ensure the safety and compliance of this project, as well as to restore the confidence I should be able to have in this structure.

I have noted multiple inconsistencies, evasions, and concerning omissions in his explanations. Here's an outline of specific issues:

1.Stair Design and Landing Changes:

Inconsistency: The contractor claims that he "mentioned getting rid of all that mess and making one landing with steps," and that I agreed to this. However, I explicitly stated that I wanted the same stairs footprint and configuration as the original deck, with staggered landings. A single landing was never mentioned, discussed or agreed to especially without seeing diagrams or a detailed plan. If he stated it would result in a 4x8 lower landing, I would have immediately disapproved. He only presented the elimination of the step down to the upper landing in order to provide me more deck surface space. In following discussions, he started to refer to the upper deck as one of the two (2) landings he built for me. When I stated there was no upper landing, since he eliminated as a better consideration, h then stated instead of the two 4x4 landings, he provided me a larger single 4x8 landing as if this was a better option.

Responsibility Avoidance: The contractor suggests I approved the changes he made, but he never provided diagrams or clear plans, making it impossible for me to understand or approve his approach fully. By not communicating these adjustments, he disregarded my preferences and assumed I would accept whatever he built.

Misrepresentation of Costs: The contractor later claimed he hadn't ordered enough railing and that an additional $500 would have been needed. He made this decision without consulting me, disregarding my right as the homeowner to decide on any project expenditures.

2. Professional Oversight and Permit Requirement:

Improper Handling of Permit Requirements: The contractor's claim of not knowing a permit was required for this project is implausible, given his stated experience. Fairfax County's regulations clearly require permits for deck alterations, and he should have been aware of this. This responsibility falls squarely on him as the licensed professional I hired.

Dismissive Tone on Safety Compliance: He downplays the importance of obtaining a permit, stating, "I don't care to get a permit because it will pass final inspection," which dismisses both safety and legal requirements. This response shows a lack of respect for my concerns and the official inspection process.

Utility and Site Preparation Neglect: The contractor neglected to consult with Ms. Utility to assess the safety of digging near electrical wiring, even though I have underground lines in the area where he proposed digging. This disregard for site safety protocols could have posed significant risks.

3. Dismissive and Unprofessional Language:

Use of Dismissive Language: He refers to the project as "a small little deck project," suggesting that my concerns are exaggerated and that I'm "making a mountain out of a molehill." This minimizes the significance of code compliance, safety, and quality of work.

Unprofessional and Derogatory Language: The contractor used words like "shitty" to describe the deck, which was unprompted and inappropriate. His choice of language was unnecessary and reflects poorly on his professionalism.

4. Lack of Professional Accountability:

Comments from page 40 continued on next page

comments on every single thing I did from not digging properly to not installing the decking properly and the handrail is wrong and I repurposed your deck for my own is all out of left field. Your deck was rotted and there was nothing to save, nothing! Even the black pickets cannot be used either. I did not want your deck so I could use your materials elsewhere, to the contrary

I don't know why you are so stressed over this. All you had to do is give me your survey and I would get the permit and final inspection. You don't have to tell me how to build a deck and the rules for everything. And we may still need to check the patio footer too, that is not out of the question.

As far as changing things midstream, I told you about the steps and landing and that I had to change it a little because I couldn't have known the exact heights of everything. You are making this way bigger than it needs to be. But it seems everything is wrong with the deck and I did a horrible job. I installed the decking correctly. I installed the handrails correctly and I did the best job with the space and height I had to work with. I don't care to get a permit because it will pass final inspection but I do mind having my workmanship bashed over it. I did not do a shitty job as you are pointing out in your email. I went over stuff with you before I did anything and sometimes the work needs adjusting from the contract and that's not being sneaky it's just being there and knowing the drawings are schematic in purpose and not an exact replica.

I was also mentioned the extra change because the Trex handrail is not the same as wood and I could not stretch it another step as I could with wood and that one step would mean an extra two handrail sections that I could not have known about at the time I came and we talked. So to say I am changing things and didn't tell you is not true. You never mentioned you wanted another landing or something, to the contrary we discussed and I mentioned getting rid of all that mess and making one landing with steps and you agreed and I built it that way. You did not mention your disgust or displeasure with my work when I was complete and you looked it over and was fine with the way it turned out. Now you are saying that it is not what you thought you were getting?

Lastly get some perspective, we are talking about a small little deck project not a huge screened porch. I used existing framing and nothing is hidden. You are making a mountain out of a molehill.

I will get your permit and final inspection. If the inspector wants to see something then I will show him. The footer in your patio is not out of the question because you spoke with someone at the county. So you cannot say everything I did is wrong but whatever someone else did was correct. That even includes the footer in your patio. So there is nothing you need to do it will be done correctly and I have nothing to hide from the inspector. I think at this point you are looking and convincing yourself that I did everything wrong and that is stressing you out.,

Lastly. This was not a rushed job and it is not diminished work!! I built your deck personally and put in every piece myself. So to say I did diminished work is a personal attack on me and my craft!

Failure to Address Workmanship Issues: In my email, I highlighted specific quality concerns such as the poor condition of PVC framing, damage to the railing, improper handling of the deck support, and debris left behind. The contractor's response barely addressed these points and failed to take ownership, instead focusing on deflecting responsibility.

Disregard for Client Communication: I requested diagrams and plans to understand the changes, but he didn't provide any, leaving me without a clear view of what he was building and why changes were made. His lack of communication and transparency is concerning and shows an ongoing lack of professionalism.

5. Critical Structural Concerns:

Cantilever Violation: The contractor didn't explain why he bypassed the existing framework or support posts, instead improperly attaching the upper deck to the cantilever. This choice was not only a violation but also compromised the deck's structural integrity.

Foundation Issues Left Unaddressed: His claim of using "existing framing" is inaccurate because he cut down existing posts rather than reusing them to support the stairs and landings. This oversight is concerning, especially as it results in another code violation and will now require new footers under the stairs.

6. Impact on Me as the Homeowner:

Emotional and Financial Impact: His disregard for proper permitting, site preparation, and the inspection requirement has placed an undue burden on me, both emotionally and financially. His dismissive attitude and evasive behavior have only compounded the stress and frustration I've faced throughout this project.

Lack of Transparency on Compliance: By making changes without informing me and dismissing the significance of safety codes, he has left me with a structure I cannot confidently deem safe or compliant. His disregard for transparency throughout the process has left me questioning the quality of the entire project.

