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PUBLISHER'S NOTE

Giselle Bernard

Publisher

I bet most of you like me have trying to wrap your head around what we should expect since the oil prices have taken such a deep plunge. In my quest to gain a sense of what may become of the Houston economy, I've started reading a variety of publications. I've learned great companies look at troubled times as polarities, neither good nor bad but a mixture of both. They focus on new solutions instead of problems, on opportunities for growth and long-term prospects instead of mere survivability. They look at glasses as half full as opposed to half empty.

Did you know that industries other than gas and oil that highly impact Houston's economy are trade and transportation, leisure and hospitality, and education and construction? Did you know that the medical sector has

experienced the fastest growth? Texas' medical center is the world's largest with three medical schools, six nursing schools and more than 20 hospitals. And did you know that the petrochemical and manufacturing sectors are expected to grow due to a decline in cost of doing business?

The Houston economy is very diversified. It's good to live in Houston!



Giselle Bernard

Publisher



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Appearances Count for RG Homes' Gabbay

By Kathy Bowen Stolz



Appearances count to RG Homes' customers, and company owner Roy Gabbay works hard to enhance the appearances of the homes he builds in the Houston area. He focuses on creating a home the owners will be proud of.

Although most custom builders hire subcontractors for all of their trades work, Gabbay chose a different route when he began RG Homes in 2010. He had noticed that many finishing subcontractors didn't seem to care about true craftsmanship; they just wanted to put in their hours and go home.

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Understanding Texas' Lien Law

By Ian P. Faria & Jon Paul Hoelscher of

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A lien is a legal right or interest in another person's property that lasts until the debt secured by the lien is satisfied. Chapter 53 of the Texas Property Code provides that a person has a lien against real estate owned by a private individual if he/she provided labor or materials for the construction or repair of a house, building, or improvement. To perfect lien rights in Texas, Chapter 53's notice and filing requirements must be followed. This article highlights some of the more important requirements for liens.

Notice Requirements

The notice requirements vary depending on whether the claimant is considered an original contractor or derivative claimant (a subcontractor or supplier). An original contractor is a person or business that enters into a contract or agreement directly with the property owner or the property owner's agent. An original contractor is not required to send notice to the property owner prior to filing its lien.

A "derivative claimant" is anyone other than an original contractor (person who has a contract directly with homeowner) that supplies labor or supplies for a construction project. Derivative claimants must provide written notice to both the original contractor (the person who hired him/her) and the property owner (homeowner).

Written notice to the original contractor must be sent by certified mail no later than the 15th day of the second month following each month all or part of the work was performed or material delivered. This requirement means that notice of unpaid balances to the original contractor for each portion of work must be sent to the original contractor approximately every 45 days.

Written notice to the property owner must be sent by certified mail no later than the 15th day of the third month following each month in which all or party of the work was performed or material or specially fabricated material delivered.

The notice from a derivative claimant requires certain statutory language putting the homeowner on notice that he/she could be personally liable for the debt. Failure to give the required notice can make any lien invalid.

Filing Deadlines

For a residential construction project, the lien claimant must file its lien with the county property records "not later than the 15th day of the third calendar month after the day on which the indebtedness accrues." Indebtedness accrues on the last day of the month in which the contract is terminated, the work completed or abandoned. This requirement means that if the original contractor's indebtedness accrues on Jan. 15, then it has until April 15 to file the lien.

The filed lien is required to be an affidavit by an agent of the claimant who swears before a notary the grounds for asserting the claim and attaches invoices or statements to prove the claim. For commercial projects, the claimant must file a lien not later than the 15th day of the fourth month after the day the indebtedness accrues.

Other requirements

Once the lien is filed, the claimant has up to one year from the date the lien is filed to file suit to foreclose the lien on a residential construction project and up to two years for commercial projects.

If the property is a homestead, then Chapter 53 has additional requirements. First, the original contractor is required to have a written contract with the homeowner, and if the homeowner is married, the contract is to be signed by both spouses. The contract is also to be filed with the county clerk where the property is located.

In addition to the filing and notice requirements, Chapter 53 contains additional requirements for contracts for residential construction projects. First, the original contractor must deliver a statutory disclosure statement to the owner at the time of contracting. The original

contractor is also required to provide the homestead owner with a list of its subcontractors and suppliers expected to be utilized on the project. The original contractor is further required to update this list by the 15th day after the list changes due to addition or deletion of a subcontractor.

