

March 12, 2025

Oregon House of Representatives

Committee on Housing and Homelessness

By Electronic Submission

Re: Written Testimony In Opposition to HB 3746

Dear Chair Marsh, Vice-Chair Andersen, Vice-Chair Breese-Iverson, and members of the Committee:

I am writing to express my strong opposition to HB 3746. As the owner of Pono, a consulting firm specializing in building envelope assessment and construction oversight, I have spent my 25 year career working with homeowners' associations, building owners, architects, engineers, and builders—both before and during construction. Prior to founding Pono, I worked for contractors specializing in the repair of residential and commercial buildings damaged by construction defects, giving me firsthand experience with the devastating impact of latent waterproofing failures.

Over the years, I have seen hundreds of condominiums, townhomes, and single-family homes suffer extensive water damage due to defects that went undetected for well beyond six years. In many cases, owners diligently maintained their properties—repainting, caulking, and even commissioning professional inspections—yet the underlying issues remained hidden until serious structural damage emerged. Water intrusion, the leading cause of rot, mold, and decay in Oregon buildings, often originates from defects in the waterproofing systems installed behind siding, beneath roof shingles, and around windows, doors, and decks. These defects are typically invisible to homeowners and, in some cases, undetectable even to trained experts without invasive testing.

By the time such damage becomes apparent, repairs often require the removal of siding, trim, and roofing materials to assess the extent of deterioration. These investigations frequently reveal failures that could have been prevented with proper oversight during construction. The cost of addressing these issues years later can be

staggering, far exceeding what it would have taken to ensure proper installation from the outset. Builders who engage independent inspectors like Pono during construction significantly reduce their risk of defect litigation, as proactive quality control is far more effective than reactive repairs.

Shortening the window for identifying and addressing construction defects would leave Oregon homeowners vulnerable to devastating repair costs. I urge you to oppose HB 3746 and ensure that consumers maintain the ability to seek recourse for latent construction defects that only become apparent after years of exposure.

Thank you for your time and consideration.

Sincerely,



Alike Nee
Owner, PONO Building Consultants LLC