I will get your permit as I stated above. I will stop by today and get the measurements I need and to relook over my horrible work.
I also don't know what your sliding door has to do with me. I didn't do anything to it and if there is an issue with it now then that is not my fault. I don't know who you spoke with but they put a lot of negative information in your head and scared you into believing it's all wrong and everything is a mess and what a unprofessional contractor who left you with an indescribable shitty deck! I will be over there today to see how dilapidated the deck is. Oh I brought the height of the landing up to you when I was there and you did not have a concern. Code is 29" without a handrail so 12" is a lot lower than that. Your last landing was higher and needed a handrail but this one is lower and if you wanted one put in you could have asked me or mentioned it.
See you soon, have a good day

George karsadi

--------- Original Message ----------
From: Theresa Cruttenden <tmc11787@cox.net>
To: gkarsadi@cox.net
Cc: Theresa Cruttenden <tmc11787@cox.net>
Date: October 4, 2021 at 12:14 AM
Subject: Re: Fwd: Cruttenden Screened-In Porch Project

**On October 3, 2021 at 11:42 PM Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George,

Sorry for the delay but was working long hours these last few weeks in support of end-of-fiscal year initiatives.

First just to clarify, I am raising the need for a deck permit because it has been brought to my attention that one should have been submitted before any alterations were made, which I confirmed at the FFC website and directly with the County office. The FFC Website states the following:

"You will be required to obtain a residential addition building permit to construct a deck or to make alterations to an existing deck".

The county recommended I reach out to you to address this requirement. They shared that all licensed deck contractors should be aware of this requirement. The county stated a permit request, and the required inspection still needs to be addressed and met. The website notes:

"Homeowners may obtain permits in their own name. However, it is strongly recommended a properly licensed contractor pull the permits as the responsible party so the county can better assist in gaining compliance for defective work."

In this case, the County states even though the work had been done prior to permit approval, the contractor will be responsible for achieving compliance for any defective non-compliant work that may need to be addressed based on the inspection outcome/report, to obtain approval for what was built. The County recommended I ask the contractor to apply for the permit.

The FFC website states the following regarding submission of the building plan:

When applying for a permit the plans must meet or show the following, if applicable:

- Minimum scale of ¼ inch = 1 foot; fully dimensioned.
- Minimum sheet size: 8 ½ x 11 inches.
- Code year and local design criteria used for the design.
- Name, address and occupation of the designer.
- Footing details including depth below grade (footing depth is 24 inches).
- Framing plan (bird's eye view) of the size, spacing and length of all posts, joists and beams.
- Guard details.
- Stair and handrail details.
- Details of all connections.
- Hot tub weight requirements, if applicable.
- Decking or guards composed of foreign lumber or plastic must be evaluated by an authorized listing agency.

"Most plan requirements listed are not necessary if you agree to use typical deck drawings. You may also draw your own framing plan and supplement your design with elements from the typical drawings."

Based on my conversations with the County representative, in addition to completing the necessary permit requirements you will need to ensure the site is prepped in advance to support the inspection, such as digging around new footings, and possibly one of the original footings where the stairs were re-built but mostly likely not on the patio section where the originals remained. There will need to be some level of PVC removal as part of the inspection, but no jackhammering of the original remaining footing on the patio area will be required. More information will be provided when the

County schedules the inspection to ensure all prep work is addressed in advance. Any replacement of PVC will need to be addressed by you.

Regarding your inquiry if there is something wrong with the deck, I do have some concerns with the workmanship but right now my primary focus is ensuring the permit approval process is fully addressed. I also consulting the Trex Company directly and they informed me if the deck was not built properly, the Trex warranty would be voided. My understanding, based on my research and review of the FFC "Typical Deck Details", based on 2015 Virginia Residential Code County documentation, any installation requirements that do not comply with the Code documentation will need to be addressed. The results of the inspection will provide identification of any deviations or issues that will need to be addressed by you.

Regarding you trying to help me out by squeezing me in, I indicated up front when you first stated it would take a year's wait time based on your current schedule, that I could and would wait the year. I never asked for you to squeeze me in. You came back and stated you determined you could work me in. Based on the professionals that have seen and reviewed the workmanship, the consensus was “this was definitely a rush job”. My expectation when you “squeezed” me in was that the quality of the work would not be diminished in any way. I agreed to let you proceed based on you stating you could do my job since you could combine my material's order with my next-door neighbor’s project and had the ability to work both projects without impact to your schedule. You also stated this was possible since no permit was required based on the replacement work you would be doing. Given that you promoted yourself as a long-time experienced high-quality licensed and professional deck builder, I trusted you would provide quality workmanship for this smaller project while taking into account any County code mandates, requirements and standards.

I would like your assurance that all requirements that should have been previously addressed and met prior to completion of my project are fully supported, after the fact by you in a professional and quality manner. I was extremely upset when you deviated from the final approved deck plan which outlined the stairs with a 4x4 upper and lower landing. This similar lay-out to the original deck design was what I explicitly wanted and therefore captured and agreed to in your proposal, but to my surprise was not followed. This change occurred during your build-out without my receiving advance notification. No discussion prior to or during the installation took place to obtain my approval based on the contracted proposal. When you completed the work and I saw and questioned the change, you stated you made the decision to deviate from the plan since additional railing was needed and would have to be ordered at a cost $500. It is not clear how a proclaimed licensed deck builder expert would not have captured the full railing requirement based on the original plan, and even more perplexing how you thought it was acceptable to change the plan without my prior consultation and approval as the consumer. This was and still is a major issue that I have not come to terms with and I continue to receive negative feedback and questioning on how any professional would

think the unapproved deviation from the agreed upon stairs design layout would be appropriate, appealing, acceptable, and safe since the opening on both sides of the unusually extra-long platform at the base of the stairs, can lead to an accident, given the drop on each side of this platform is about a foot, with no railing or something to protect someone (such as a child or elder) from accidently falling over the unprotected sides.

The original well-built and methodically positioned stair posts were not reused as part of your plan but were instead re-purposed for your own personnel home project. Something that was conveyed to me by my neighbor based on a what you had mentioned was your intention. This was extremely disturbing since you charged me an extra $300.00 for the additional labor related to digging up around my original stair posts to remove and replace them with your posts. I was left with a tremendous amount of sawdust on my slate patio from the surface-sanding done prior to being taken away by you. A mess that I had to clean-up after you left on that Friday afternoon.

Also, another concern, in addition to the mess that was left from the digging, pertains to the improper refilling and leveling of the soil where the original post removals and new post insertions were made under the stairs. The soil surface area under the stairs was not properly re-filled, packed and re-leveled after the new post were installed and has resulted in excessive soil settlement and separation issues with noticeable ground “cracks”, indents, holes, and dips in the soil, under the stairs and around the base of the newly installed posts. These issues never existed previously.

