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### [UPDATED: City Says Builders Repeatedly Shirked Inspection Rules](#)

Wed, Feb 10, 2010

[City Government](#), [Community](#), [News](#)

The ten problematic homes in West University Place are huge and beautiful — luxurious — ranging in value from \$945,000 right up to \$2.8 million. Without knowing about a major paperwork oversight, families have lived in the homes for four, five, sometimes up to nine years.

Although the circumstances vary, city staff have discovered one disturbing commonality: All the homes were built by the same company, Covington Builders, which allegedly failed to obtain the city's official stamp of approval before allowing families to move in. City staffers have found 29 other West U. homes with the same problem — No certificate of occupancy.



The city says this home on Westchester Street never received a tree inspection or building final inspection.

The city's ordinances place the responsibility on builders to complete a litany of inspections to earn the important certificate of occupancy, which proves the home is safe and complies with all city laws.

Residents do not need to be alarmed about their safety, because there's probably nothing seriously wrong with their homes. Many of Covington Builders' outstanding issues deal with the numbers of trees planted on the lots. If completed today, other outstanding inspections on more serious things like drainage and plumbing systems probably wouldn't turn up a problem: By now, issues would have surfaced on their own.

"You're just trying to gain compliance is what you're trying to do," said John Brown, chief building official in West U. "In this particular case with Covington homes, there has not been any great effort to see this is completed."

Covington now risks a suspension of his license to work in West U. because city staffers say he has shown a systematic disdain for the city's rules. The issue also raises questions about the city's own record keeping — How did the homes slip through the cracks for so long?

## **Defining A Problem**

The city discovered the paperwork problem when Brown began a comprehensive review of all outstanding building permits. He found 39 homes that do not have certificates. Ten of those, or 25 percent, were constructed by Covington Builders. Now Brown has approached the West U. Building and Standards Commission to hold hearings with the company's owner, Robert Covington, trying to send a simple message to builders citywide.

"The issue to me, and what I want to get across not only to this builder but any builder that builds here in the city of West University Place, is that a certificate of occupancy is required. It's part of the process. That's what we need to do," Brown said.

Covington, who is also a resident of West U., defended himself at the commission's hearing on Feb. 4. He said through the years building homes in the city, he thought he complied with building laws and he fixed problems as he became aware of them.

"I work hard. This is my bread and butter. I love this place and I work very hard to please people. I'm not defiant, I'm not resistant," Covington said. "I believe I did, and do, what's right with the city."

Covington will keep his license to work in the city, at least for the next 30 days. The Building and Standards Commission decided to postpone a decision about whether to suspend his license until its next meeting on March 4. In the meantime, the commission tasked Covington to work with city staff to complete all his outstanding inspections.

"A lot of it is just going to be check, check, check," said Commission Chair Bryant Slimp when he ordered Covington to meet with Brown. "Whatever you and he need to do to clean up the mess."

### **39 Outstanding Homes**

Nineteen building companies popped up in the city's review because they failed to complete all inspections and earn their certificates of occupancy for one or more homes. Covington Builders leads the pack with 10 certificate-less homes, but other companies aren't far behind — Lovett Custom Homes has six homes with no certificates, and Stonehenge Classic Homes has four ([According to Debbie Crow, the wife of Stonehenge's owner, two of the company's homes on the city's list are still under construction — See below for explanation. She said she thought the city made mistakes on the two others, which were completed in 2000.](#)). Two other companies have two and three homes, respectively, and fourteen companies on the list have just one home each with no certificate.

Many of the addresses on the list have more than one outstanding inspection that prevented them from earning certificates. Some inspections deal more with aesthetics than safety — For example, 15 homes never had a final tree inspection to prove the builders replaced all the trees removed during construction. But some outstanding inspections are more serious, dealing with plumbing, drainage, electrical and mechanical systems.

Just because there is an outstanding inspection doesn't mean there are safety issues in the home. But builders are tasked with checking off a long list of inspections that must come before the final building inspection. At that point, city staffers go over every inch of the homes and make sure everything is safe.

