



WALL TO WALL NEWS



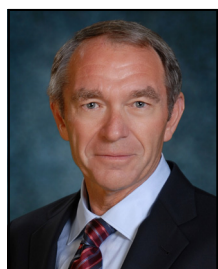
WSFCA (425) 885-0012 / PO Box 2009, Kirkland, WA 98083-2009 / www.wsfca.org

Spring 2013 / Second Quarter

Mission Statement: Improving, advancing and unifying the floor covering industry in

Washington State through education, training and advocacy.

The People Part of Your Profit Dinner Meeting - May 15, 2013



When you think about the keys to your company's profitability, it's easy to put a value on things like tools, materials, vehicles, equipment, marketing, etc. You know that you and your staff have the *technical* skills to do the work - and manage the business -

but what about the people skills? Maybe the biggest key to your bottom line is the ability to work effectively with your customers. This presentation will give you a checklist of ways to impact your bottom line through effective interpersonal communications.

WSFCA is proud to bring Mark Levin, CAE, CSP to Seattle for one of his acclaimed programs. His hands-on experience and practical, reality-based approach to interpersonal communication skills will send you away excited to work with your customers. Join Mark to learn, share, and, yes, have some FUN as you learn to improve the *People Part of Your Profit!*

The WSFCA Executive Board and Director, Debbie Tott saw one of Mark's presentations last Fall and were very impressed with his upbeat, insightful presentation. They made it a priority to hire Mark and bring him back out to Seattle from Maryland for your benefit. You'll be glad you took the time to attend!



Special Bonus
Meet Scott Humphrey,
the new CEO of World Floor
Covering Association
at the Dinner Meeting,
May 15th

WSFCA is in for a Major Face Lift!

We're taking on a fresh new look!

**Be a part of the exciting
change!**

Watch your emails for details.



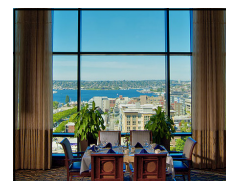
**Be sure to attend on May 15th to VOTE on
the proposed changes.**



Contact our office if you are unable to attend for a ballot prior to the meeting - wsfca@comcast.net

May 15th at Mirabella

116 Fairview Avenue N
Seattle, WA 98109



6:00 pm Registration / no host bar
7:00 pm Dinner
7:30 pm Presentation by Mark Levin

Make reservations by May 8th (form on last page)

The 5th dinner for each company is FREE

look for free street parking (after 6pm)
on John, Minor & Thomas Streets
several reasonable lots are also nearby



President's Message - Crunch Time!

By Bob Lucas

It's here again; you know, time for "gut-checks" and "buzzer-beaters". No, I am not talking about "March-Madness" or "The-Final-Four"; I am talking about the "game" that is playing itself out in our members' offices, showrooms, warehouses, and job-sites every week as the "rubber-hits-the-road" and the Spring of 2013 "hits-full-stride". But since you mentioned basketball... I have to share one special bit of inspiration that came to us by way of the NCAA National Basketball Championship.

I grew up in Indiana, and when I was old enough to walk I was playing basketball; well, almost. And like every "Hoosier", I dreamed of the day when I would sign my NBA contract with the Chicago Bulls. Imagine my horror when my adolescent growth spurt ended at 5' 9.7345". Unless I could pull a "Spud-Web", there would be no NBA future for me.

Though I never even "rode-the-pines" as a professional basketball player, athletics did provide me with many life lessons to draw upon through the years since. A perennial favorite is "It-ain't-over-'til-it's-over." This one was played out in dramatic fashion as the Louisville Cardinal's faced the Duke Blue Devils in the "Elite-Eight" bracket of the tourney. From a split-second in time that was initially a non-event came one of those "I-can't-believe-that-just-happened" moments that will not soon be forgotten. A Louisville player jumped to challenge the shot of a Duke player; normal basketball. As he returned to earth the leg he landed on gave way with a horrific crack, resulting in an "I-can-feel-it-from-here" compound-fracture that all who saw it would like to erase from visual memory, if that were only possible. But this was just the backdrop for the truly unforgettable. With his team mates standing close, trying to "be-there" for their fallen partner while writhing in vicarious agony, the young man who broke his leg shocked them all by delivering this indelible charge: "Win the Game, Win the game!" And he didn't just say it, he shouted it, as though he realized his teammate's hearts had sunk into their Nikes (& Adidas) over his plight and he needed to help them snap out of it. Talk about defining moments! Even if you haven't heard about this story you can probably guess that Louisville did go on to win, and as I write this they prepare to take on Michigan for the 2013 National Championship.

