

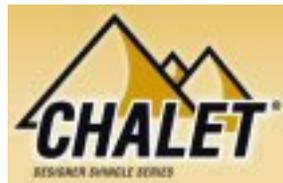


# Home Tips®



• CHRISTIAN BUILDING INSPECTORS, INC., 3697 HABERSHAM LANE, DULUTH, GEORGIA 30096, 770-849-0920 • OCTOBER 2014 •

## Atlas Chalet Roofing Shingles Class Action Lawsuits



Atlas Roofing Corporation is currently facing multiple class action lawsuits over its Chalet shingles. These lawsuits allege the Chalet shingles are prone to premature failure, cracking and blistering, which may stem from a manufacturing defect



that allows moisture to enter the shingles, damaging the property on which they were installed. These lawsuits have been filed in multiple states and are seeking compensation from Atlas for repair and replacement costs, among other damages.

### Why Are Lawsuits Being Filed?

Customers who purchased Atlas Chalet shingles have filed class action lawsuits claiming that the product is defective and that Atlas is failing to honor its warranties. Many of the lawsuits filed over Atlas Chalet shingles share similar claims. These include:

- Atlas publicly claimed that its shingles would last for thirty years without problems and that the shingles met “industry-accepted building codes”
- Atlas’ design and manufacturing allowed moisture to intrude into the shingles, creating gas bubbles that can expand and lead to blistering and cracking
- Because of the design defect, the shingles do not conform to the express warranties of the company, including the

company’s 30-year warranty claiming that the shingles will be “free from manufacturing defects”

- Atlas has rejected or failed to honor legitimate warranty claims from hundreds of customers throughout the United States who reported problems with their shingles
- The company’s response to customer complaints and questions was “woefully inadequate”
- The company failed to inform customers of the alleged design defect, even after receiving multiple complaints, and refused to repair damage caused by premature shingle failure



### Property, Roofing Problems Caused by Faulty Shingles

During manufacturing, shingles’ weather surface must be uniform and free from any defects such as holes, cracks or blisters. It is also important that no water or moisture gets into



the shingles. If moisture does get trapped in a shingle, it can create gas bubbles. When heated by the sun, these gas bubbles

can expand, causing the shingles to crack and blister once they have been fitted to a roof.

While the manufacturer of the Atlas shingles claims that "rash blisters" are merely a cosmetic issue, it has been alleged that Atlas shingles are defectively designed in such a way that shingles can crack and prematurely fail. Building professionals have claimed that the blistering indicates a reduced life-expectancy and has been observed on shingles that were less than a year old. Some roof inspectors have also observed early granule loss at the blister sites. It has been reported that exposed granule-loss pits on the shingles can increase moisture absorption into the shingle, and in cold temperatures, promote wearing of the shingles from frost.

**Problems reported by consumers whose properties were outfitted with the shingles include, but are not limited to:**

- Blistering
- Early granule loss
- Wear pits
- Premature failure
- Reduced life expectancy
- Moisture penetration
- Other inherent defects

**Have Atlas Chalet Shingles Been Recalled?**

Atlas Chalet shingles were discontinued in mid-2010. However, homeowners are claiming that their attempts to contact the company for assistance have been unsuccessful, leaving thousands without remedy for their allegedly defective shingles. It has also been alleged that Atlas continued to sell its roofing shingles – before they were discontinued – despite knowing about possible defects. (The company reportedly received a large number of complaints from customers.) Allegedly, the company also made false representations and issued false warranties to customers while selling shingles that it knew might blister and crack.

Source: <http://www.classaction.org/atlas-shingles>

A Georgia federal judge has dismissed some claims in a proposed class action against Atlas Roofing Corp. over its allegedly defective Chalet roof shingles but has allowed breach of warranty and other claims to go forward.

Though the judge said the plaintiffs "only adequately allege damage to the shingles themselves," and claims of damage to "other property" were "too ambiguous," he did allow claims that Atlas violated an express warranty for the shingles, Law360 reports. U.S. District Judge Thomas W. Thrash Jr.

ruled that Atlas's marketing materials and packaging, which said the shingles meet building codes and industry standards, created a warranty with the purchaser. The judge said a South Carolina couple properly alleged that they relied on the warranty and would have bought shingles from another manufacturer if Atlas hadn't made the warranty. Consumers have reported that their roofs began to deteriorate as early as one year after installation, and they are facing expensive repairs and even full roof replacement years sooner than expected.

The judge allowed the claim that Atlas fraudulently concealed the shingles' manufacturing defect, saying Atlas had a duty to disclose the problem in its manufacturing process if the plaintiffs could not have reasonably uncovered it themselves, according to Law360. Atlas's shingles come with a limited 30-year warranty against manufacturing defects, and the judge kept most of the suit's declaratory judgment claims, but he dismissed the request that Atlas pay the cost to inspect all class members' shingles to see if they need replacement, saying the plaintiffs did not provide any law or contract basis for that claim.

Source: <http://www.yourlawyer.com/>

---

## ***Quote Of The Month***

---

**"In marriage, being the right person is as important as finding the right person."**

**Wilbert Donald Gough**

---

### ***A Tip Of The Hat To:***

#### ***Michele Michalec***

*Re/Max All Properties*  
566 Peachtree Parkway, Suite 120  
Cumming, Georgia 30041  
678-315-1917



***Thank You***

---

# **• CHRISTIAN BUILDING INSPECTORS, INC. •**

---

- Member: ASHI, GAHI, ICC •
- International Code Council Residential Combination Inspector No. 5185008-R5 •
- Fully Insured With Errors & Omissions and Liability Insurance •
- Office: 1-888-257-0365 or 770-849-0920, Fax 770-849-0540, Cell 404-697-4129 •
- Web Page: <http://www.christianbuildinginspectors.com>, Email: [rod@cbiga.com](mailto:rod@cbiga.com) •



- Site
- Drainage
- Foundations
- Floor Slabs
- Crawl Spaces
- Basements
- Structural
- Interior
- Exterior
- Appliances
- Ventilation
- Electrical
- Plumbing
- Heating
- Air Conditioning
- Attic
- Roofing
- Radon
- Termite Letters
- Warranty
- New Homes