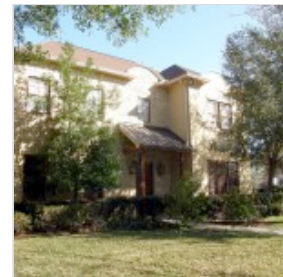
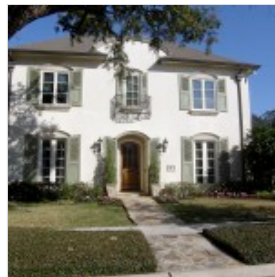
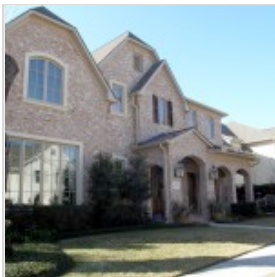
"If an inspection hasn't been done, then I don't know," Brown said.

He wants to make sure all the inspections are now completed on the 39 homes so he can issue the certificates of occupancy and close the city's files for the properties.

*Here are photos of some Covington-built homes with no certificates. InstantNewsWestU is withholding the exact addresses to protect the homeowners. Click the photos for a description of the incomplete inspections. Story continues below.*



This Covington-built home in on Tennyson Street had four outstanding inspections, including its tree inspection.



This home constructed by Covington Builders didn't earn a certificate of occupancy because it has outstanding inspections for drainage, topographical survey, and the building final inspection.

## History Of Alleged Noncompliance

Brown said he tried repeatedly to work with Covington to complete outstanding items, but the builder refused to do his part. The city wanted Covington to contact the homeowners.

"You said you would," Brown said. "Two days later you called my office and said, 'I'm not going to do that. If I call these people they're going to sue me'."

In one case, Covington and his family moved into a home in the 3500 block of Albans Street. Serious inspections were outstanding, including checks on the drainage, electrical, mechanical and plumbing systems and more. When the city learned the family lived there, Covington received a citation. About a month later, Covington ordered all the inspections and received a certificate of occupancy for the home. Now it is on sale on the company Website for nearly \$2 million.

"Until we called him on it, until we issued a citation, he had made no effort to finish and get the certificate," Brown said. "He knows as a builder that you cannot occupy a house without any of the finals being done."

Brown added later: "There's a history here of 'I don't care. I've got my money' ... This is a pattern of not following the rules, not caring enough to follow them."

Covington admitted that he knew the home on Albans Street had no certificate, but he said the recession has impacted his business and personal finances so much that he had no other option than to move into the house.

Ron Simon, Covington's attorney who attended the Feb. 4 hearing, said that Covington Builders changed offices about three years ago, and purged old documents that would prove the company had completed outstanding items on the other homes.

"These allegations have gone stale," Simon said. "All the stuff that relates to this is gone."

Covington said he thought he had followed the city's rules.

Emily Wells, who lives in a Covington-built home in the 4100 block of Tennyson Street, said she remembers a day before moving into her home in 2005 when Covington and an independent firm met her to complete inspections.

"They had a long list, and he came here and met with them," Wells said. "Really, he was great ... Just the details on the house, he did everything we asked him to do."

City records show that all inspections were completed on Wells' home except the building final inspection, which did prevent the house from earning a certificate.

Covington said at the Feb. 4 meeting that from 2001 to 2004, he ran his company with a business partner who was responsible for some of the homes without certificates.

"I trusted him with it," he said. "I would have had no clue my business partner didn't do

what he was supposed to do, if he did that.”

## Counting Trees

Seven of the 10 Covington Builders homes failed to earn certificates because Covington didn't complete the final tree inspection, along with other inspections in some cases. On Sept. 1, Covington and Brown met with the city's forester, who wanted the builder's help gaining access to the backyards of multiple homes to count the trees that Covington had planted during construction. Covington refused to contact the homeowners.

At the Feb. 4 hearing, he said through the decade as he built homes in West U., he spent thousands of dollars and brought in truckloads of trees to comply with the city's laws.