There are other items of concern that I would like to bring to your attention and need to be addressed. A damaged metal railing (inside part) was installed on one side of the stairs. The damage either occurred during installation or the railing was received damaged and installed, as is. Please note, the metal on the inside of the railing that is damaged, if grabbed by someone in that precise location, can cut/scratch someone's fingers. Additionally, based on communications with Trex, I was informed that Trex installers know to use the non-clip deck material where the stairs start, not the improper piece that was instead used for the clip type installation method. They said the extra work to cut this piece for the top of the stairs is standard proper installation, but for my installation, was not done.

The workmanship on how the PVC framing was installed around the posts and under the deck can only be described as an "unprofessional, sloppy rush job", that needs to be re-addressed. It has also been brought to my attention, since the new deck is slightly lower than the original deck, the existing Anderson sliding glass door that opens onto the deck now lacks the necessary doorframe support that was previously in place. I was informed that this should have been and must be addressed and re-supported to avoid damaging the existing sliding glass door. Professionals questioned how this was not addressed as part of the work completed for this current deck installation. I will also need assistance with removing the caulk smears that were never cleaned up on the deck surface since it will take more than soap and water to remove. Since no final

clean-up took place, I had to personally remove significant amounts of small and medium size debris to include digging up nails, large and small chunks and pieces of the demo wood under and around the area of the stairs and patio.

This has been an extremely stressful and upsetting experience. At the time that you had built my deck, I had just returned from caring for my 85-year-old mother shortly after recovering from a serious illness, myself. I was juggling all of this while working long hours and the one thing I felt I did not have to worry about was you building my deck. I trusted you based on how you promoted yourself as being a highly qualified professional who has years of experience in building high-quality long-lasting decks based on your quality workmanship and expertise. I spoke highly of you to my neighbor based on what you had previously shared with me and the amount of decks you had built in in Northern VA. Now I find myself reaching out to you to request that you properly and fully address the necessary County permit submission process, inspection requirements, and any potential non-compliant findings, to include putting everything back in order as a result of the prep work that will be needed to support this after-the-fact inspection, and the items where poor workmanship has been brought to my attention as needing to be addressed to avoid future issues related to the deck.

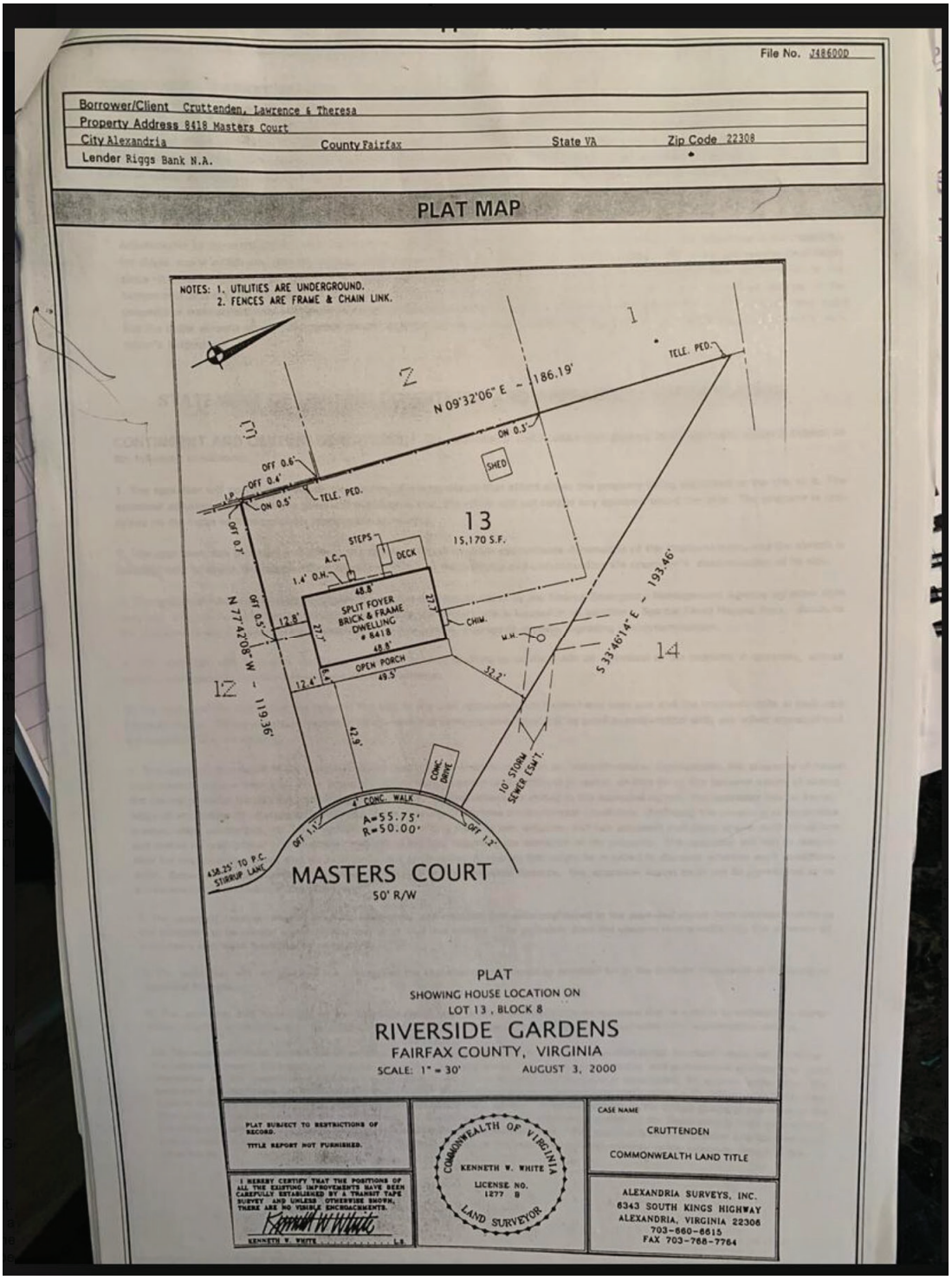
I have attached my plat, as requested. Please keep me posted on the progress and timeline to have the permit fully submitted. I was informed by the County that contractors can provide the homeowner access to the FFC FIDO account established at the website for their property to allow for review and monitoring of the application and submission process. As the homeowner, I am requesting this access once established and submitted. If you need to come to my residence to review anything in support of the permit process, please coordinate in advance with me on when you may need to stop by. I look forward to hearing back from you.

Thank you,

Theresa Cruttenden

8418 Masters Court, Alexandria, VA 22308

703-217-6982



File No. J486000

Borrower/Client Cruttenden, Lawrence & Theresa
Property Address 8418 Masters Court
City Alexandria County Fairfax State VA Zip Code 22308
Lender Riggs Bank N.A.

PLAT MAP

NOTES: 1. UTILITIES ARE UNDERGROUND.
2. FENCES ARE FRAME & CHAIN LINK.

