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Testimony of Deanna Forbush  
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Las Vegas, Nevada  
Assembly Committee on Judiciary  
May 8, 2003

Good morning Chairman Anderson and members of the committee. For the record, my name is Deanna Forbush and I am a corporate attorney in Las Vegas, here in support of S.B. 241.

About a year and a half ago, a construction defect attorney solicited my former neighbors and me for legal work, asking that we complete a survey identifying "defects" in our house. The solicitation was in the form of a letter addressed to the homeowners association, and was a California-based firm's letterhead that listed their website as [www.ConstructionDefects.com](http://www.ConstructionDefects.com). A local law firm was also mentioned on the letterhead; however, a partner of the Newport Beach Firm signed the letter. And, there was no mention of the Las Vegas firm on the website.

Since this was the second time they had solicited me, I responded with a letter stating that their survey was nothing more than a thinly veiled solicitation for professional employment in violation of Nevada law<sup>1</sup> and, for that reason; I also copied the Nevada Bar Association.

Chairman Anderson, it seems clear that a few of these out-of-state lawyers are simply trolling homeowners associations to generate legal business for their out-of-state firms, while bringing disrepute upon the legal profession in general. These aren't the actions of neighbors looking out for neighbors, but carpet-baggers looking to win the construction defect lottery, while Nevada homeowners are left with homes they cannot sell, or in some cases, even refinance while the defect litigation drags on.

It's been my personal experience that Las Vegas homebuilders are eager to satisfy their customers to maintain their company's integrity and generate positive word of mouth advertising. Unlike these construction defect attorneys, most Las Vegas homebuilders have been doing business here for many years and have a vested interest in the prosperity of our community.

Las Vegas has always been known as a city where even a hotel housekeeper or porter can own a new home, because home prices have always been affordable.

Construction defect litigation has made affordable housing in California extinct, but defect attorneys are alive and well doing their "business" in Nevada.

If construction defect attorneys are allowed to continue running roughshod over Las Vegas homeowners and builders, the dream of homeownership will be lost for many Las Vegas families, while these California attorneys are able to afford larger and larger mansions by the ocean. Please support S.B. 241 for all Nevada homeowners.

ASSEMBLY JUDICIARY

DATE: 5-8-03 ROOM 3138 EXHIBIT K  
SUBMITTED BY: Deanna Forbush

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