

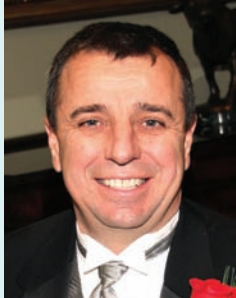


# Southern Exposure

SouthWest Suburban Home Builders Association

January 2009

## President's Views



**Wally Bekta  
President**

Happy New Year!

The Inaugural Ball was held on December 5<sup>th</sup> at Crystal Tree Country Club and I want to thank Kevin Chaffin and his Committee for a great evening. I was honored to have my father-in-law install me to the office of President. I also want to thank HBAI & SSHBA Past President Lou Stephens for installing the Officers and Directors and Pat McShane for being my Master of Ceremonies. If you weren't able to attend, you missed a wonderful evening of friendship, awards and dancing. It was such a success we already scheduled the 2010 Inaugural Ball at Crystal Tree Country Club on December 4<sup>th</sup>. Thank you to everyone who donated a gift for St. Mary of Providence. Your generosity will definitely bring cheer to these special girls.

I would like to thank Bill Basic and the entire Board of Directors for their hard work and dedication to our Association in 2008 and I look forward to working with the 2009 Board and the new merged Board of Directors. Congratulations to Steve Gregory for receiving the Bob Luchene Award. This is the highest honor the SSHBA can bestow on an Associate Member and it was well deserved for all his work on the Municipal Outreach Committee and the PAC Board. Congratulations to Tom Bartlett, Mary Christie, Tracy Holmes, Joe Kobel, Mike McGrogan, Steve Peca, and David Sosin who received a Presidential Award in recognition and appreciation for their service and dedication to the SSHBA.

The merger of SSHBA and WGCHBA will be approved by NAHB on January 22<sup>nd</sup> at the NAHB Board of Directors Meeting.

(Continued on Page 2)

The SouthWest Suburban Home Builders & Will Grundy Home Builders & Associates cordially invite you to our:

**January General Membership Meeting  
featuring:  
Chuck Hucksteadt of MetroStudy**

**"2009 Local Market Research and Analysis"**

**Thursday, January 15, 2009**

**Angelino's  
9301 W. 191st Street  
Mokena, IL**

**5:30 p.m. Registration & Networking  
6:00 p.m. Dinner  
7:00 p.m. Program**

**\$30 - Member / \$40 - Non-member  
1/2 hour Open Bar**

## Calendar of Events

### January

- 1-2 .....Happy New Year!  
(Office Closed)
- 9.....SMC Board Meeting  
(8:45 a.m. - SSHBA Office)
- 12 .....Board of Directors Meeting  
(5:00 p.m. - Charley Horse in  
New Lenox)
- 14 .....Municipal Outreach Meeting
- 15 .....General Membership Meeting  
(5:30 p.m. - Angelino's)
- 20-23..International Builders' Show  
(Las Vegas, Nevada)

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# Home of the Month

Congratulations to the Home of the Month Winner for January



**Flaherty Builders/Developers**  
**Michael Flaherty**

An exceptional 3, 650 sq. ft. single family home with 4 bedrooms, 2.5 baths and a 3-car garage. The beautiful features of this home include a master suite with his/her vanities, a full basement, a large kitchen and dinette with granite countertops, custom appliances and a dry bar. Outside, there is a fully matured landscape, sprinkler system and patio.

Flaherty Builders/Developers  
The Caellin Model  
10803 Cardinal Lake Drive  
Frankfort, Illinois

## • President's View (cont'd from front page)

In anticipation of this, our first General Membership Meeting will be a joint event on January 15<sup>th</sup> at Angelino's Restaurant, Mokena. Chris Huecksteadt of MetroStudy will be our guest speaker. You won't want to miss this meeting to hear about the 2009 Local Market Research and Analysis.