Additionally, a copy of the lien must be sent to the property owner's last known business or residence address within five days after the affidavit is filed with the county clerk.

Builders, remodelers, subcontractors and their suppliers should be mindful of the notice requirements and deadlines for liens as well as the contract requirements for homesteads. Instituting a system to send notices of unpaid balances and calendaring deadlines is essential for any construction company that wishes to preserve its lien rights.



Ian P. Faria is a director at Coats | Rose in its Houston office. He is a member of the firm's construction/surety, real estate and litigation sections. He was selected as a Texas Super Lawyer "Rising Star" by Texas Monthly in 2012 and 2013, an honor conferred upon only 2.5 percent of the total lawyers in Texas.



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The Root of Nearly Every Problem

By Burk Moreland

“Communication is the responsibility of the person the end result is most important to.”

One of my early mentors, Mike Humphrey of David Weekley Homes, taught me that statement. It took me a little while to understand fully the importance and depth of what the statement meant (he might even tell you if it took a little too long to figure it out), but now I use it to coach my clients more than any other phrase.

Almost any problem, if you boil it down to its basis, is communication. Whether it is customer service, team interaction, lack of sales, poor performance or just plain not getting along, the lack of communication or effective communication is a big part of the cause. So what is the problem? Seems so easy to fix, right? It's not.

Here are a couple of examples:

Is it more important that the customer or the project manager receive progress updates for a job? Then why do I see customers constantly asking project managers for status reports? Lack of communication places the manager in a reactive, defensive mode vs. a proactive one, leaving both parties usually unhappy in this scenario. It is vital to the manager to take control of the communications to make a satisfied customer.

Is it more important that the manager or the team member learn job performance expectations? Then why do I see team members guessing what is good performance? If they lack clear goals and measurements, they typically perform poorly and get frustrated and are likely to leave

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the company. The team results will be poor too. The manager should be sure very clear what he/she expects so everyone can attempt to perform to that level.

As you revisit challenges your company faces, look at them through the lens of communication. Ask yourself, "Did we do everything possible to communicate early and often with our customers to eliminate the need for them to come to us and ask for information?" Whether your customer is external or internal, the same question applies.

Communication is something that cannot wait in most instances. If it's important that an interaction's end result is good, you'd better take control and drive the conversation. If you send an e-mail and get no reply, call to make sure the intended recipient got it. If you call and get no answer, go visit him/her to check in.

Another of my favorite phrases is "The longer it sits, the worse it gets." We live in an age of instant communications. It is no longer the days of the Pony Express. Deal quickly with whatever you need to so you can move on.

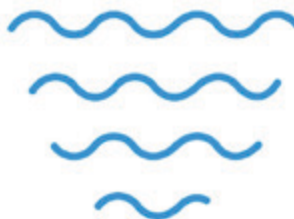
If results are important to your job, make sure your communication is your priority.

For help on this or a variety of other topics, please contact Burk Moreland to schedule a free consultation on how he can help your business get over the hurdles and stumbling blocks it is currently facing. For more information, visit www.burkmoreland.com or e-mail burk@rainmakerbuilders.com.



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“At the end of the day what most people look at is the finish work – cabinetry, trim carpentry, paint and tile. I wanted to control the quality, to make it better.”

It seemed to him that the best way to guarantee quality was to hire his own workers and personally ensure that they met his standards for quality. “Several have more than 30 years’ experience, and, since they work directly for me, I can get them to focus on details which most trim carpenters are not capable of,” he added.

Gabbay uses the same subcontractors on a repeat basis for all other aspects of building, such as framing, electrical and plumbing. Using the same subs helps build

loyalty and quality, he said. “These guys realize what I’m looking for in a house. We all work as a team.”

In addition to the tradesmen he employs, Roy has an office assistant who helps with the administrative aspects of the business. However, he handles all of the estimating, purchasing, and customer interaction himself. He also serves as the project manager/superintendent on each home. “I make sure I’m always available.” He gained experience working for his family real estate and construction business before becoming a project manager for The Hanover Co., a nation-wide luxury apartment builder. His last project with Hanover was a luxury mid-rise residential/retail complex in Rice Village. “Coming from a very structured commercial construction





background, I look at construction differently than most single family home builders.” His business degree also helps him to run his business more efficiently.

