

## **Case 11: Shady Plumbing**

You are a project manager for an up-and-coming custom builder and renovator in Michigan. You are working on an upstairs master bath remodel that includes a huge clawfoot tub and custom tile shower installation.

While removing the old tile and subfloor to install the necessary plumbing for your project, you discover that there has been some improper plumbing done in the building's upstairs laundry unit. The current owners have informed you that they have lived there only a short time, and they have stated that everything seems to be working fine. So the improper plumbing was presumably done either by the previous owner or by a contractor that they hired.

The work you are doing will not come into contact with this previous work. So, if you say nothing, you will not be responsible for any issues that arise as a result of these past errors. But it looks as though they could create problems in the future that would cost the building's current owners a lot of money to fix.

You cannot contact the homeowners, as they are out of the country on holiday. This means that it would be difficult to get approval for extra work. You could stop work on the project until the homeowners return and then discuss the situation with them, but they deliberately timed the renovations and their holiday to minimize inconvenience for themselves. Moreover, you are already on an extremely tight schedule. To stop and wait or to try to correct the improper plumbing at your own expense would put you behind, and the delay would likely upset the next customer on your schedule.

### **Study questions:**

1. What is your responsibility to these homeowners?
2. Once someone has signed a contract, do they ever still have a duty to do more than the contract specifies? If so, then what are these duties, and when do they apply?
3. Does the fact that you are the manager of this project, as opposed to a lower-level employee, make a difference to what you should do? If so, why?

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