We are pleased to once again welcome Pat Rea to our podium for his business advice and economic projections at our February 12<sup>th</sup> Membership Meeting at Gaelic Park. Mark your calendars to attend this informative meeting.

Kevin Melfi and Andi Cassem are already working with the 500 Club Associate Showcase Committee to bring you a spectacular showcase. This year's event will be held on March 5<sup>th</sup> at Gaelic Park in Oak Forest, Illinois. This is a great way to meet members and others in the industry. Call the office to purchase booths, sponsorships and tickets. The kick off will take place at the General Membership Meeting.

Don't forget our tradition – Do business with a member. It is important to support each other.

## MARK YOUR CALENDARS!



### 500 Club Associate Showcase

March 5, 2009  
Gaelic Park



### OFFICERS

*Wally Bekta*  
President

*Kevin Chaffin*  
First Vice President

*Henry Coyle*  
Second Vice President

*Stephen Peca*  
Secretary

*Melissa Schwartz*  
Treasurer

### DIRECTORS

*James Brigham*  
*Mary Christie*  
*E. Patrick Franz*  
*Steven Gregory*  
*Steve Harris*  
*Kevin Hynes*  
*Joseph Kobel*  
*Daniel Krause*  
*Kieran Lagan*  
*Daniel Lyng*  
*David McCorkle*  
*Michael McGrogan*  
*Dawn McKenna*  
*Kevin Melfi*  
*Liam O'Connor*  
*E. Jason Paliatka*  
*John Rogers*  
*Thomas Soltis, Jr.*

### Other 2009 Board Positions

Bill Basic, Past President  
Tracy Holmes, SMC President  
David Sosin, General Counsel

#### SouthWest Suburban Home Builders Association

10767 W. 163rd Place  
Orland Park, IL 60467  
Phone: 708-349-4242  
Fax: 708-349-4989  
www.sshba.com

#### 2009 SSHBA Officers

Wally Bekta, President  
Kevin Chaffin, First Vice President  
Henry Coyle, Second Vice President  
Stephen Peca, Secretary  
Melissa Schwartz, Treasurer

#### 2009 SSHBA Board of Directors

James Brigham	Kevin Hynes
Mary Christie	Joe Kobel
E. Patrick Franz	Dan Krause
Steven Gregory	Kieran Lagan
Steve Harris	Dan Lyng

Dave McCorkle	Liam O'Connor
Dawn McKenna	Jason Paliatka
Mike McGrogan	John Rogers
Kevin Melfi	Tom Soltis

Bill Basic, Past President  
David Sosin, Legal Counsel  
Tracy Holmes, SMC President  
Debbie Perrine, Executive Officer

Southern Exposure is the official publication of the SouthWest Suburban Home Builders Association, 10767 W. 163rd Place, Orland Park, IL 60467, (708) 349-4242. Visit us at www.sshba.com

Southern Exposure is published in the interest of all segments of the home building industry.

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Not responsible for omissions or errors.

# Legislative Report

By Steven Gregory, Kevin Hynes & Michael Mannion

## Local Issues

**Will County :** The Will County Executive Committee passed the revised Subdivision Ordinance on to the County Board for approval on December 11, 2008. They passed the ordinance forward without two key components. Through many meetings, testimony, and input from SSHBA, WGCHBA and the Realtors' Association we were able to get the Conservation Design and SSA language removed from the subdivision ordinance. This was no easy task and we will continue to monitor Will County as it relates to the home building industry.

## Municipal Outreach.

As chairman of the SSHBA Municipal Outreach Committee I would like to thank all of the members of the committee for their hard work in 2008 and hope to continue the efforts in 2009. I would especially like to thank Tom Bartlett, Kevin Hynes, Kevin Chaffin as well as members of the Will-Grundy HBA, and Tom Joseph of the Three Rivers Association of Realtors.

