

Testimony of Jack Fe Torres
Homeland Security and Governmental Affairs
Permanent Subcommittee on Investigations
April 26, 2022

Chairman Ossoff, Ranking Member Johnson, and Members of the Permanent Subcommittee on Investigations, my name is Jack Fe Torres and I thank you for the opportunity to testify today.

I have served as a Technical Sergeant in the Air Force for 13 years as a Heating, Ventilation, and Air Conditioning craftsman. What brings me here is my family and the various medical conditions, frequent dislocations from our home and emotional distress we have endured because Balfour Beatty refuses to make necessary repairs to our home at Sheppard Air Force Base, Texas.

Serving as a Technical Sergeant in the Air Force with three children with a basic housing allowance of only \$1,266, I was pleased when Balfour Beatty offered a four-bedroom home as housing when options elsewhere were nearly impossible. We moved into the home on August 4, 2020. The house was coated with a new layer of paint and appeared to be in decent condition.

After moving in, my wife and children started experiencing a myriad of medical symptoms such as severe hair loss, skin rashes, difficulty breathing, dizziness, nausea, memory loss, coughing, headaches, abdominal problems, joint pains, coughing, sneezing, nose bleeds, ear problems, and fungal infections. My children and wife currently see a number of medical specialists that were unneeded prior to moving into our home as they had previously been relatively healthy. After realizing we felt better outside of our home and subsequently finding moisture issues within the home, we realized that mold was likely a threat to us.

The first major work order we called in was on March 4, 2021 due our hot water heater not working. During the repair, a Balfour Beatty technician forgot to isolate the water and gas valves causing the entire house to smell of natural gas and water to begin rushing out and into our mechanical room and hallway. Water drenched our carpets and spread under the mechanical room intake. Balfour Beatty did not adequately remove the moisture and mold started to grow in places we could not see under the mechanical room. We tried our best to vacuum up as much water as we could and even put a personal fan in the area. This was the first time we believe that our work order history did not reflect the true state of repairs (or lack of them) within our home. For example, the repair technician noted that he placed fans and picked up fan, when actually our family placed one residential-grade fan. After completing a survey noting our displeasure with the work, we were assured by the maintenance supervisors that it was not possible for mold to grow in this area and not to worry.

Issues with work orders have continued while living in the home: work orders will be opened and closed before completion frequently. Or worse, a work order will be attempted to be shoddily repaired and when we report the issue still occurring, a new ticket will be opened. The maintenance database then looks as if two different issues arose when, in reality, a superficial “fix” occurred and a new work order then was created.

On May 27, 2021 we discovered waterlogged trim in the master bedroom that had caused doors to warp so severely that the doors did not operate correctly. We placed a work order and informed Balfour Beatty via telephone. The work order was not marked urgent and did not state that it was related to mold. When our issues were not resolved, we then reported the issues to the government housing office, and the resident advocate. When our issues were still not being resolved, we subsequently contacted the Armed Forces Housing Advocates. With their involvement, we located more moisture issues within our home, copious amounts of mold in and under our mechanical room and began to report our issues to other individuals: my command, and my local congressional representative.

On June 11th, we emailed Balfour Beatty Community Manager to request a professional mold test to determine the extent of mold infestation. Balfour Beatty, however, did not promptly acknowledge the extent of mold or arrange for a professional mold test at our home. Instead, on June 14th, Balfour Beatty sent a contractor without a Texas mold license to investigate the moisture issues. At that point we were frustrated with the delays and took it upon ourselves to send mold tape-lift tests at our own expense to a lab where mold was confirmed present. Balfour Beatty and the installation's resident advocate dismissed our concerns. At one point, we were told that a large spot of mold on our mechanical room wall was just a "burn mark." To this day, I cannot believe a burn mark is better or safer than mold.

June 24th, four weeks after we notified Balfour Beatty about mold in our home an environmental work order was finally opened. On the same day Balfour Beatty sent a licensed mold assessor from Ecosystems Environmental, Inc. to conduct a mold assessment.