RG Homes builds spec homes using its own designs in addition to providing design/build services and constructing high-end custom homes. Its homes range from \$500,000 to \$2.5 million. Most of its customers come from personal referrals from satisfied customers, according to Gabbay.

Much of the company’s homes are built in Bellaire, where Gabbay and his family live, but RG Homes also

builds in the Braes Heights, West University, Memorial and Spring Branch areas. The popularity of those neighborhoods creates a challenge for Gabbay, making it difficult to find lots for his spec homes. The demand for his spec houses often leads to them being sold early in the construction process.

RG Homes exhibits one or two houses in the Bellaire Home Showcase every year to gain exposure to hundreds of potential clients who are able to directly compare RG Homes to its primary competitors. In the 2013 Fall Showcase he won best design, best kitchen, best master bedroom and best exterior.

“At these shows either my wife Karen, who handles most of the interior design decisions, or I am on hand to personally show the homes. We’re there the entire weekend because people want to meet and develop a relationship with the builder. Building a home is the biggest purchase that most people will make in their lives. I recognize this and try to make the process as stress-free as possible,” Gabbay said.

Roy noted that he enjoys talking with the owners after they’ve lived in their houses for a while to get their ideas



on how to improve future house designs. “I’ve become friends with virtually all of my clients.”

Gabbay loves the variety his job entails. “I actually wake up every morning excited to go to work. I really enjoy my job. Every day is different. I also get satisfaction out of driving past houses I’ve built and pointing them out to the kids.” Gabbay and his wife Karen have three daughters, with a fourth child on the way.

He noted that designing cabinets is one of his favorite tasks.



Because Gabbay enjoys working with antique wood, he buys wood from old barns and tobacco plants in the Delta, Ohio, area and ships the 100-year-old wood to Houston, where he uses it for exposed ceiling beams, flooring and custom furniture. “I sort of fell into this business. I started doing it as a hobby for my own houses but now have set up a retail company selling wood to other builders.”

His Antique Wood Co. produces furniture pieces, such as custom dining room tables and office desks. He also uses the antique wood to create barn doors for his houses. His carpenters also make specialty furniture out of old growth pine and white oak trees.

He also enjoys selecting finishes for homes; in fact, some of his custom home clients ask him and his wife to pick out everything in their homes. “Both of us have a good eye for design. Karen recently selected all the finishes for the home on Wisteria that’s featured in this magazine.”



During the next two years Gabbay would like to increase steadily his building production from 7-10 to 20 houses a year and eventually expand to finishing out offices, restaurants and retail spaces. He thinks his Antique Wood pieces could also complement these spaces.

To keep physically fit Roy plays basketball three times a week at Houston’s Jewish Community Center. He also enjoys fishing and hopes to build a second home in Galveston sometime so he can fish closer to home.

And who better to construct that second home than a builder with an eye for appealing finishes?

.....
*You may contact RG Homes at 5250 Gulfton St., Suite 2C,
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rgabbay@rghomeshouston.com.*



Morrison Supply

Showroom Houston's Hidden "Gem"

Appliances? Plumbing fixtures? Decorative hardware?

You may not think of these items as pretty baubles, but Sean Hodge calls them “jewelry for the home,” which just might make Morrison Supply’s Destination Showroom the “jewelry box” for custom homebuilders, remodelers and homeowners in the Houston area.

Morrison’s 20,000-sq-ft selection center in the heart of Houston caters to discriminating homebuyers, offering them many brands and designs, all exhibited in unique settings with interactive displays. The combination creates an experience unequaled in the market, said Hodge, builder sales manager for Morrison’s Houston operation. Visitors often exclaim, “Wow! I didn’t expect this to be here!” according to Hodge.

While the metal exterior façade may convey a utilitarian purpose, visitors find a more exotic interior. The difference between the exterior and the interior helps add to the impact of “how special this place is,” he said. The interior features a hall that evokes the streets of New Orleans with “store fronts” that serve as smaller showrooms focusing on specific product categories.

Those storefronts range from an Irish pub featuring bar sinks and faucets to a luxury kitchen sink gallery to a garden of bathroom vessel sinks. They also include selection rooms for decorative hardware for both doors and cabinets, including a display of Swarovski hardware. Yet another storefront features a Kohler Boutique with all of Kohler’s most sophisticated styles and finishes displayed.