Whether they win or lose, it doesn't really matter at this point; the Louisville Cardinals have proven themselves "championship worthy", and Kevin Ware has shown that he is a world-class young man, the athlete part coming in a close second.

Just over a year ago I encouraged you that whatever you do "Just do it well". How's that working out? Our lives change, circumstances change, the "game" changes; and every day we have to wake up and do it all over again. It is not how many championships, trophies, top-sales-awards, bonuses, etc. we amass that really matters in the end. Being a part of something bigger than our own personal existence and pulling as much (or more) for the "team" as for yourself is what turns the average life lived into a *life-lived-well*.

And it ain't over 'til it's over!

WSFCA Named #1 in the Nation!



Bob Lucas, WSFCA President, showed off the Howard Olansky Award for World Floor Covering Association affiliates, co-sponsored by *Floor Trends* at the March Dinner Meeting. Of the three categories determined by association size, Washington State Floor Covering Association won in the *large association* category. This is the seventh time in the past eight years that WSFCA has received top placement. Criteria for the annual award is based on;

- Education & training programs
- Lobbying & advocacy
- Social action
- Community support
- Charitable efforts



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Attention ALL Sub-Contractors and ALL Who Use Sub-Contract Labor

- *Losing work because you are no longer viewed as a legitimate sub-contractor?*
- *Scared of your next audit?*
- *Can't afford to take a day off for training? Can't afford this class? That is probably an indicator that you are not viewed as a legitimate sub-contractor by L&I !!*
- *Attend this seminar to learn how L&I defines a legitimate sub-contractor*

Labor & Industries



How to Stay Out of Trouble with L & I
and other State of Washington Government Agencies

9am-3pm



KENT - May 31, 2013 - The Cronin Company, 6306 S 231st Street, Kent, WA 98032
SPOKANE - June 5, 2013 - Wanke Cascade, 2003 Waterworks, Spokane, WA 99212

**Learn & understand how to comply with L&I,
Dept. of Revenue & other state agencies
Discover what is actually required of your business**

- Record keeping, registrations & agencies
- Company Manual-Employer Rules
- Department of Revenue
- Safety requirements for businesses
- Prevailing Wage
- Subcontractors & Prime Contractor Liability
- Subcontractors are being turned into Employees by WA

**Small Business Basics Continuing
Education Certificate
provided to all attendees**

You won't just learn "how to" come
into compliance. You'll receive
practical help using:

- Checklists
- Forms
- Contracts
- Business Basics Manual

Instructor - Kris Alberti teaches classes for the state (not a state employee) and has actually won in mediation against L & I. She is a certified instructor for OSHA & EPA and has taught many Business Management classes for building professionals. Kris has over 20 years construction experience – working in commercial flooring, owning a general contracting company, and consulting for contractors. She is the Executive Director of Northwest Independent Contractors Association.

Class qualifies for WFCFA CEU credits: CFS, CFE, CFP

Labor & Industries Seminar Registration Required

Which class will you attend? ☐ KENT May 31st OR ☐ SPOKANE June 5th
Check One: ☐ Using Trade Scholarship balance \$100 ☐ Member \$200 ☐ Non-Member \$300

Company: _____

Attendee Names: _____

Bankcard holder name as printed on card: _____

Card # _____ exp. date: _____

Security code: _____ (Visa & MC/3 digits on back near signature, Amex/4digits on face of card near top right)

