

Forensic Expert Warns Builders of Photo Evidence Risks

Forensic Expert Stan Luhr is warning builders that their efforts to hire third-party QA consultants may backfire should they attempt to use the evidence in a trial. Luhr developed QA programs that have captured over 12 million photos taken during construction, but says builders need to change their QA procedures and capture their own QA documentation if they want to preserve this evidence for later court actions.

San Diego CA (PRWEB) February 27, 2013 -- Millions of digital photos taken by third-party QA consultants to aid builders in promoting quality and documenting construction may be useless in a trial, warns [AxisPointe's](#) CEO Stan Luhr, a forensic consultant who has been engaged in over 5,000 such claims.

Luhr says that the little known law, which was tacked onto California's landmark [Right-to-Repair](#) provision which established performance standards for new homes, does not allow certain evidence to be admissible in a trial. "We have been warning builders for years that although photos are very helpful in verifying compliance with quality standards, they can be useless and sometimes even harmful if not properly managed," Luhr said.

The civil code provision was inserted into a different section of the civil code, a place often ignored by attorneys since the right-to-repair provisions start with section 895. Luhr said he has had many conversations with lawyers who were completely unaware of the law, and its evidentiary impact.

California Civil Code Section 43.99(b) states, "The fact that an inspection by a qualified person has taken place may not be introduced as evidence in a construction defect action, including any reports or other items generated by the qualified person."

What is a builder to do?

Luhr said that his company, AxisPointe, specifically addresses this problem by giving builders powerful tools to capture their own quality data, including photos, throughout the construction process. Since the law specifically defines who is considered a "qualified person", Luhr believes that photos captured by the builder are specifically admissible and helpful in the event of a claim. Qualified third-party data is not, rendering all those photos taken by a hired consultant potentially worthless in a litigation claim.

AxisPointe's mobile field program operates on the iPhone iOS mobile platform, and includes powerful features to enable builders to capture photos and quality checkpoints throughout construction. "Builders using InSite Mobile™ get the best of both worlds: real-time quality assurance and documentation that can be used to aggressively defend the quality of work," Luhr said.

AxisPointe also provides third-party QA and peer review services, often required by the builder's insurance program. Traditional QA services include forensic plan reviews of the building design documents and plans, onsite quality audits and compliance inspections, and training for field staff to eliminate construction risk and the waste that often accompanies traditional home building. By blending both services Luhr says his clients rapidly improve their internal QA operations and get the added bonus of professional QA auditing.

"At AxisPointe we have taken great effort to make sure the builder is getting a comprehensive Quality Assurance program that eliminates defects but also supports them during any claim," Luhr said. He further stated that the documents AxisPointe captures digitally for every home and shared with the homeowners helps keep customers happy and informed, further reducing the threat of a claim. AxisPointe's HomeProfile™ web enterprise service allows builders to manage their construction documents, and select from over 300,000 construction products to link with every home. Professionally printed hard-cover customer manuals and maintenance books are also available, as well as being promoted to the builder's custom-branded homeowner website.

AxisPointe services include, at no extra charge, a robust Customer Service and Work Order Management system, a valuable tool that no other QA consultant currently offers. "Our system can also be an outsourced program, where AxisPointe professionally manages a builder project from cradle to grave, allowing builders total flexibility and cost savings," Luhr added.

Will builder-empowered QA systems take over the need for third-party QA inspections? "Insurance companies still worry about builder quality and they don't yet trust builders to employ their own QA programs, so we think third-party audits are here to stay for a while," Luhr said. "But soon builders will be able to demonstrate that their internal QA efforts are superior to any third-party consultant occasionally visiting the jobsite. That day is right around the corner."

About AxisPointe

Since 2002 AxisPointe has provided home builders and contractors with technology solutions to eliminate construction risk and improve efficiency. AxisPointe's HomeProfile® document management solution has been employed on thousands of homes by leading builders. Builder support services include risk management services, quality assurance and job schedule management, project quality assurance and control systems, project document storage and archiving, customer service management, insurance certificate management, and post-warranty claims support. AxisPointe's customer web portal allows homeowners to watch their home being built in real time, and directs instant communication and builder document sharing. AxisPointe's services are completely hosted, eliminating I.T. overhead and operates on multiple cloud-based service networks and company-owned servers.

For more information visit <http://www.AxisPointe.com>