At the end of the hallway visitors find the exclusive line of Kallista and enter the two-level “live” kitchen showplace. They may try the appliances, sinks and faucets in the five “aspiration” kitchens downstairs. “The downstairs kitchens are designed for customers to come in and say ‘this is the kitchen of my dreams,’” Hodge boasted. The upstairs appliance showroom features the newest trends and designs from many manufacturers.

“Whether it’s appliances, plumbing or hardware, we have a brand to fit every budget and a style to fit every design,” Hodge emphasized. “Homebuyers can truly customize their selections. Our knowledgeable sales associates can help guide them to the selections that meet their needs and desires.”

“The customers’ experience in the showroom creates a relationship with us and their builders that they wouldn’t normally experience elsewhere,” he noted. As the company website says, “Morrison – come for the selection, stay for the experience.”

Morrison also has a 150,000-sq-ft warehouse that houses an expansive inventory. It also offers a wide delivery area.

“We set our services up to complement our builder customers,” Hodge noted. “We see our work as an extension of the service levels our builders provide their homeowners, and we work to provide the same level of professionalism and attention to detail their homeowners expect.”

He continued, “We want to provide a turnkey experience for those building or remodeling a home.”

Its in-house appliance installation team is not only trained on all appliance brands but is also certified for those brands that offer additional warranties by having certified installers install the appliance. “By having our own in-house installation teams, we control the schedule, allowing us to finish more jobs the proper way,” Hodge explained. “Sometimes third party installers spend their days focused on the quantity of jobs as opposed to the quality of their jobs.”

Morrison also has a locksmith on hand to key every lock before delivery of its doors. Builders save time and money because they do not have to have a locksmith come back out and re-key the doors at closings. “By doing a lot of these services in-house, we can guarantee

that our customers are getting the level of service they expect,” added Hodge.

Although Morrison Supply gets much of its business through word-of-mouth referrals, it does very strategic marketing to reach builders and remodelers. It holds memberships and actively participates in the Texas Association of Builders, the National Kitchen and Bath Association, the National Association of the Remodeling Industry and the ASID. Morrison is also very active in the Greater Houston Builders Association. “We make sure we are where our customers are,” Hodge explained. “Every facet of our business is based around the construction industry.”

Morrison has invested heavily since 2007 in its Houston showroom and builder sales department, Hodge said. “We pride ourselves on the behind-the-scenes part of the business. This is where we feel we earn the opportunity



to supply and service your next house. By staying true to the level of support and services that we provide our customers, we've grown every single year despite the economic downturn," he added.

He said 2015 will be an exciting year for the company's Houston operation because it will add two new showrooms which will feature appliances, plumbing, lighting and decorative hardware. Additionally, it will add lighting to the current downtown showroom.

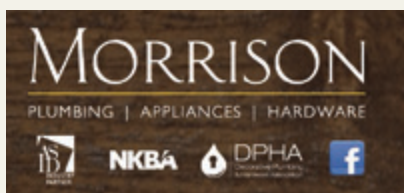
In Houston about 50 percent of its builder business comes from appliance sales, about 40 percent comes from plumbing sales and about 10 percent comes from hardware sales, according to Hodge.

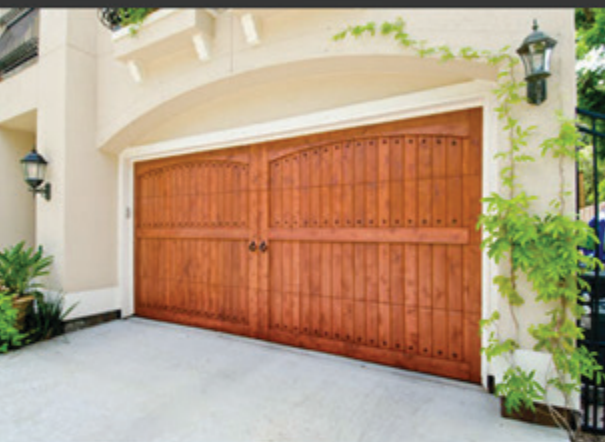
Founded in 1917, Morrison Supply Company has expanded from being a wholesale plumbing house to become the leading wholesale distributor of plumbing, HVAC and builder products in the Southwest. Adding 13 new locations in the last two years, the company currently has 120 locations, with more than 34 of them offering showrooms.

In fact, Morrison acquired Kiva Kitchen & Bath with its four showrooms in southern California and four in Texas in January. Two of those locations are in Houston and will operate as Expressions Home Gallery. The newly acquired locations will continue to offer appliances, plumbing, hardware, cabinets, countertops and outdoor cooking.