The law says that builders must replace the amount of inches of trees they remove, and if they cannot plant the trees on that lot, they must pay money into a tree fund that the city uses to plant trees in parks and elsewhere.

Simon said that Covington Builders couldn't always fit the right number of trees on its construction sites, so the company would plant trees in a one-block radius of the home. Sometimes they planted in parks, Simon said.

“I really don't believe I short changed West U. of these trees,” Covington said. “The only point I want to make is this is not me trying to skirt the rules and regulations ... That's not who I am.”

But without proof, it will be difficult for the city to determine whether Covington owes money to the tree fund. Based on the trees the city can measure in the homes' front yards, the city estimates that Covington owes \$10,300. That number will probably change once the city gains access to the backyards.

## Sending A Message

The Building and Standards Commission said that Covington must get the inspections done before March 4, or it will be forced to hold the hearing to consider suspending his license.

“You have violated, you haven't remedied,” said Chair Bryant Slimp. “You leave us very little room. It's up to you.”

Brown said he hopes other builders get the message.

“We are serious about following the rules,” Brown said. “Get your certificate of occupancy and be finished with the project.”

—

*Note: InstantNewsWestU updated this story at 12:36 p.m. to indicate that two homes built by Stonehenge Classic Homes without certificates of occupancy are actually still under construction with no one living in them.*

**This post was written by:**

[Angela Grant](#) - who has written 285 posts on [InstantNewsWestU.com](#).

[Contact the author](#)

## 17 Responses to "UPDATED: City Says Builders Repeatedly Shirked Inspection Rules"

1.



*Peter Says:*

[February 10th, 2010 at 10:11 am](#)

Great article. I put a pool in last summer. Dealing with the WU building inspectors was "hit or miss." Some of the staff at the city were great, others should be fired. I had to change pool builders after my first choice gave up when he was told by one of the city permits people he would want to commit suicide before finishing with the city. This after I spent 2 months working collecting references and completing the design.

As a sub note – The tree convenience in West U must to go. The only reason for this policy is to keep a few tree inspectors employed. If people can't take unwanted trees out – they have to wait for a hurricanes.

/r

Peter

[Reply](#)

2.



*G Says:*

[February 10th, 2010 at 10:31 am](#)

EXCELLENT article Angela! Robert is a stand-up person, though a bit scattered at times. I hope WU doesn't turn this into a witch hunt — fine him, let him fix the issues, and move on. He and his family are a credit to the neighborhood, both by their presence and by the homes he builds.

[Reply](#)



3.

Z Says:

[February 10th, 2010 at 2:22 pm](#)

This clearly shows that Covington Builders' poor reputation is deserved — his clear disdain for the rules, laws and regulations, his disregard for customer service and job completion, and his lack of integrity. Glad the city is paying attention to what many of his home buyers have experienced first hand, as they clean up the many messes he creates. He is a builder who does not care about the end product unless he makes lots of money. This is why he has a lawyer on retainer.

[Reply](#)



4.

West U Resident Says:

[February 10th, 2010 at 2:45 pm](#)

I blame the City for a very poor checks & balance system. The Builders pay a high fee to cover the expenses of the City to come to the property to do these inspections. If a house is over a year old and not complete, the City should have a follow up system to see what status the house in. The problem coming up is there will NOT be as much new construction, so those tax dollars will NOT be coming into the City, they will need to find new ways to generate dollars? They are picking on Covington, he is a neighbor, a friend and gives back to this community. Atleast it isn't costing the City as much as The City's error on the Marlowe/Pedan house, that was because of City allowed error on their end on permits.

[Reply](#)



5.

W U Builder/Resident Says:

[February 10th, 2010 at 6:06 pm](#)

An excellent article. However, to have not had a "Building Final" is not necessarily the benign thing made out to be in the article and could well mean that some of these homes indeed have unsafe components!