## State Issues

**Outreach.** Mike Mannion and Kevin Hynes continue to assist HBAI Legislative Director Bill Ward in Springfield.

There are a number of bills that had been introduced in 2008 that have either fallen by the wayside and will resurface or will simply be repackaged and or renamed and brought back in 2009 in the hopes no one will notice. We will continue to monitor Springfield throughout the year.

*If you hear of a village discussing making untenable changes let us know as soon as possible. The main difficulty with local issues is that we do not hear about them until it's almost too late to react (that's by design by our enemies by the way). If you feel you are being hemmed in or bullied in any way to agree to something*



*you believe is wrong, contact us. One builder agreeing to something virtually forces the rest of us to live with it. We are here to work on issues that affect all builders*

**IF A STATE ISSUE BECOMES HOT, WE WILL NOTIFY YOU WITH A VOTER VOICE VIA E-MAIL. PLEASE RESPOND TO IT IMMEDIATELY. IT'S THE EASIEST MOST EFFECTIVE WAY TO DEFEND THE INDUSTRY THAT FEEDS YOUR FAMILY!**



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**Thank You To This Month's SSHBA Advertisers!**

Barba Concrete, Inc.	5
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KelMel Supply Company	9
Marquette Bank	4
State Bank of Country Side	7

**FEBRUARY GENERAL MEMBERSHIP MEETING**



**Thursday, February 12, 2009**  
**Gaelic Park**  
**6119 W. 147th Street**  
**Oak Forest, Illinois**

**4:30 p.m. – New Member Orientation**  
**5:30 p.m. – 6:00 p.m. – Networking & Open Bar**  
**6:00 p.m. – Dinner & Program**

**Guest Speaker: Patrick Rea**  
 Regional Administrator of the United States  
 Small Business Administration

**Topic: Economic Forecast for 2009**  
 We are pleased to once again welcome Pat to our podium for his business advice and economic projections. Mark your calendars to attend this informative meeting.

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## Start the Year with the Sales and Marketing Council



*Tracy Holmes  
SMC President*

With all of the changes taking place this year; it's a great time to remember some of the basics. Good construction practices, business planning, customer service and of course, sales and marketing.

If you have a home to sell, you need to attend the upcoming seminar "**Essential Closing Strategies**". When everything you do or say can

cost thousands of dollars in the sale of your homes, this class is a vital tool in your sales and marketing arsenal.

As a graduate of this course, you will be able to:

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- 2) Describe the six steps to minimizing objections.
- 3) Create believable and understandable answers to six common objections.

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GMB, CSP, Master CSP, CMP,  
MIRM

This 8 hour course will be taught by accredited instructor Tom Stephani for \$250 on Tuesday, February 10<sup>th</sup> at the

SSHBA office.

If you want to become more involved with the Sales and Marketing Council we would love to see you. Sign up with Shannon by email at [info@sshba.com](mailto:info@sshba.com) or call the office at 708-349-4242.

The SMC Council is made up of some of the most dedicated, professional people in our industry, including:

### Officers

President  
Tracy Holmes

Vice President  
Bob Williams

Secretary/Treasures  
Rita Walker

Past President  
Julie Matras

### 2009 Directors

Henry Coyle

Dale D'Ercole

Matt Dill

Gina Meno

Debbie Prosser

### 2010 Directors

David Bryden

Tom Cooper

Daniel Lyng

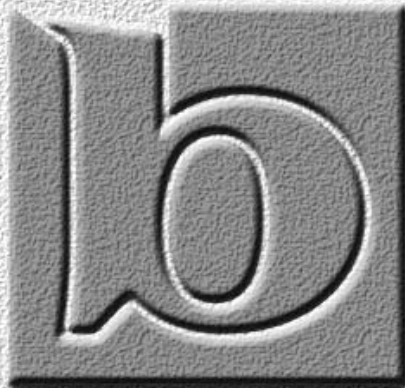
John Rogers

Linda Staszak

I am honored to work side by side with these hard working members who advocate vigorously for education in new home sales. Many, many thanks!