"Service-first is in our DNA. We continue to focus on the small, important details with customers being taken care of every step of the way. Our goal is not to be the biggest company in our field but to be the best company that believes in its people, customers and services," Hodge said.

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You may visit Morrison Supply's Houston showroom at 6867 Wynnwood Lane 77008-5088 Houston, TX or its website, www.morsco.com. The phone number is (713) 861-2343.





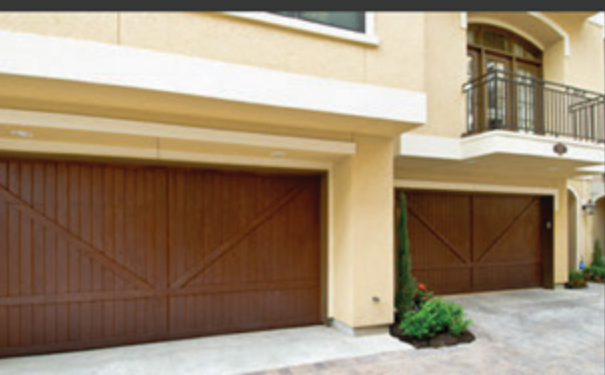
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JELD-WEN Showcases New Products

JELD-WEN showcased its Custom Wood Folding Window and the Premium Wood Swinging Patio Door at the 2015 International Builders' Show in Las Vegas last month.

JELD-WEN's new folding window and swinging patio door offer builders, architects, designers and remodelers more design flexibility and personalization, providing a transition from indoor living to outdoor entertaining. Combining JELD-WEN's Folding Window and Folding Door Systems in the same opening creates a way to

highlight indoor-outdoor living spaces.

The open design concept and accordion style of JELD-WEN's new Custom Wood Folding Window makes any room feel and look larger. This unique window system folds conveniently to the side to connect the kitchen or another room to the backyard or patio. The product may also be used as an interior window between a kitchen and family room. In either situation, the innovative folding window provides a "breath of fresh air," according to product information.

Continued on page 19

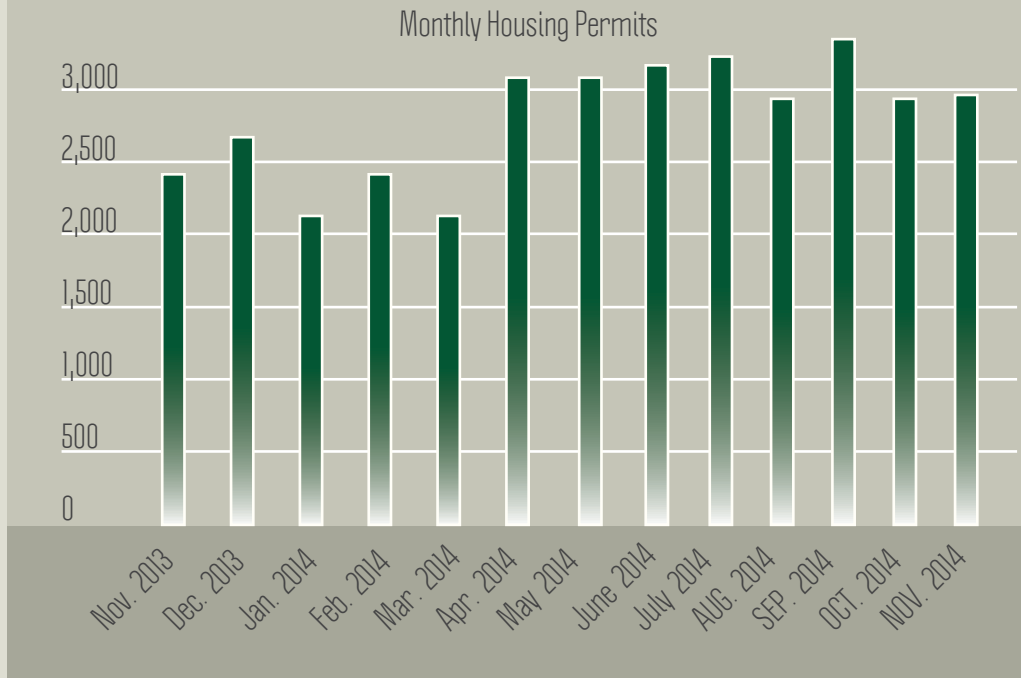


Houston Housing Picture

Bohlke Consulting Group, LLC

Monthly housing permits filed by builders in the Houston Area.