Street address and zip code where credit card statement is mailed to: _____

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Mail with check to WSFCA, PO Box 2009, Kirkland, WA 98083-2009
or for credit card payments Email to wsfca@comcast.net or Fax to (425) 869-9315

Questions??
Phone (425) 885-0012



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Distributed By:

Wanke Cascade

the MARKET

Designers, Installers and numerous other Building Trade professionals. The 2013 Market was, once again, a resounding success. We had over 80 booths with exhibitors displaying a large variety of products and services. Our attendance this year numbered several hundred and included Dealers, Interior

Designers, Installers and numerous other Building Trade professionals. The 'buzz' this year was that the Market is showing steady signs of growth & improvement. The other 'buzz' was the tile saws in use by the tile setters participating in the first ever Pacific Northwest Ceramic Tile Certification program by CTEF. This year's Best Booth Award was presented to Wanke Cascade with a 'gourmet line-up' created by Victoria Haugen, and was determined by attendee ballot. Planning has already begun for the 5th Market in 2014 and we look forward to seeing you all there!

**Congratulations
to Wanke Cascade!
Best Booth Winner
at the Market**



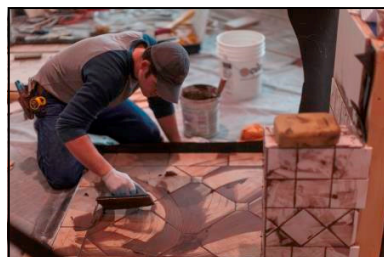
"Surfaces is great, our buying conventions are a must, and this is the 'missing link' for retailers to find out what they may be missing and know what is available in the Northwest. Great market!"

- Barry L., Owner,
Abbey Carpet and Floor of Puyallup



"The show keeps getting larger and more productive each year...and...has proven to be invaluable to our dealers overall."

- John L., Product Manager,
The Cronin Company

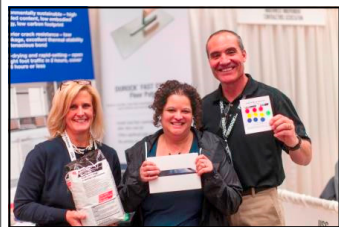


"We very much appreciate the show. It is an extremely cost efficient way to see all our suppliers in a short amount of time."

- Robert S., Owner, West Shores Interiors



Winners at the MARKET



Oriana Herrington of Decor Carpet One Floor & Home won the iPad mini, sponsored by USG, presented by Amy Wilson & Tom Miceli.

Dave Hu of David Hu Construction won the Pre-Registered Guest Prize sponsored by T & A Supply Co., presented by Holiday Van Erem.



**the Market was made possible
by the dedication of these
amazing volunteers:**

Jack Bramson*

Paul Cook

Jim Dahl

Larry Fields*

Rebecca Gervais

Rusty Lawson

Shawn Loomis

John Lopez

Bob Lucas

Rachel McLain

Cherie McNabb

Debbie Monetti

Debbie Morton

Linsey O'Donnell

Matt O'Haleck

Margie O'Harra

Lauren Tague

Tim Thompson*

Barb Tipton

Rick Tipton*

Holiday Van Erem*

Brian Wright*

*member of the Market Committee

Thank you!

Principal Place of Business...

By Kris Alberti, Executive Director, Northwest Independent Contractors Association

What is a Principal Place of Business? - It is **the** difference between you hiring a Subcontractor or an Employee.

If you don't have **wording in your contract requiring** that your subcontractor is to have a Principal Place of Business, have a **picture** of your Subcontractor's Principal Place of Business and a **receipt of actual costs paid by the business for that Principal Place of Business**, the registered contractor you hire is your employee. This may include getting a redacted (with the numbers blacked out) IRS tax return showing the Principal Place of Business was taken as an IRS tax deduction.

Under the Independent Contractor laws (RCW 51.08.195 and 51.08.181) there is a 7 point test that verifies whether a Registered Contractor that works for you is a "worker" (employee) or Independent Contractor (business or subcontractor). If they are determined to be a worker, the hiring Firm owes Worker's Comp Premiums (plus huge penalties and interest, based on dollars, not on hours worked), Employment Security premiums, and potentially all the associated IRS taxes. L&I will tell you they are only looking for Worker's Comp, but the Washington State laws now overlap. If the Registered Contractor is determined to be a "worker", you owe the additional taxes and premiums.