There are many safety issues and possible code violations that are addressed ONLY during WestU's "Building Final" ... just one of those being compliance of the home's stairs, stair wells, and railing. Noncompliance of these particular items being some of the most common cause of serious accidents in the home, particularly of children and the elderly. That these homes were sold without a "Building Final" and

subsequent COA, is totally inexcusable, shows a total lack of regard for the safety of the buyers, and borders on criminal negligence.

For those trying to gloss this over, there is NO excuse for this behavior by any builder; compliance is the responsibility, by law of the builder, not the City; and lack thereof should be a reason for criminal action.

Sorry, folks ... this is potentially SERIOUS business.

[Reply](#)



6.

*Covington owner* Says:

[February 10th, 2010 at 7:54 pm](#)

Robert is an excellent and responsive builder. I should know, I live in a home that he built. If they want to compare records, then let's have an airing of the workflow, consistency, and decisions coming out of our own planning office. His record of making West U a better community no doubt stands up well compared to that of our city officials. Whenever a home site comes up for redevelopment on my street, I've always hoped for a Covington built home. I still do.

[Reply](#)



7.

*West U. Citizen* Says:

[February 10th, 2010 at 8:35 pm](#)

Our experience building a pool and dealing with city inspectors was all "miss". Unattentive. Disdainful. Disrespectful. I watched the guy prod around with a stick for a few seconds before running off. Drainage inspection – check. No wonder the original drainage on my house was a disaster. These guys are nothing more than a profit center for the city. You can drag Covington under a bus but this also highlights the shoddy work performed by the city inspectors. They are not there for our safety but rather to fill the coffers with fees and the files with paper clutter.

[Reply](#)



8.

*senior resident* Says:

[February 10th, 2010 at 10:38 pm](#)

These responses are just the beginning of a flood of complaints about the inspection process. Before we moved into our house we couldn't schedule an inspector

immediately. We wanted our college student son to stay in the house until they came and when I told city hall that, the response – delivered in a nasty tone – was that we would be fined \$1,000 a day for such an “infraction.”

Several years later, as construction next door turned out old house’s lower lot into a lake, the new inspector refused to allow us to put in drains. He was gone in three months and the next inspector allowed drains- but no one ever called us and told us that. We spent a lot of money trying to remedy the problem without drains. And I could go on, and so can dozens if not hundreds of others.

[Reply](#)



9.

*W U Builder/Resident Says:*

[February 10th, 2010 at 11:19 pm](#)

You, as a citizen, are either grossly misinformed as to the procedural requirements, or ignoring them as these builders did. Experience with building a pool has little to do with the complete inspection process required of single family residential construction.

It is not the city’s responsibility to comply with building regulations, it is specifically, and legally, the builder’s responsibility. The City will not, and can not, perform any specific building inspection on new residential construction until requested to do so by the builder. There is a card issued to every builder at the start of each project which must be maintained by the builder and turned in, completed, to the city prior to the home’s final inspection. The builder must initiate each inspection therein, and only when the property is ready for that particular inspection. The city has absolutely no knowledge, and thus no responsibility, in initiating these required inspections at the appropriate time since ONLY the builder has this knowledge.

Some of you are trying to excuse these examples of gross negligence by blaming it on the city. Neither you, nor the builder’s in question, will prevail because you are morally and legally on the wrong side of this issue, granted a rare case where these two concepts coincide in today’s culture.

I guarantee you the builders in question will ultimately have to live with the consequences of their negligence, more than likely through civil action. You scoff at the law, you ultimately pay the price. To do otherwise, or to attempt to excuse it with misguided sentiment, will be to the detriment of both present and future home owners in this city.

[Reply](#)



10.

*Susie Says:*

[February 11th, 2010 at 9:20 am](#)

There are "builders" all over the neighborhood doing renovations that don't even bother to get permits. I say this from personal experience because I requested a bid on a \$100K+ renovation and was told by the contractor that he didn't "do the whole West U permitting thing". Needless to say, I didn't give him the job, but know that he does work all over town. Badly.

[Reply](#)

11.