N 09°32'06" E - 186.19'
TELE. PED.
ON 0.3'
SHED
OFF 0.6'
OFF 0.4'
I.P.
ON 0.5'
TELE. PED.
OFF 0.7'
13
15,170 S.F.
STEPS
DECK
A.C.
1.4' O.H.
48.8'
SPLIT FOYER
BRICK & FRAME
DWELLING
# 8418
48.8'
OPEN PORCH
49.5'
CHIM.
W.M.
S 33°46'14" E - 193.46'
14
N 77°42'08" W - 119.36'
OFF 0.5'
12.8'
27.7'
12.4'
6.6'
32.2'
42.9'
CONC. DRIVE
10' STORM SEWER ESM'T.
4' CONC. WALK
A=55.75'
R=50.00'
OFF 1.1'
OFF 1.2'
438.25' TO P.C. STIRRUP LANE
MASTERS COURT
50' R/W

PLAT
SHOWING HOUSE LOCATION ON
LOT 13, BLOCK 8
RIVERSIDE GARDENS
FAIRFAX COUNTY, VIRGINIA
SCALE: 1" = 30' AUGUST 3, 2000

PLAT SUBJECT TO RESTRICTIONS OF RECORD.
TITLE REPORT NOT FURNISHED.

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A TRANSIT TAPE SURVEY AND UNLESS OTHERWISE SHOWN, THERE ARE NO VISIBLE ENCROACHMENTS.
Kenneth W. White
KENNETH W. WHITE L.S.

COMMONWEALTH OF VIRGINIA
KENNETH W. WHITE
LICENSE NO. 1277 B
LAND SURVEYOR

CASE NAME
CRUTTENDEN
COMMONWEALTH LAND TITLE

ALEXANDRIA SURVEYS, INC.
6343 SOUTH KINGS HIGHWAY
ALEXANDRIA, VIRGINIA 22306
703-660-6615
FAX 703-768-7764

---------- Original Message ----------
From: Theresa Cruttenden <tmc11787@cox.net>
To: George Karsadi <gkarsadi@cox.net>
Date: 09/22/2021 9:02 PM EDT
Subject: Re: Cruttenden Screened-In Porch Project

George,

I am looking into this and will get back to you this weekend.

Theresa

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On September 22, 2021 at 4:24 PM George Karsadi <gkarsadi@cox.net> wrote:

Hi Theresa, I have not received your survey yet. I need that in order to pull a permit, can you send it please? Thank you

George karsadi

**----------**

From: Theresa Cruttenden <TMC11787@cox.net>
Date: September 20, 2021 at 11:23:25 AM EDT
To: Theresa Cruttenden <TMC11787@cox.net>
Subject: Re: Cruttenden Screened-In Porch Project
Hi George,

I did not ask for a permit. It was brought to my attention by a couple gold who came by to see the deck. They advise that a permit was needed and when I checked with the county engineer, he confirmed. Given the amount of deck you do and what their website clearly states, all felt you should have known this. Additionally, all that have looked at the deck estimates it was definitely a “rush job”. The footing in the ground under the stairs will need to be dug up so they can inspect. I will get more details when they request an appointment to indirect. I have filled out most of the information with the help of a professional. There have been some indications that some things may not have been done correctly, maybe not major but will need to be addressed. Will wait for the inspection report to document. It was also questioned by all why didn’t
> > Sent from my iPhone

# Page: 47

Number: 1 Author: Theresa Cruttenden Date: 10/30/2024 5:28:00 PM -04'00'

I realize there were multiple typo's in this message sent from my iPhone. I was at work so was rushing to respond back and it prematurely sent before I could finish my response and address my typos.

Number: 2 Author: Theresa Cruttenden Date: 10/31/2022 6:34:00 PM -04'00'

Note #11. Typo, meant "folks"

Number: 3 Author: Theresa Cruttenden Date: 10/31/2022 6:35:00 PM -04'00'

Note #12. Typo, meant "your"

Number: 4 Author: Theresa Cruttenden Date: 10/31/2022 6:37:00 PM -04'00'

Note #13. Typo meant "states"

Number: 5 Author: Theresa Cruttenden Date: 10/31/2022 6:38:00 PM -04'00'

Note #14. Typo meant "inspect".

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**On Sep 11, 2021, at 9:46 AM, George Karsadi <gkarsadi@cox.net> wrote:**

Hi Theresa,

No problem I can take care of it. Quick question, is there something wrong with the deck? Just curious why you need a permit for something that was already permitted? I built it because it was the same footprint and framing was only changed at the steps. I didn't think that was an issue since the size is small. It takes a few months to get a permit back then and I was already booked so I was trying to help out and squeeze you in without feeling like I was doing anything wrong honestly.
So if you want a permit then I need your house survey. The county may make me jackhammer through your patio to make sure there is a footing there so just letting you know I do not do pavers and I would only put concrete back Other than that it may take a few months to get everything finished so please be patient. Thank you

George karsadi

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**On Sep 10, 2021, at 7:24 PM, Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George,

I am reaching out to you since I need your Contractor ID number to support submission of a FFC residential permit related to the deck modification completed by you back in April 2021. I have learned that prior submission and obtaining advanced permit approval is a mandatory requirement and clearly noted at the Fairfax Country website, which is a contradiction to what you had originally stated when the proposal was provided and the project work was scheduled.

I will need the drawing which I never received and a breakdown of the square footage information to be included in the application. Based on my discussion with the FFC representative, contractors are aware of this submission requirement, prior to starting any work on an existing deck.

An inspection will be required and I'd like to get the permit completed and submitted as soon as possible to ensure this requirement is fully addressed in accordance with the County's standards and protocols.

# Page: 48

Number: 1 Author: Theresa Cruttenden Date: 10/30/2024 7:36:00 PM -04'00'

Disregard for Permitting Requirements: The contractor's question, "Is there something wrong with the deck?" suggests either genuine unawareness or feigned ignorance of Fairfax County's permitting standards. Given his claimed experience of building over 600 decks, it's unlikely he was unaware of this foundational requirement. Permits are essential not only for compliance but also to ensure that structural work, especially with modifications, aligns with safety codes. By bypassing permitting, he risked introducing safety issues that a proper inspection would have detected. This indicates an unethical prioritization of convenience over legal and regulatory obligations.

Misleading Statements about Squeezing in the Project: The contractor's claim that he was "squeezing you in" as a favor is misleading. In a separate email, he noted, "I will build your deck right after the McDade's deck and... squeeze you in possibly at the end of this week or next week. Will that work? You cannot tell anyone that I put you in ahead of them either please." He implies that this was a favor to me, but in reality, this schedule accommodated his own benefit. I had already communicated that I was willing to wait up to a year, and at no point did I request that he prioritize my project in a way that bypassed regulatory standards.