A registered contractor **MUST MEET ALL 7 POINTS** of the test to be considered an Independent Contractor, and you, as the hiring firm, must PROVE (both in *contract* and in *fact*) that the registered contractor you hire meets the test with **EVIDENCE**.

In this article we are only focused on Part 2 (c) - typically, the Flooring Industry can't pass parts 2(a) and 2 (b) due to L&I interpretations, so they are left with only Part 2 (c) to verify contractors

In upcoming articles we will discuss some of the other common tests Hiring Firms and Subcontractors don't know about that are causing L&I to reclassify Independent Contractors as employees. The fact is that almost all subcontractors without employees are being re-classified as "workers".

Let's take a look at the concept of Principal Place of Business, and yes, your subcontractor must have one to be considered a business.

"Principal Place of Business"

If your subcontractor claims his or her Principal Place of Business is a "home office" it must meet the IRS definition.

(see <http://www.irs.gov/uac/Work-From-Home%3F-Consider-the-Home-Office-Deduction>)

RCW 51.08.181

"Worker" — Registered contractor and electrician exclusions. (Part 2 ONLY)

For the purposes of this title, any individual performing services that require registration under chapter [18.27](#) RCW or licensing under chapter [19.28](#) RCW for remuneration under an independent contract is not a worker when:

- (2) (a) The service is either outside the usual course of business for which the service is performed, (b) or the service is performed outside all of the places of business of the enterprise for which the service is performed, or the individual is responsible, (c) **both under the contract and in fact, for the costs of the principal place of business from which the service is performed;**

...Your Subcontractors are Your Employees Without A Principal Place of Business

Generally, in order to claim a business deduction for your home, you must use part of your home exclusively and regularly:

- as your principal place of business, or
- as a place to meet or deal with patients, clients or customers in the normal course of your business, or
- in any connection with your trade or business where the business portion of your home is a separate structure not attached to your home.

If your subcontractor claims a 'mobile headquarters' as their Principal Place of Business then the following criteria should be met.

"If a contractor has a mobile headquarters in its van with client records, computer, printer, equipment, tools and inventory with records proving it is paying all costs for the van. "

"under the contract "

Put some form of this wording out of the law into your contract. An example would be: *"The Subcontractor is responsible both under the contract and in fact, for the costs of the principal place of business from which the service is performed for the duration of the contract".*

In audits, L&I has been tagging Hiring Firms for **"under the contract"** even if they verify the Principal Place of Business in their contract by a question and the subcontractor affirms they have one.

"and in fact"

You must prove the Subcontractor has a Principal Place of Business and they are paying the costs associated with it. Proof could include the following:

Home office or storage

- Provide phone, utility, internet, or rental receipt for the use of home office or storage facility
- IRS Tax return Profit and Loss or Itemized Home Office Deduction (amounts can be blacked out) (this also meets Test 3 (b) so it's the best solution)

Mobile Headquarters:

- Van payment or receipt for the cost of the van paid by the business (not the individual)
- Insurance receipt paid by the business (cancelled check)
- Picture of client records and bookkeeping activities in the van

Storefront or Rented Office:

- Rental or Lease contract for facility

Get it in Writing from Labor and Industries

This article is simply meant to inform you of audit results based on Principal Place of Business. Following the recommendations above may not be enough proof at the time of your audit. We recommend you gather this information, call a local Labor and Industries office, and have them pre-verify the Subcontractor in **writing**. **If you get other advice from Labor and Industries and you don't get it in writing**, assume they will re-classify your Independent Contractor as a worker or employee, even if an individual auditor or account representative says differently.

Also, remember this is just one of the 7 Point test under [RCW 51.08.181](http://www.lni.wa.gov/main/smallbusiness). If your subcontractor does not meet all 7 points of the test, they will be re-classified as an Employee.