On June 25th, through the Armed Forces Housing Advocates (AFHA), we learned of the provisions of the Tenant Bill of Rights and we attempted to start the dispute resolution process afforded to us. Our local military housing office at Sheppard Air Force Base did not have a form available and simply created their own at the local office. This form was particularly distressing as they asked for my command's contact information before asking about our problems within our home. Being weary of reprisal, we contacted our AFHA advocate. She then provided the military housing office with a correct template that had been obtained from a nearby Army Installation. It seemed an outside nonprofit organization knew more about the process than the government housing staff responsible for managing our home. After submitting the dispute resolution form the military housing office confirmed they received it. We then had no contact from the housing office and sent multiple emails regarding the status of the dispute resolution process, only to be ignored until our second displacement nearly six months later.

We continued to repeatedly requested the mold report from EcoSystems, but Balfour did not share the report with us for several weeks. Finally, on July 19th we received two reports from Balfour Beatty's Reginal Property Manager. The first report dated July 2, 2021 issued by the mold assessor, Ecosystems that visited our home, and the second report dated July 9, 2021 issued by Exponent, who had never visited our home. The Ecosystems report stated that "growth" and "moisture" was present underneath the mechanical room, along the transite wall, below the tile floor in bathrooms, and in sheetrock under a window in the master bedroom. In total, Ecosystems identified over 175 square feet of walls and floorings in those areas with visible mold growth, water impact, and wood rot. Ecosystems recommended removal of the impacted sheetrock

sections, floor finishes, and wood trim. In contrast, we were shocked to find the Exponent report did not recommend such repairs. Even though this inspector never visited our home the report asserted that it was not necessary to remove the molded sheetrock sections or rotted wood. Surprisingly, it also indicated that some issues could wait until a change of occupancy to be repaired. This was stated even though we had two years left at the installation.

Due to the extent of mold at our home, we asked Balfour Beatty to move our family to a house in a different neighborhood at Sheppard, AFB, TX, but Balfour Beatty's Regional Property Manager told us on July 20th that the Air Force did not approve our request to move to a different neighborhood. Instead, we were given three choices: to remain at our home but stay in a hotel for 2-3 weeks while repairs are being done, move to a smaller house within our Freedom Estates neighborhood or to move off base. Moving off base was an impractical option due to high rental costs.

On July 28th my squadron commander directed me to make a final decision among the three housing options by the end of the day. Later that day I emailed my commander and Balfour Beatty to inform them that we elected to be displaced while Balfour Beatty performed repairs on our home if they agreed to follow the protocol from the Ecosystems report not the Exponent report. On July 30th we emailed Balfour Beatty's Regional Property Manager again "What protocol will be used?". On August 3rd, we received a response stating that "they are still finalizing the details of the work plan and promised to pass on an update when we have it". To date we have not received an update explaining what repairs were performed in our home.

During our four-week displacement starting August 4th, repairs were completed in our mechanical room, bathroom, master bedroom and kitchen. We hoped that upon moving back into the home on September 3rd our problems would be resolved as Balfour Beatty promised, but came home to find that our home was so filthy with construction dust throughout the home. In addition, the master bathroom door frame had not been repaired as the scope of work had indicated. More alarmingly there was still visible mold underneath the mechanical room, behind hall bathroom toilet, and our kitchen cabinet was sanded down and coated with a clear coat finish but mold was still visible. We also had cracks and multiple layers of chipping paint on walls and baseboards throughout the entirety of the home due to the containment tape peeling the walls and the house sitting for a long period of time without the air conditioning being used.

We immediately reported the issue via the resident portal and the work order was marked "web entered". It was later changed to the category "carpentry" New caulk was placed, sanding was completed on the cabinet and the issues in the mechanical room were ignored. The work orders were closed as completed never indicating that mold was still present. Essentially, Balfour Beatty had remediated portions of the mold, but never gave us reason to believe the source of the problems had been effectively addressed. Even worse, my children and wife began to experience the same medical problems they had previously.