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## Thank You for Renewing!

84 Lumber Company  
Mark Schwinn

Advanced Home  
Builders L.L.C.  
Anthony Alessi

Bergfors Gregory Land  
Design, Ltd.  
Todd Bergfors

Brigham Construction  
Co., Inc.  
James Brigham

Camelot Homes, Inc.  
Mark Kaup

Crana Homes, Inc.  
Frank Bradley

FFC Fencing Company  
Rob Walworth

G & M Mason  
Construction  
Bob Gulde

Janssen Signature  
Homes L.L.C.

Eve Janssen  
Herrera Masonry, Inc.  
Hector Herrera

Key Carpet Corp.  
Jack McGowan

McColly Real Estate  
Dan Durochik

Marquette Bank  
Mark Gasik

Mt. Carmel Stabilization  
Group  
Gregg Shaw

Trimarco, Radencich,  
Schwartz & Mrazek, L.L.C.  
Melissa Schwartz

## Welcome New Members!

Alliance Construction  
Group & Assoc, Inc.  
Tatiana Nardini  
623 Gundersen Drive  
Ste 110  
Carol Stream, IL 60188  
P) 630-588-0724  
F) 630-588-2077  
Alliance\_const@sbcglobal.net

Ardon Electric Co., Inc.  
Daniel E. Ford  
7225 West 105th Street  
Palos Hills, IL 60465  
P) 708-599-9099  
F) 708-599-9395  
Danford7225@yahoo.com

O'Connor Building  
Corporation  
Mike O'Connor  
12334 Spruce Court  
Palos Heights, IL 60463  
P) 708-878-4812  
F) 708-389-7559  
Mikeoc8@comcast.net

S&D Enterprises Inc.  
Sam Martel  
957 Riverside Drive  
Elmhurst, IL 60126  
P) 630-279-6600  
F) 630-279-4153  
sales@sdroofing.com

Sweeney Concrete Const., Inc.  
Patrick Sweeney  
7225 West 105th Street  
Palos Hills, IL 60465  
P) 708-599-9099  
F) 708-599-9395  
Secci2000@sbcglobal.net



DO BUSINESS  
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MEMBER



*It isn't about the Money you'll spend it's about the money you'll earn from the information you receive.*

*Says the 500 Guy*

Spring will be here before we know it and so will the 500 Club Associate Showcase. This is **the best** opportunity for Associates to show-off their newest products to the builder members, and the best, low pressure environment for builders to find out about the new products entering the Home Building Market. It is also the Association's biggest fundraiser. For those of you who have never attended the 500 Club, it is also a great time. Your \$100 ticket includes a chance at the \$5,000 Grand Prize, hours of games, food and drink, and a party atmosphere to build

relationships with other members.

If every member would buy or sell the tickets they receive, we would reach our goal. In addition to the \$5,000 1<sup>st</sup> prize, there will be additional cash prizes.

Associates, \$350 dollars will secure a tabletop display/booth at the event. This includes two tickets with four chances at the grand prize, two dinners, an approximately 8 foot by 6 foot booth, and exposure to the top decision makers in our industry. Booths are available on a first come, first served basis and

they always sell out. The Showcase will be held on Thursday March 5, 2009 at Gaelic Park, located at 6119 W. 147<sup>th</sup> Street, in Oak Forest.

Sponsorships are also needed. For \$150, you will receive your company advertised on an endless loop-PowerPoint displayed throughout the event, an extra ticket for two chances at \$5,000 your company name on prominently displayed signs during the event and personal pride that you are being Pro-active in supporting **your** association. Sponsorships are also available for the

tickets as well. Please contact me or the SSHBA office directly for details.

In these challenging times, it is absolutely critical to be in front of the decision makers that make a difference regardless of whether or not you are a Builder Member or an Associate Member. So use your membership to gain an advantage.