Inconsistent Statements on Footprint and Framing: His claim that he "built it because it was the same footprint" conflicts with his admission of framing changes at the steps—alterations directly affecting the structural design. His description of the project as "small" dismisses the fact that permitting standards apply to all projects involving structural adjustments. This inconsistency suggests either an inadequate assessment of the existing layout or a deliberate minimization of the changes that should have required a permit.

Failure to Follow Original Design: Independent professionals who reviewed the deck questioned why he deviated from the original design, which would have provided a compliant, secure structure. His decision to alter the design without following code standards resulted in non-compliant features, such as inadequate railing placements and improper step framing. Following the original design would have likely minimized the need for additional modifications and avoided design-related violations.

Deflection of Responsibility: The contractor frames his decision to skip the permit process as a favor, suggesting he wanted to "help out" and "squeeze you in." Permitting is non-negotiable for structural modifications, particularly those impacting load-bearing features. His rationale deflects accountability, making it appear as though my request required him to shortcut legal protocols, when in reality, he disregarded them for convenience.

Poor Communication Regarding Scope and Timeline: The contractor now suggests that obtaining a permit may take "a few months," advising patience. However, if he had addressed permitting at the project's outset, this delay would have been avoided. His lack of transparency and upfront communication about requirements and adherence to code has compounded issues and necessitated retrospective corrections.

Given these factors, I am urging the board to reject the contractor's appeal to dismiss documented code violations. His disregard for both permitting requirements and the overall structural safety of my deck has introduced unnecessary risks, non-compliant work, and added costs. Any leniency would validate his disregard for regulations and set a concerning precedent, undermining homeowner safety and code compliance. By upholding these violations, the board would reinforce the critical importance of transparency, accountability, and adherence to code in deck construction, protecting homeowners from similar experiences in the future.

Number: 2 Author: Theresa Cruttenden Date: 10/31/2022 6:47:00 PM -04'00'

In my communications with the contractor, I have repeatedly clarified that the permit is required by the county for the deck modifications. Despite this, he persistently redirects my statements to suggest that obtaining the permit is something I personally want, rather than a mandated county requirement. This misrepresentation minimizes the importance of compliance, reflects a dismissive attitude toward county regulations, and contradicts his own prior assertion that a permit wasn't necessary.

By framing the permit as a personal request, he deflects his responsibility to meet the necessary standards, complicating my efforts to ensure the project meets code requirements. This disregard for official permitting procedures has not only prolonged the process but has also eroded my confidence in his commitment to completing the work in a compliant and transparent manner.

Thank you in advance for your support and assistance in this matter to ensure all compliance criteria is fully addressed and achieved.

Theresa Cruttenden
Sent from my iPhone
---------- Original Message ----------
From: Theresa Cruttenden <tmc11787@cox.net>
To: Theresa Cruttenden <TMC11787@cox.net>
Date: 09/09/2021 7:55 PM EDT
Subject: Re: Cruttenden Screened-In Porch Project

Hi George,

I need your Contractor ID to support submission of a FFC residential addition permit related to the deck modification completed by you back I. April 2021. This is a mandatory requirement by Fairfax Country. Please also provide me the drawing to include the necessary square footage information. An inspection will be required and I'd like to get the permit completed and submitted as soon as possible.

Thank you,
Theresa Cruttenden

Sent from my iPhone

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Date: April 26, 2021 at 8:55:00 PM EDT
To: Theresa Cruttenden <TMC11787@cox.net>
Subject: Re: Cruttenden Screened-In Porch Project
Reply-To: George Karsadi <gkarsadi@cox.net>

Hi Theresa,
Here is the proposal. Let me know you got it, thank you again.
Sincerely,

George Karsadi
GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

# Page: 49

Number: 1 Author: Theresa Cruttenden Date: 10/29/2024 10:36:00 PM -04'00'

I accepted Mr. Karsadi's proposal in good faith, not realizing a formal contract was needed for this 'small' project. He signed the proposal himself but never indicated that I also needed to sign. It was only after issues arose and he asked for a copy of the contract that I understood the importance of having a fully executed agreement.

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**From:** George Karsadi <gkarsadi@cox.net>
**Date:** April 15, 2021 at 2:53:13 PM EDT
**To:** Theresa Cruttenden <TMC11787@cox.net>
**Subject: Re: Cruttenden Screened-In Porch Project**

Hey Theresa,
I will be able to start next week on your project. Could I get a deposit from you by chance? I ordered your materials and they will be here next week. If you want hidden fasteners it will be $400 more.
Let me know when you get a chance, thanks
Sincerely

George karsadi
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On Apr 14, 2021, at 9:30 AM, George Karsadi <gkarsadi@cox.net> wrote:

Hi Theresa,

Totally understand, I was not trying to rush you but giving you the opportunity to squeeze into my full schedule. No problem on waiting, hope you feel better

Sincerely

George karsadi

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**On April 13, 2021 at 1:44 PM Theresa Cruttenden <tmc11787@cox.net> wrote:**

Ok George,
I need to give this some thought. I'd like to get it done but need to do it smartly. If I felt better I would discuss further. If you can't wait to discuss tomorrow, I'll understand.
Thank you,
Theresa
Sent from my iPhone

On Apr 13, 2021, at 11:00 AM, George Karsadi <gkarsadi@cox.net> wrote:

Oh also I mentioned my plywood went up by $500 alone for a project but the other materials went up too, so there is a 15% increase in my materials across the board with some going up to 400% higher. So comparing the $500 difference is not helping because there is more going on than that. Thank you

George karsadi

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**On Apr 13, 2021, at 10:47 AM, George Karsadi <gkarsadi@cox.net> wrote:**

Hi Theresa,

A check would be preferred actually. I only put lights on the posts and not on the steps. I will stop by this afternoon to discuss further. Thank you

Sincerely
George karsadi

On Apr 13, 2021, at 8:48 AM, Theresa Cruttenden <tmc11787@cox.net> wrote:

Also just want to make understand difference in price compared to previous proposal. I know you mention cost of wood has resulted in about $500 difference. I want to explain the details to hubby given smaller deck. Would think it might balance out but not be higher

Thanks again,
Theresa.
Sent from my iPhone

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**On Apr 13, 2021, at 8:44 AM, Theresa Cruttenden <TMC11787@cox.net> wrote:**

Good Morning George,

Ok and transfer of funds through zelle or a check? I need to move money around. Zelle would be faster and easier. Also, I know I said lights on bannister but maybe it would be better to light up steps? I think that is how you normally do it?

Thanks
Theresa

Number: 1 Author: Theresa Cruttenden Date: 10/28/2024 12:52:00 PM -04'00'
He asked in person for the check to be made out to “cash”.