On September 20th we found a water leak from the wall next to the bathtub in the master bathroom. When a Balfour Beatty technician came to view a moisture issue in our bathroom two days, we were told "they will need to discuss this with the corporate and that what we think and what corporate thinks could be two different things". Later we were told it was simply the

shower door not being installed correctly due to it being tilted slightly outwards and the technicians caulked over the door trim. Even after removing the shower door and replacing tiles, there was still water coming out of the wall trimming.

On January 10, 2022, we discovered mold growing on the wall in our kitchen. A Balfour Beatty technician indicated to me that there may be a slab leak in our foundation. This was later informally confirmed by a plumber, but Balfour Beatty has never provided us a complete scope of work.

With only hours to gather our things, two hotel rooms on separate floors were booked for our family. This hotel was over 20 minutes away from the installation and my children's schools. After being displaced again, we reached out again to the military housing office for an update on a resolution of our dispute and after submitting the dispute forms for the second time, we were denied a dispute because, we were told, "Balfour Beatty was still actively addressing the issues in our home".

Our home sat empty while we were displaced to the hotel with no repair work being done for much of January and February 2022. The next contact we had was from Balfour Beatty's regional manager informing us that we could move into a smaller home in the same neighborhood as the repairs were expected to take more than 30 days to complete and their policy was that they would stop paying for the hotel after 30 days. Upon touring the home and reviewing the seven-year work order history, it was apparent to us that this home was in no better condition than our current home with what still looked to be visible mold growth in the mechanical room. This was not satisfactory and eventually Balfour Beatty conceded to paying for our hotel room.

For several weeks, we were afraid that Balfour Beatty would stop paying for our hotel rooms and leave us with no safe housing options. We attempted to locate a home off the installation but with housing and rental prices soaring, we were unable to locate anything that would not leave us out of pocket more than \$500 per month. The Tenant Bill of Rights states that if military families are moved out of their homes in the case of repairs they will be provided lodging at no cost.

When our family was displaced for the second time for nearly three months, we were only provided \$300 a week to feed our family of five. Per diem rates for meals should have equated to \$661.50 for food each week. I watched as my wife struggled to make meals in our hotel rooms without increasing our grocery budget. We were still paying rent in the form of an automatic allotment of BAH to Balfour Beatty and despite the Tenant Bill of Rights stating we could subrogate our rent, we were not given this option. To make matters worse, we were forced to pay up front for the costs of our meals as it was not until March 2022, eight weeks after our second displacement when we would receive reimbursement for our meals. Service members are not receiving these monies in a weekly check like you would expect, but instead are forced to wait at least a month to have their rent credited.

These displacements caused my wife and children copious amounts of stress as you can imagine having a two-, five-, and eight-year-old without their comforts of home, including toys, and in a strange environment during a pandemic is frustrating for the entire family. Our oldest daughter

has developed behavioral issues and has been diagnosed with severe anxiety and depression and she continues to struggle in school.

My family was able to move back into our home on March 31st nearly 12 weeks after being displaced. We were told that the house would be cleaned after being vacant for such a long period, but unfortunately, we moved in again to construction dust coating many of our belongings and wood rot still present where we had confirmed mold growing. The air filter on our HVAC system had not even been changed during the mold remediation and the build-back construction.

I believe if our slab leak, water heater mishap, concerns about our bathroom and the general upkeep of the home had truly been taken seriously by Balfour Beatty, as was indicated in the environmental first report, our second displacement could have been prevented. I also believe that had our resident advocate and the military housing office been adequately trained and willing to help our family our stress would have been substantially less. Unfortunately, through this ordeal, my career has been adversely impacted. I have missed work due to the hotel relocations and doctors' appointments for my family due to their health conditions being negatively impacted. I was also passed over for a supervisory role that could have advanced my career and was told it was due to complications of my family's housing dispute.

While hesitant to tell my family's story of how Balfour Beatty has impacted our health, my career and our emotional wellbeing, I remain hopeful that Congress will seriously address what military families around the country like mine continue to experience. We must do better, and we must find a better path forward. Our military families should not be forced to live in fear of their own homes. Thank you.