500 Club Associate  
Showcase Committee

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## Southern Exposure

*Is the official publication of the SouthWest Suburban Home Builders Association.*

*Each month it provides crucial information on industry issues and Association events and activities.*

**Circulation** – More than 600 readers from the building trades.

**Deadlines** – Space reservations are due on the 10<sup>th</sup> of the month before publication.

**Ads** – Camera-ready mechanics are due by the 12<sup>th</sup> of the month before publication.

**Distribution** – Is the first week of each month.

### Direct advertisements and billing information:

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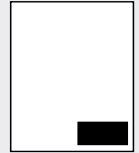
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(708) 599-9860

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Orland Park, IL 60467  
(708) 873-1485

### Darien Office

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Darien, IL 60561  
(630) 655-3113

### Chicago Office

3323 N. Clark Street  
Chicago, IL 60657  
(773) 755-2500

### Homer Glen Office

15980 S. Parker Road  
Homer Glen, IL 60491  
(708) 301-5800

# 8 NAHB Spikes

A Special Thank You to Our  
SSHBA Spikes & Candidates  
(As of November 30, 2008)

## Super Spikes (200 +)

Nooner, Bryan  
Distinctive Homes, Ltd. ....334.00

Butkus, Joe  
Honorary Member.....279.25

Stephens, Louis  
Stephens & Hayes  
Construction Inc.....250.00

Kinsella, Larry  
Duggan & Kinsella Builders ..237.50

## Royal Spikes (150-199)

O'Connor, Liam  
Ross Castle Builders .....185.50

Dill, Gerald  
Beechen & Dill  
Builders, Inc. ....168.50

Phillippe, Bob  
Phillippe Builders, Inc. ....168.50

## Red Spikes (100-149)

Mayher, Jack  
M.G.M. Const. Co., Inc. ....141.00

Cachey, Tom  
T.J. Cachey Builders, Inc. II...141.50

Connelly, Patrick  
Mora Builders, Inc. ....139.25

Chaffin, Kevin  
Riverview Builders, Inc.....109.00

McNaughton, Paul  
McNaughton Dev. Co., .....100.50

## Green Spikes (50-99)

DeLaura, Dennis  
Honorary Member.....99.50

Provenzano, Pat  
Bank of America .....93.50

Barrett, John  
Blackwater Dev., Co., .....92.00

Hryn, Mac  
Hryn Development, Inc./  
Michael Ryan Homes.....85.50

Ford, Mike  
Mill Creek Dev., Inc.....78.00

Coyle, Henry  
Coyle Const. Company .....72.50

Kobel, Joe  
Alliance Ins.Services, Inc.....68.50

Peca, Steve  
Greater IL Title Company .....67.00

Perry, Bil R.  
Ruettiger, Tonelli & Assoc .....51.50

## Life Spikes (25-49)

Dill, Matt  
Beechen & Dill  
Builders, Inc. ....41.75

Paliatka, Ed  
American Colony Homes, Inc..41.50

Huguelet, Paul  
The Huguelet Company .....39.00

Ross, Judy  
NICOR Gas .....37.50

Huguelet, Gerard  
Huguelet Const. Co., Inc. ....34.00

Franz, Patrick  
Clairmont, Ltd.....30.50

Mansell, Ed  
E T Mansell Const.....30.00

Deckinga, Dennis  
VR Builders, Inc. ....28.50

Radowski, Tana  
Graffice Studio, Inc.....28.50

Christie, Mary  
Christie Construction Co.....27.00