November 2013	2,170
December 2013	2,412
January 2014	2,316
February 2014	3,107
March 2014	3,145
April 2014	3,220
May 2014	3,296
June 2014	3,001
July 2014	3,578
Aug 2014	2,701
Sep 2014	2,759
Oct 2014	2,933
Nov 2014	2,422
Nov. 13 v. Nov. 14	11.6%



MARKET	Dec 12 - Nov 13	Dec 13 - Nov 14	ANNUAL % CHANGE	-	-
GRAND TOTAL	32,862	34,890	6.2%		
Central	5,575	6,296	13.6%	-	-
Far North	4,162	4,298	7.4%	-	-
Northeast	3,184	3,393	7.5%	-	-
Northwest	4,373	4,598	2.5%	-	-
South	2,020	2,235	12.7%	-	-
Southeast	1,071	1,519	36.1%	-	-
Southwest	3,847	4,067	8.4%	-	-
West Northwest	3,193	3,651	6.9%	-	-
West Southwest	5,324	4,812	0.1%	-	-
Not ID	13	21		-	-
	-	-	-	-	-

Monthly permit activity shows a 11.6% increase between November 2013 and November 2014. Houston's overall permit activity shows a 6.2% increase year over year, ending November 2014. Each of the nine market areas in Houston have experienced positive growth.

Continued from page 17

The window is available in the following wood species: AuraLast® pine, knotty alder, mahogany, vertical grain Douglas fir, reclaimed fir, red oak, walnut and cherry. The maximum width is two 24-foot systems, creating a combined 48-foot opening.

JELD-WEN's new Premium Wood Swinging Patio Doors can fit a wide variety of styles while adding beauty and functionality to the home. The hundreds of design configurations include a sliding or swinging door, also known as a French door. Another option is the European-inspired venting sidelite which allows fresh air in without opening the entire door.

This new system offers updated technology and stands up to some of Mother Nature's harshest elements. The Premium Wood Swinging Patio Door comes standard with pine AuraLast® Wood. AuraLast has a Lifetime Limited Warranty against wood rot, giving homeowners the beauty of wood with the reassurance of reliable performance.

The AuraLast® pine wood exterior on this new in-swing and out-swing door is offered in 21 exterior clad colors, seven anodized exterior clad options and nine interior finish choices.

JELD-WEN, a leading global manufacturer of windows, doors, and treated composite trim and panels, operates in more than 20 countries with \$3.5 billion in revenues, half of which comes from outside the United States.

The company provides products that enhance the beauty and

functionality of homes and commercial buildings. JELD-WEN's full breadth of products has earned numerous awards and endorsements for dependability, innovation and excellence.

With a strong commitment to sustainability, JELD-WEN is a recognized leader in manufacturing energy efficient

products – providing solutions that deliver exceptional value for builders, architects and homeowners around the world. JELD-WEN has been an ENERGY STAR® Partner since 1998.

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GHBA Forecast Luncheon Features Dotzour

Dr. Mark Dotzour spoke to the Greater Houston Builders Association recently about what its members could expect in 2015. He said the U.S. continues to thrive and expand its economy despite fighting wars on five fronts: Hot wars in the Middle East; cyber wars with Russia and North Korea; currency wars with China, Japan and Europe; oil wars with OPEC; and mortgage wars with the Dodd/Frank regulators.

The Houston business cycle index is up. The local unemployment rate is once again below 6 percent, which is back to the level before the Great Recession. Corporations are hiring, thanks to their greater profits. Manufacturing is also on the rise.

Personal consumption, including auto sales, is up, thanks to a 2-3 percent growth in the national economy. Household net worth is up and household debt is down.

Dotzour had other good news for builders. He predicts between 20,000 and 30,000 new single family starts in Houston in 2015, with more homebuyers than homes available in the local market. Consequently, home sales are up. Mortgage rates are at an all-time low with no increase likely. Household mortgage debt is down and equity in homes is up.

He also said that more lower income homebuyers will be able to buy homes, thanks to the Fannie Mae and Freddy Mac lowering the

bar for potential homebuyers to secure mortgages.

He noted that the U.S. Treasury rates are 2.16 percent, higher than any other country in the world.

Overall, Dotzour said the long-term economic outlook is very positive for Houston and the country.

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