*W U Builder/Resident Says:*

[February 11th, 2010 at 11:12 am](#)

Susie is indeed spot on. As long as residents continue to subvert the process themselves, there will be the unscrupulous waiting in the wings to take advantage of that fact. My concern is that all builder's are being tarred with the same brush here. That is far from being the case. Most of those who build in West U are honorable and understand the benefit and advantages of having a clear inspection process for all the parties involved, as a matter of fact they actually welcome the relationship and requirements because it is inarguable that it leads directly to a better built home for the home buyer. Those who do not, and subvert the process, should lose the privilege of building, end of story. And shame on the residents who are scofflaws themselves and become part and parcel of the problem with shoddy, negligent building practices.

[Reply](#)

12.



*NG Says:*

[February 11th, 2010 at 1:31 pm](#)

There is NO EXCUSE for anyone, especially licensed builders and other professionals, not complying with West U building codes and other rules. However, the City of West U has created the current situation / problem regarding building permits and regulations. Many times the folks in the office are arrogant and just plain rude. Recently I was in for some remodeling permits. Two different people interpreted the rules differently. Finally out of frustration I insisted the interpretation be put in writing. When it came time for the inspection, the inspector didn't even know what he was to inspect, I had to tell him. As with a previous comment, he just "knocked around" and left.

[Reply](#)



13.

*George Boehme* Says:[February 11th, 2010 at 3:15 pm](#)

John Brown, the current West U Chief Building Official has been with the West U for a little over a year. He is doing a great job. However I believe West U has had six different CBOs since 2000, so Brown had an unsettled sea to wade through. He discovered that Covington Builders had not obtained the required Certificates of Occupancy for an assortment of the homes they had built in West U going back many years. Brown brought this issue forward to the West University Place Building and Standards Commission with a recommendation for total compliance, and if that could not be achieved a six month suspension of the contractors license would be warranted. At the last meeting of the BSC, they recommended one last attempt to achieve total compliance before suspending Covington's license. The BSC instructed him to meet with Brown to arrange for compliance with the code requirements. The BSC is an appointed group of West U residents that are appointed to two year terms by the City Council. However their actions and decisions ARE NOT subject to the review of the City Council. And for whatever reason, the BSC decided not to follow the recommendation of John Brown and the city staff to revoke Covington's license unless he immediately complied with all laws and instead decided to give him another month to comply. As a city councilmember, I want to send a very strong message that we are enforcing our building codes strictly and respond instantly and aggressively against those who ignore them. In my view, that is exactly what John Brown and the city staff did in this instance.

[Reply](#)

14.

*WU Resident* Says:[February 11th, 2010 at 3:56 pm](#)

This article comes as no surprise. People who have delt with Covington Builders say that they cut corners all the time and that they regularly perform work without proper permitting. Apparently, their main office was even flagged by the City of Houston for similar noncompliance and the city forced them to cease use of the building for some period of time.

[Reply](#)

15.

*WU Resident* Says:[February 11th, 2010 at 9:41 pm](#)

What should one do when a builder or contractor attempts to extort money from you? I have heard examples of people who are near completion of a project and the builder/contractor request that they provide more money or face the risk of not receiving their permits or certificate of occupancy. It sounds like a civil matter but it sure seems wrong to deny someone the right to move back into their home.

[Reply](#)



16.

*Anonymous Says:*

[February 11th, 2010 at 10:56 pm](#)

The City's Building Department has an open file on each and every home from start to completion. I find some fault with the management of the projects by the City. Yes, the builders are at fault, but the lack of record keeping and follow-up on the part of the City leaves you wonder who is running the store!

[Reply](#)



17.

*Anonymous Says:*

[February 12th, 2010 at 10:04 pm](#)

Regrettably, Mr. Covington is a sub-par builder and a WU scofflaw. Please Google that fact accordingly. His pattern of unprofessional, inconsiderate and illegal behavior is exemplified by a blatant intentional disregard of WU standards, with which the rest of us readily comply. On top of that, he can't pay what he owes to WU, nor the banks that unfortunately financed him.

PS Apparently, his attorney, Ron Simon, lives in a house built by Mr. Covington.

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