## Blue Spikes (6-24)

Joyce, Pat  
Joyce Builders, Inc. ....22.50

Schwartz, Melissa  
Trimarco Shoultz Radencich ....20.50

Melfi, Kevin  
KelMel Supply .....18.00

Bekta, Wally  
Donlin Builders, Inc./  
MMB Development L.L.C.....17.50

Krause, Dan  
Krause Const. Services, Inc. ....15.50

Basic, Bill  
Basic Development Group.....14.00

McCorkle, David  
McCorkle Const. Company .....14.00

Mike Marich  
Watson Construction  
Company .....12.50

Paliatka, Jason  
American Colony Homes, Inc..11.00

McGrogan, Michael  
McGrogan Consultants. ....10.50

Lyng, Daniel  
Lyng Builders, Inc.....10.00

Gregory, Steve  
Bergfors Gregory  
Land Design, Ltd. ....8.00

## Spike Candidates (1-5)

Ford, Mike Jr.  
Mill Creek Development, Inc. ...4.50

Vescovi, Kathy  
TTS Granite, Inc. ....4.00

Vandenberg, Scot  
Princeton Homes, Inc.....3.00

Walsh, Jack  
Sun-Times News Group.....2.50

Sosin, David  
Sosin, Lawler & Arnold, Ltd.....2.50

Flaherty, Michael  
Flaherty Builders/Developers ....2.00

Deresinski, Sharon  
American Builders Insurance.....2.00

Kaup, Robert  
Camelot Homes, Inc.....2.00

Vandenberg, Mark  
TCB Development Group, Ltd. .2.00

Niswonger, Maureen  
Palos Bank & Trust .....2.00

Botha, Buddy  
Addo Construction .....2.00

Keane, Joe  
Oxford Estates, Inc.....1.50

McKenna, Dawn  
Artisan Builder & Company .....1.50

McCatty, Mike  
McCatty Real Estates  
Services, Inc.....1.50

Coates, Diane  
Greater IL Title Company .....1.00

Barba, Rick  
Barba Concrete, Inc. ....1.00

Davis, John  
Davis Development Corp.....1.00

D'Ercole, Dale  
Harris Bank, Frankfort.....1.00

Meno, Gina  
Meno Stone Company, Inc.....1.00

McShane, Patrick  
Old Second Bank .....1.00

Brigham, James  
Brigham Construction Co., Inc. .1.00

Thompson, Jerry  
MVP Insurance .....1.00

Jeanes, Donald  
Jeanes Construction Co., Inc.....1.00

McGowan, Ed  
Edon Construction Co., Inc.....1.00

Gasik, Mark  
Marquette Bank.....1.00

Selking, Darrin  
Landscape Illumination Inc.....1.00

Dolan, Thomas  
McNaughton Development Inc..1.00

Trevor, Mark  
Prairie Bank & Trust Co.....1.00

Lorenz, Brett  
Lorenz Appliances .....1.00

Dickinson, Kathy  
Kathy Dickinson Designs, Co...0.50

Kopp, Tony  
A.J. Smith Federal  
Savings Bank .....0.50

Devlin, Dan  
Southwest Fireplace  
Supply Company.....0.50

Forkan, John  
Landtech Consultants, Ltd. ....0.50

Knight, Tom  
T. R. Knight Builders, Inc.....0.50

Volkman, Marty  
Parkview Electric.....0.50

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cruit and an additional credit for that  
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to his/her anniversary date.





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This course is ideal for new homes sales professionals. It analyzes the logic behind customer objections, describes the techniques used by master closers, and teaches a systematic approach that minimizes objections in order to maximize sales. This course is an elective for the Master Certified Sales Professional (MCSP) designations.