Sent from my iPhone

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**On Apr 12, 2021, at 10:57 PM, George Karsadi <gkarsadi@cox.net> wrote:**

HI Theresa,

The payment plan would be 50% down and 50% upon completion. Sorry forgot to mention in last email.

Sincerely,

George Karsadi
GLK Custom Decking
8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

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**On April 12, 2021 at 10:04 PM Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George,

The difference between the previous plan for $14,800 8x16 to today's plan to rebuild/replacement for 8x12 is the increase in the wood cost? Just want to have the details to inform my husband. I will confirm with you in the morning to proceed. Please advise on payment plan so I can plan accordingly.

Thanks!
Theresa
Sent from my iPhone

On Apr 12, 2021, at 9:32 PM, George Karsadi <gkarsadi@cox.net> wrote:

Hi Theresa,
I will send over a proposal shortly. The project would be outlined as follows;

1. Rebuild a 12x8 deck using pressure treated material.
2. Deck floor to be Fiberon Tuscan Villa PVC (30yr warranty) screwed down
3. Handrail to be Trex Artisan Series (White with black aluminum balusters)d
4. White PVC trim boards to wrap the posts and exterior framing
5. Install a set of steps to the ground with a top and bottom landing
6. Lights on the handrail posts to be solar half moon style.
7. Demo and haul away existing deck.

[1] The total cost for this project will be $14,500 today but it may go up in a few months or even possibly next year. I tell you what I can do for you. I will build your deck right after the McDade's deck and I will squeeze you in possibly at the end of this week or next week. Will that work? You cannot tell anyone that I put you in ahead of them either please. Haha Let me know as soon as you get a chance because I am ordering materials and they have a lead time and I can order yours as well. Thank you.

Sincerely,
George Karsadi
GLK Custom Decking
8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

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**On April 12, 2021 at 1:18 PM Theresa Cruttenden <tmc11787@cox.net> wrote:**
Hi George,

Thank you for taking time to stop by to talk to me. This is my email to send updated proposal for deck rebuild and two feet expansion and estimated schedule/timeframe for work to be down.

Thank you,
Theresa
703-217-6982
Sent from my iPhone

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**[2] On Oct 14, 2020, at 9:19 PM, George Karsadi <gkarsadi@cox.net> wrote:**

Hi Theresa,

# Page: 53

Number: 1 Author: Theresa Cruttenden Date: 10/29/2024 10:45:00 PM -04'00'

While I made it clear to the contractor that I was willing to wait up to a year for the deck replacement to ensure quality work in full compliance with safety and code requirements, he offered to 'squeeze me in,' framing it as a favor. This decision to accelerate the timeline, despite my openness to wait, seems to have contributed to the project's oversights and code violations. His emails reflect a pattern of prioritizing speed over thorough planning and adherence to standards, undermining confidence in his approach.

Number: 2 Author: Theresa Cruttenden Date: 10/31/2022 7:34:00 PM -04'00'

"In 2020, I initially discussed a larger deck project, both with and without screening, with Mr. Kasadi but ultimately opted for a smaller footprint to preserve sunlight over the patio area."

I got your message and my computer went down for a day but it is fixed now. Sorry for the delay. I priced up your project with the following details;

1. Demo and haul away existing deck
2. Build a 8x16 pvc deck
3. Use PVC decking for the floor boards
4. Install Trex Artisan handrail throughout
5. Install steps to the ground with a intermediate landing
6. Install white pvc trim on all the framing and structural posts
7. Permit and inspections are included

all
The total cost for this project is $14,800. Let me know if this works in your budget and I will write up a new proposal. Thank you

Sincerely,

George Karsadi
GLK Custom Decking

8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

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**On October 12, 2020 at 10:29 AM Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George,

Just saw the new plan. I have an architect coming tomorrow or Wednesday to talk to me about a layout for an additional on the right side of the home. I'm also going to see my neighbors home this week who did what I wanted to do but told me she converted afterwards to windows a year later due to too much work to keep clean from pollen and dust. I'm thinking about keeping the upper level but not as large, the stairs where they are that can maybe lead to a lower dec  My concern is that I get no sunlight underneath so it will be too dark and get mire damp and moldy  Can you give me this week to figure it all out and finalize?

Thank you
Theresa
Sent from my iPhone

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**On Oct 11, 2020, at 1:03 PM, George Karsadi <gkarsadi@cox.net> wrote:**

Hi Theresa,

Attached is the plan we discussed. Let me know if this works for you? Thank you

George Karsadi
GLK Custom Decking
8307 Sabine St. Alexandria, VA 22309
703.626.5262
www.glkcustomdecking.com

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**On September 23, 2020 at 7:30 PM Theresa Cruttenden <tmc11787@cox.net> wrote:**

Hi George,
Thank you fir your message. Are you able to send a drawing as well? I would like to review with my family. I want to show them how the stairs will look in the grand scheme of things.

Thank you!
Theresa
Sent from my iPhone

On Sep 19, 2020, at 8:01 PM, George Karsadi <gkarsadi@cox.net> wrote:
Attachment Provided
Hi Theresa,

Attached is my proposal. Please look it over and sign both the proposal and contract and send them back to me with a deposit and your house survey. If you need a survey you can call dominion surveyors to get one. Please write the deposit out to myself too, thank you.

If you have any questions please let me know, once I have everything back I will schedule you in. Thank you once again for the opportunity to build your project, it is greatly appreciated.

Sincerely,
George Karsadi
GLK Custom Decking
8307 Sabine St. Alexandria, VA 22309
703.626.5262

**On September 14, 2020 at 10:24 AM Theresa Cruttenden <tmc11787@cox.net> wrote:**

Good morning George,

This is my email address to receive correspondence.
Thank you again for your time and discussion yesterday!
I am very excited about this project and look forward to hearing back from you!
Best regards,
Theresa Cruttenden
8418 Masters Court
Alexandria, VA. 22308
703-217-6982
Sent from my iPhone


