

Doctored Black Galaxy granite

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Hello, I had my kitchen countertops and backsplash done with Black Galaxy granite from Innovation Kitchen & Bath in the first week of February 07. I noticed immediately there were major problems with this granite on a large piece of the backsplash. Some areas look ghostly white in different patterns. I also had the backsplash done, and on one piece especially it is really bad. It almost appears like a "washed out" look and occurs in different patterns (large circle, swirls). Like black vs grey and is very noticeable. I told the company about it and they fed me a line about just polishing it, or that is how "natural" rock is. After getting the run around for months with the owner telling me that's how "natural" granite is, they finally had their fabricator replace the section which took 3 separate days to get right! A few weeks later I had company over and they left out a medicine bottle and a glass cup on one of the matching granite cutting boards. I wake up, go to clean up and find white rings. Knowing this should never happen, I go online and researched that some places sell granite that has been "doctored up."

http://forums.findstone.com/prINTER_friendly_posts.asp?TID=1238

http://forums.findstone.com/forum_posts.asp?TID=1306&PN=2 I was told to cut a lemon anywhere on the granite because the acidity would not do anything to real granite, but would affect "doctored" granite. Doing this on my counters resulted in anywhere a lemon drop fell instantly turning into a white stain. I then went and did this at my bathrooms at work which are Black Galaxy also, and nothing happened. Next I purchased Black Galaxy samples from Home Depot and once again did the lemon test and no problems at all. After this, my mother and I went to the store and spoke to the John, the owner. He asked us to give him 6 weeks to have the granite tested at USF before coming to any conclusions. He did not want a sample from my house since he said he still has some of the "defective" pieces from when they replaced the backsplash from earlier in the year. Six weeks later I spoke to John and he stated the results of the test did possibly show something wrong, but when asked to show documentation of what tests were done, but he did not produce anything. He stated he would have to resolve this somehow. On November 21st John came to my house to take a firsthand look at the problems. I explained that I paid for true Black Galaxy granite and I want whatever was installed to be taken out and replaced. The reason I chose Black Galaxy in the first place was due to how durable and maintenance-free it is. The kitchen is pretty much unusable for me since I am in constant fear of doing anything that will further ruin the look. John replied that the most he could do was not charge me for material, but I still paid for the installation. He then left. Now I do not know what to do. I feel like I was ripped off with either a defective product, or fraud was committed and I was sold something less than what I was expecting to get. Now I am stuck with a remodeled kitchen with granite countertops and backsplash that I must be extremely cautious with or else it will get ruined. I feel that I will be forced to pay for another company to tear this out, purchase more granite, and once again have it installed. I have brand new cabinets, appliances, and electrical work and lighting that I'll have to worry about getting damaged. I'll be forced to do this because I could not rent or sell my place out and tell people to not place a cup or dish on the counters for too long or worse cut a lemon for iced tea. Please give me some assistance. I am more than willing to sue, but do not know where to start or who to contact. I summarized what has occurred over the last several months here which does not go into the time, stress, days off work, and other issues that have occurred. I have documentation and also below have supplied two links to professional granite forums where I used the name "ugabuga" to find professional advice. In those posts, I supplied pictures showing what I am talking about above. http://forums.findstone.com/prINTER_friendly_posts.asp?TID=1238
http://forums.findstone.com/forum_posts.asp?TID=1306&PN=2 I have gone to the BBB which got me nowhere and had a consult with a lawyer two days ago which if I go that route will be extremely pricey. Any help would be appreciated.

Dear Jarrett:

â€œI feel like I was ripped off with either a defective product, or fraud was committed and I was sold something less than what I was expecting to get. â€•

Your feeling reflects exactly what happened. You've been ripped off and consumer fraud was committed.

â€œI had a consult with a lawyer two days ago which if i go that route will be extremely pricey. Any help would be appreciated. â€•

If you get a really good attorney, it will not cost you much. A good attorney would smell the fraud right away and charge you on a contingency-basis, because he would take the case to a grand jury. If you get a so-so attorney it will cost you plenty and you will also lose your case â€“ guaranteed!

I can't help you shopping for a very good attorney specializing in these sorts of litigations, but if you're not seeking punitive damages, you really don't need an attorney.

Depending on where you live and your local laws, this could even be a small claim court or, at best, Special Civil part of Superior Court. (Just as fast and informal as Small Claim). More than an attorney, you will need an expert, and there is where we can help you.

However, as a first move, I would write that gentleman a â€œniceâ€• certified letter stating that you're not going to give in and that your next move is to file consumer fraud charges with you local DA. If he will not comply with your demands, you will just go to the DA office with pictures of the â€œlight stainsâ€• of your countertop, the sample tile that you've got at the Home Depot and a lemon wedge to show the DA the fraud. Also tell them about marblecleaning.org and that I will be available for free technical assistance both over the telephone and physically at no charge (you will only have to pay for my traveling expenses, but no fee). Indicate that it is a despicable widespread situation and that they can verify that with me.

If the DA will take action, I don't believe that your â€œMichelangeloâ€• is going to be very comfortable!! If he will not comply with your demands, he's going to be in deep doo-doo, I can tell you that!

I don't think it will ever get to a trial; he will give up really quickly, unless he's a total idiot. But if it will ever get to that, let me know and we'll take it from there.

And, please, do keep us posted: we need precedents like this one!

May I ask you now to please read and e-sign our Statement of Purpose at: <http://www.marblecleaning.org/purpose.htm>?

Ciao and good luck,

Maurizio Bertoli

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