- Date:** Tuesday, February 10, 2009
- Time:** 8:00 a.m. to 8:30 a.m. - Registration & Continental Breakfast  
8:30 a.m. to 4:00 p.m. – Program (Box lunch is included)
- LOCATION:** SHBA Office
- INVESTMENT:** \$185.00 Members  
\$235.00 Non-Members



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Beecher	1	\$ 109,009.00	Beecher	0	\$---
Chicago Heights	0	\$---	Chicago Heights	0	\$---
Flossmoor	0	\$---	Flossmoor	0	\$---
Frankfort	0	\$---	Frankfort	1	\$ 375,000.00
Homewood	0	\$---	Homewood	0	\$---
Lemont	0	\$---	Lemont	0	\$---
Manhattan	0	\$---	Manhattan	0	\$---
Mokena	0	\$---	Mokena	3	\$ 1,216,200.00
Oak Forest	0	\$---	Oak Forest	0	\$---
Orland Park	0	\$---	Orland Park	1	\$ 475,000.00
Palos Heights	0	\$---	Palos Heights	0	\$---
Palos Hills	0	\$---	Palos Hills	0	\$---
Palos Park	0	\$---	Palos Park	0	\$---
Park Forest	0	\$---	Park Forest	0	\$---
Plainfield	0	\$---	Plainfield	4	\$ 956,531.00
Richton Park	0	\$---	Richton Park	0	\$---
Romeoville	0	\$---	Romeoville	0	\$---
Steger	0	\$---	Steger	0	\$---
Tinley Park	0	\$---	Tinley Park	0	\$---
<b>TOTALS</b>	<b>1</b>	<b>\$ 109,009.00</b>	<b>TOTALS</b>	<b>9</b>	<b>\$ 3,022,731.00</b>

NOTE: All values given are estimates and do not necessarily represent actual values. Those municipalities listed with no permits indicates no figures were available at the time of publication, it does not mean no permits were issued.

## Dabbling in Home Repair and Remodeling? Beware the Illinois Home Repair and Remodeling Act



**By: David B. Sosin and George L. Schoenbeck, Sosin & Arnold, Ltd.**

Given the condition of the housing market, many builders may find it appealing to engage in home repair and remodeling projects to supplement their usual business. However, before engaging in any such work, it is imperative for builders to be aware of and fulfill the requirements of the Illinois Home Repair and Remodeling Act (815 ILCS 513/1). The Act was passed by the State in order to “increase consumer confidence, reduce the likelihood of disputes, and promote fair and honest practices in [the home repair and remodeling] business in this State.” It imposes numerous requirements on contractors prior to the commencement of any work and a failure to comply with the Act may later bar a contractor from collecting amounts due for work performed by the contractor and could also lead to further liability.

“Home repair and remodeling” is broadly defined in the Act to include all types of construction and remodeling work in existing residences. The only exclusions from the definition are the installation of appliances performed by the merchants selling such appliances and maintenance, service or repairs costing under \$500.

Prior to commencing any work, a contractor intending to engage in home repair and remodeling costing over \$1,000 must execute a written contract with the consumer. The contract must specify the total cost of the work, including a breakdown of parts and materials, and any charge for an estimate, all with reasonable particularity. The contract must include the business name and address of the

contractor or, if a post office box is used, the home address of that person. In the recent case, *Central Illinois Electrical Services, LLC v. Slepian*, the Illinois Appellate Court found that such a written contract must state the contract price with reasonable particularity even if the contract is based on time and materials or concerns a project with a frequently changing scope of work. In situations where a client repeatedly changes the scope of the project, in order to remain in compliance with the Act, the contractor and consumer should execute amendments to the initial contract in the same manner the initial contract was executed for each change in the scope of the work.

If the contract contains any mandatory arbitration or jury trial waiver clauses, the contractor must advise the consumer of either or both of such provisions. The contract must contain a space next to or immediately under each such clause for the consumer to sign and indicate that the provision is either accepted or rejected. Should a consumer reject either provision, the contractor may treat the rejection as a rejection of the whole contract and need not commence any work.

The Act further requires contractors to deliver the Attorney General’s pamphlet titled “Home Repair: Know Your Consumer Rights” to the consumer. The pamphlet is available online at this site: <http://www.illinoisattorneygeneral.gov/consumers/homerep0505c.pdf>. In all contracts for over \$1,000, the original acknowledgment form in the pamphlet must be signed by both the contractor and the consumer and retained by the contractor. The duplicate copy must be retained by the consumer. In all contracts for \$1,000 or under, the contractor must deliver the pamphlet to the consumer, but need not retain any written acknowledgement. However, retaining such a written acknowledgement is advisable as it serves as proof that the pamphlet was given to the consumer.