*Figure 1 - Full Deck View built by GLK Construction Services Inc.*

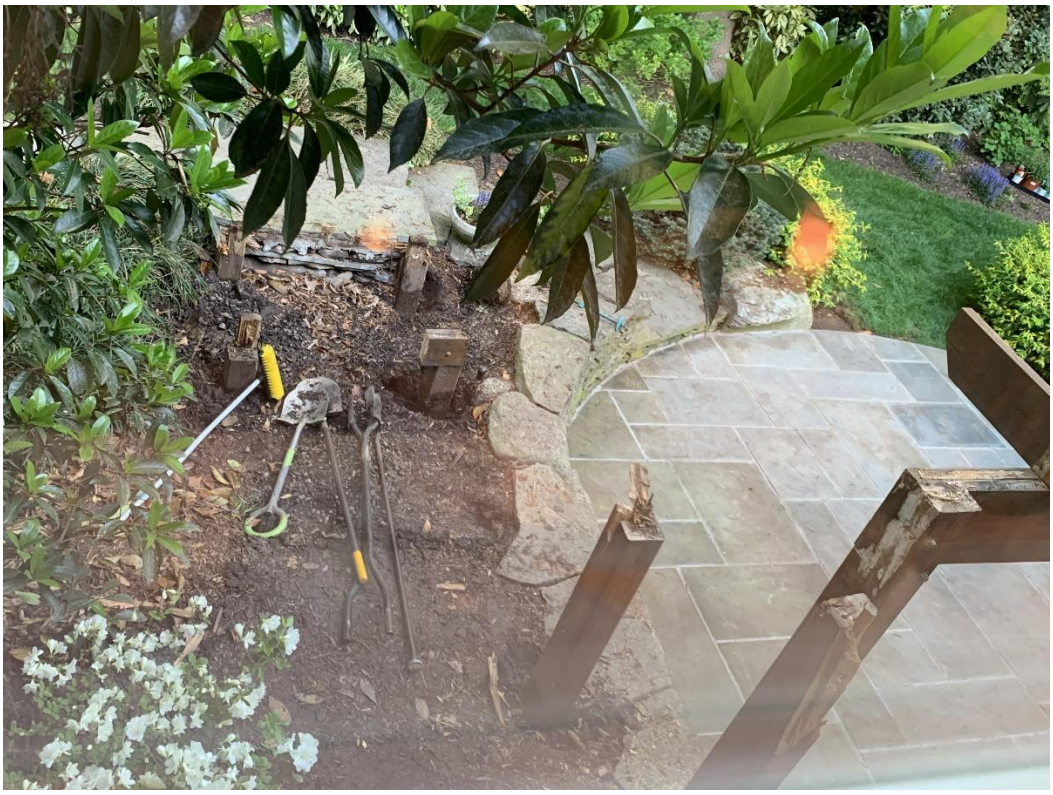

*Figure 2 - Demo photo showing removal of original deck stairs posts*


*Figure 3- Demo photo of original deck posts*

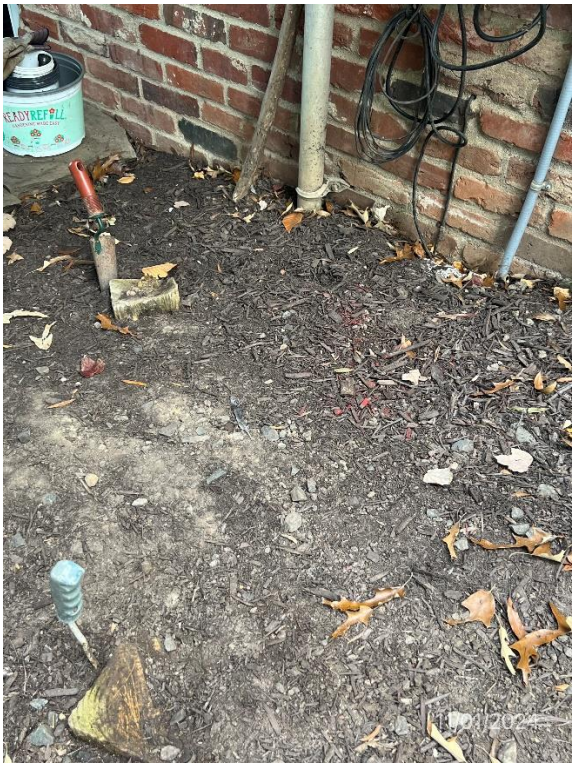

*Figure 4 - Original cut down post photos location under upper right landing where new deck was attached to cantilever*


*Figure 5 - Underside of the two existing reused posts with rot on both and alterations to one closest to patio*


*Figure 6 - Full view of incorrectly notched post with PVC removed and post to beam connection pg 14 _ figure 18*

*Figure 7 - Facing deck back right post under stairs with incorrect notch violation*

*Figure 8 - Close up of back right post under stairs that was incorrectly notched violation*


*Figure 9 - Rotting post that was incorrectly notched - Post to beam connections at top and bottom landings not attached correctly, FFC Post to Beam connection pg.14_ figure18*


*Figure 10 - Another close-up of rotting post*


*Figure 11- Original altered post with PVC removed. Top section left side where block is left unsupported - Post to beam connections violation*


*Figure 12 - Close-up of the top section of the support post that is rotted under deck - Guard Post Connections and Post to Beam connection violation*


*Figure 13 - Another snapshot of altered existing post*


*Figure 14 - Original post with alterations with rot and cracking under white PVC support beam that runs across the front of deck*


*Figure 15 - Close up of top section closest to patio post to beam connection not correctly installed per violation FFC listing*


*Figure 16 - Close up of top section closest to patio post to beam connection not correctly installed per violation FFC listing*


*Figure 17 - Another view of the post closest to the patio with support beam to its left that is open on the top where debris and water are collecting and effecting the top post's cracking and deterioration*


*Figure 18 - Stair stringer bearing incorrect measurements _ FFC Detail Stringer Bearing_ Pg 24 - figure 4*


*Figure 19 - All Guard Post connections need to be constructed per FFC Detail_Guard Post Connections Pages 20 21 and 24 Figures 37 38 and 40*


*Figure 20 - New deck extensions (blocking) are not per code. Need to be a min. 3 to 1 ratio at deck cantilever. Same for each across the underside of deck*


*Figure 21 - Spacing between guard post at top of stairs is more than 4 inches. Need to secure stair treads properly*