All contractors performing work

governed by the Act whose net worths are \$1,000,000 or more must maintain public liability and property damage insurance in the amount of \$100,000 per person and \$300,000 per occurrence of bodily injury and \$50,000 per occurrence for property damage and public liability and property damage insurance in the amount of \$10,000 per occurrence for home repair or remodeling not in conformance with applicable state, county, or municipal codes.

Not complying with the Act could be very risky for a contractor. The Act permits the Illinois Attorney General or the State’s Attorney to bring law suits against contractors not in compliance with the Act. Furthermore, in *Smith v. Bogard*, the Illinois appellate court recently denied a contractor the right to collect amounts due to it through a mechanics’ lien foreclosure proceeding and other means of recovery because he did not comply with the Act even though the contractor would have otherwise been able to collect such amounts.

Only contractors forming contracts directly with homeowners need to be concerned about complying with the Act. In a pair of recent decisions, *Smith v. Bogard* and *MD Electrical Contractors, Inc. v. Abrams*, Illinois courts confirmed that the Act only applies to those contractors who have direct contracts with homeowners. Subcontractors whose contracts are solely with general contractors are not covered by the Act.

It is important for contractors engaging in home repair and remodeling to meet the requirements of the Home Repair and Remodeling Act. Failing to enter into a written contract that meets the requirements of the Act and complying with its pamphlet delivery and insurance requirements could later severely limit the right of the contractor to get paid for his work and may subject him to liability for engaging in home repair without complying with the Act.

We congratulate Henry Coyle of Coyle Construction Company for being chosen the HBAI 2008 Builder of the Year and also Dawn Mckenna of Artisan Builder & Co. for being chosen Remodeler of the Year at the HBAI Installation Banquet on December 12th.



Craig Wheatley of Parksite Group presented both Henry and Dawn with their plaques.



Congratulations to Tracy Holmes of Studio H. Tracy was installed as the HBAI 2nd Vice President.

Kevin Chaffin of Riverview Builders Inc. was recognized at the HBAI Installation Banquet for his membership efforts in 2008. We also congratulate Kevin for winning the trip to Las Vegas for his recruiting efforts during the SSHBA Membership Drive



We thank Lou Stephens of Stephens & Hayes Construction, Inc. for his many years of service and dedication to the SouthWest Suburban Home Builders Association and the Home Builders Association of Illinois. Lou was inducted into the HBAI Hall of Fame on December 12, 2008.



Mark Fulford pictured with Lou Stephens

Special Awards Presented at the SSHBA Inaugural Ball on December 5th.



Fran and Steve Gregory of Bergfors of Bergfors Gregory Land Design, Ltd.

*Congratulations to Steve Gregory for receiving the Bob Luchene Award. This is the highest honor that the SSHBA can bestow on an Associate Member.*

**Congratulations to the Presidential Award Recipients!**

*Tom Bartlett - Basic Development Group*

*Mary Christie - Christie Construction Co.*

*Tracy Holmes - Studio H*

*Joe Kobel - Allegiance Insurance Services Inc.*

*Mike McGrogan - Charter One Bank/RBS*

*Steve Peca - Greater Illinois Title Co.*

*David Sosin - Sosin & Arnold, Ltd.*

## 12 December Highlights



Proud daughter Donna watching her father Wally Bekta being sworn into office by his father-in-law Mark Burns.



2009 SSHBA President Wally Bekta with Past President Bill Basic.



2009 SSHBA Board of Directors



2009 Executive Board



Jackie and Master of Ceremonies Pat McShane of Old Second Bank



Members and Guests enjoy dancing to the Connexion Band.