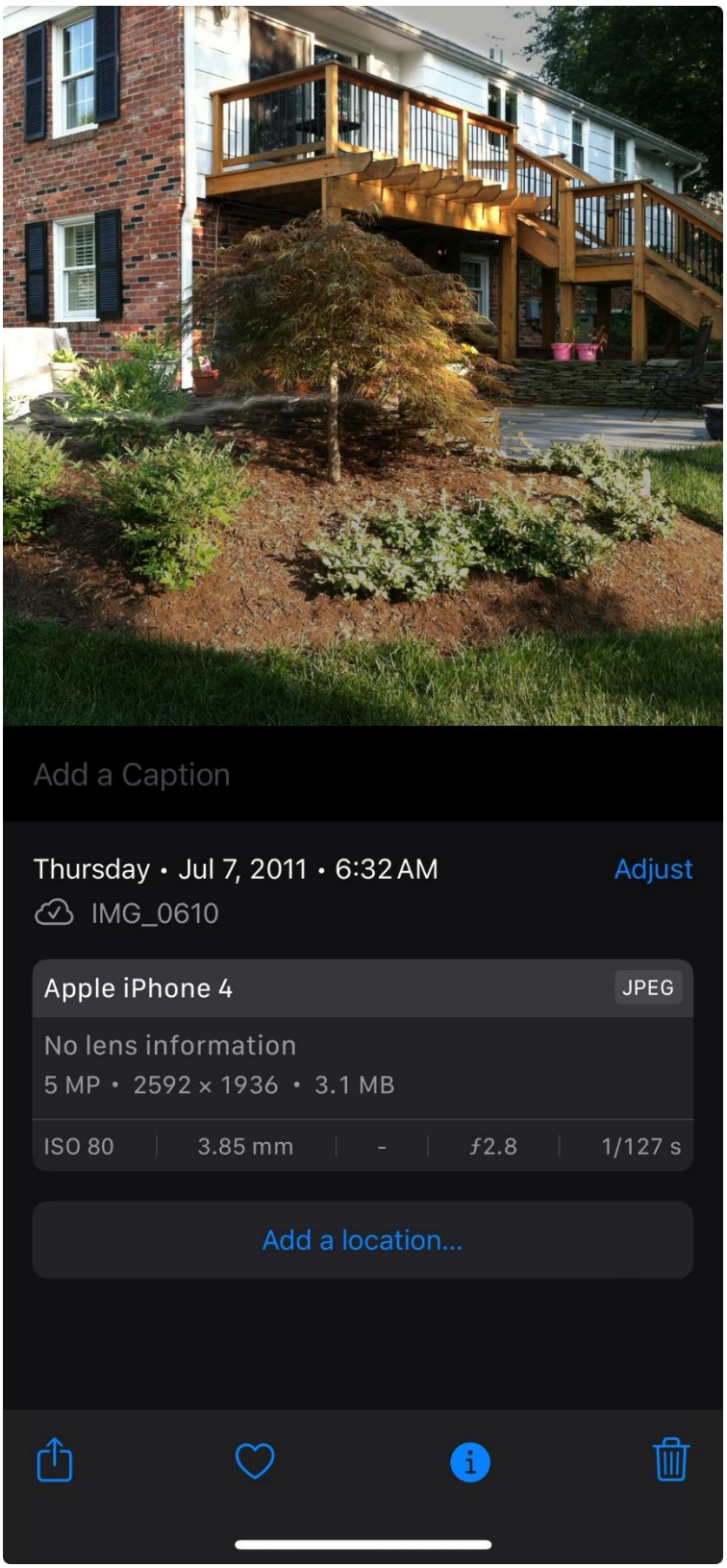


*Figure 22 - Original full view deck photo for context*

*Figure 23 - Another angle of original deck stairs for context*

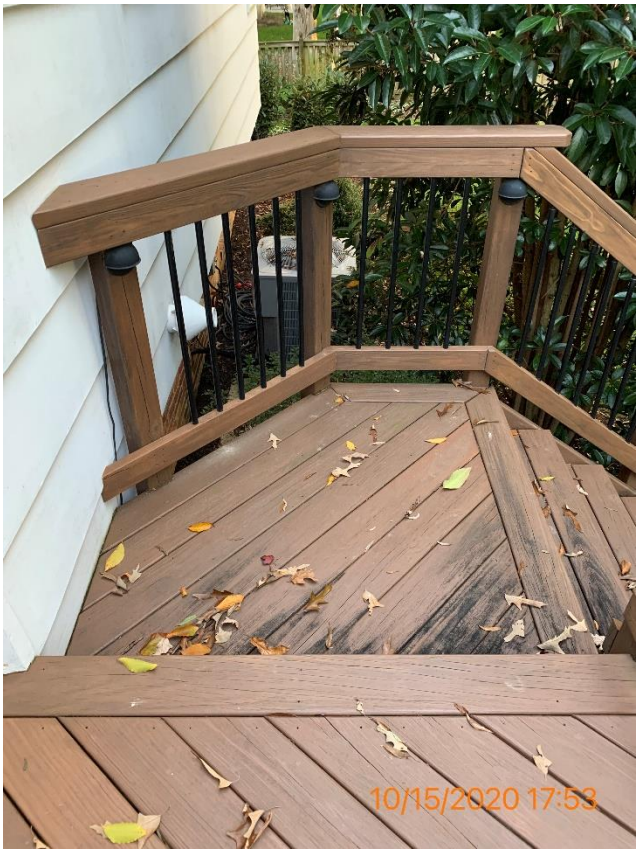


*Figure 24 - Prior deck photo provided for context of the original upper landing which had two support beams cut down. Landing eliminated by GLK and instead attached deck to cantilever*

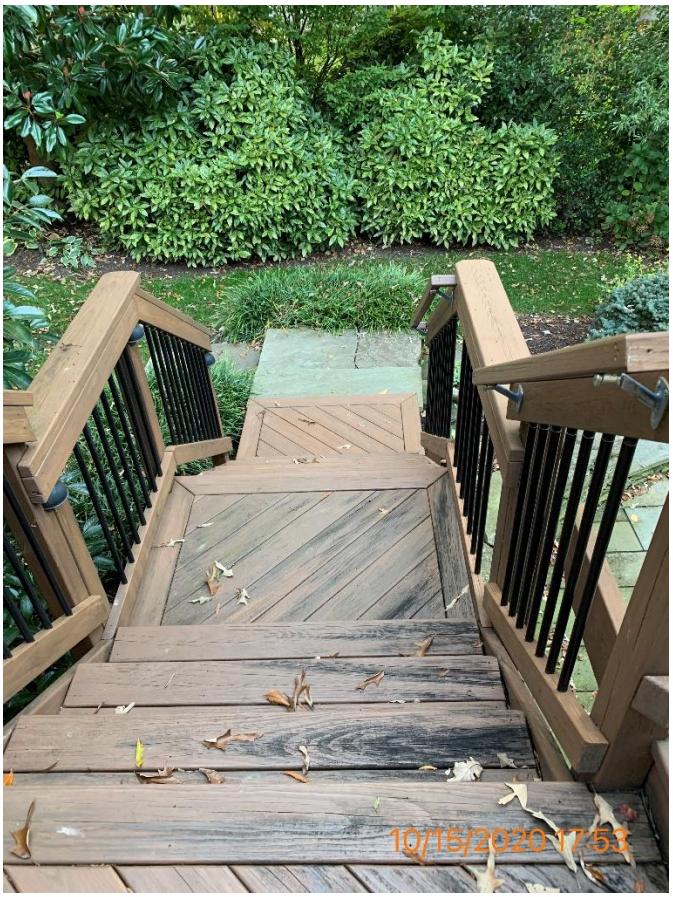


*Figure 25 - Prior deck photo of stairs footprint for context which had passed FFC inspection passed*