If your Subcontractors or you have questions contact <http://www.lni.wa.gov/main/smallbusiness> and be sure to obtain all responses in writing!

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Pro Flooring LLC
Bodgan Goia
Renton, WA

Tile Lines
Darren & Darrell Helbling
Kent, WA

Wholesale Flooring Services LLC
Sharon Phillips
Kent, WA

WSFCA 45th Annual Golf Tournament



Save the Date
July 18th

Fairwood Golf & Country Club



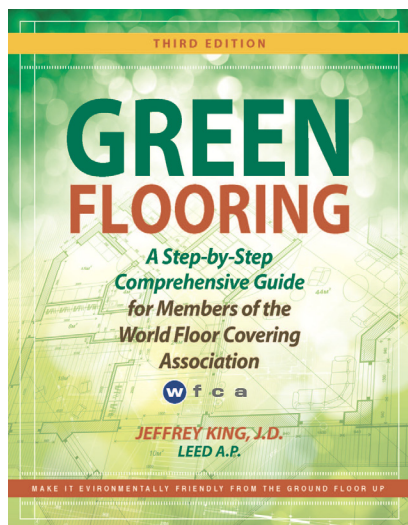
Carpet Recycling Required in Seattle

All Construction, Demolition and Remodeling Contractors will be affected by Seattle Ordinance 124076 adopted in 2012 prohibiting the disposal and requiring recycling of Carpet (as of January 2014) from jobs that hold a Seattle Building Permit. Many other construction and demolition products are also included in the ban. To reach a goal for recycling 70% of construction waste Citywide by 2020, Seattle Public Utilities will require all building permit holders for each new construction, remodeling and demolition job to file a waste diversion report within 60 days of final inspection to show compliance with the disposal bans.

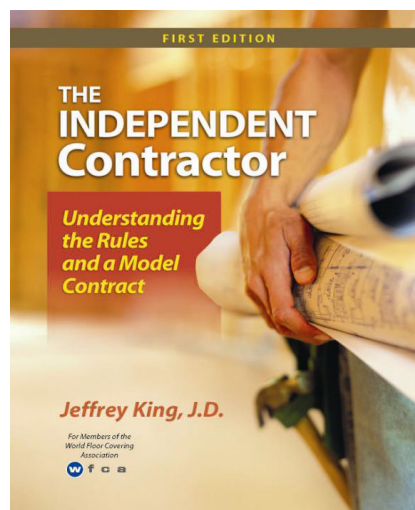
Choosing certified processing facilities will be the easiest path to prove compliance with the City's disposal bans. Weight slips and other documentation indicating where materials were recycled will be required if non-certified processing facilities are used. Civil penalties will likely begin January 1, 2015 if reports are not submitted or if materials required to be recycled are disposed of in a landfill. The disposal bans do not include materials that are painted, have hazardous constituents, are difficult to separate from others, or are present in very small quantities.

For the complete write up see the carpet recycling page of our website www.wsfca.org.

New Resources Available from World Floor Covering Association



Available by logging in to wfca-pro.org



Contact Gena at WFCA
gbasenback@wsfca.org for your copy.

2013 WSFCA Board of Directors


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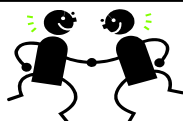
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Greet Customers/Staff Members! Don't Turn Them Off!

By Dr. Linda Talley

Your customers walk in the door and what's the first thing you say?

"Hi, may I help you?"

Double messages, saying one thing and your body language saying another, are deadly as they leave the receiver confused, angry and/or upset and it creates conflict in the workplace. Make certain that what you think, say and do are congruent.

And, what's the first thing your customer says?

"No thanks, just looking."

Customers don't like to be sold, they want to buy! If they walk in the front door and you ask your question without acknowledging their presence, they feel uncomfortable due to your hard sell tactic. They want to be seen, acknowledged and then helped. When you do this, you validate them. When you try to sell them first, you appear too pushy. Yes, there are customers who are in a hurry and want to buy quickly, but they are usually the exception.

Make eye contact with the customer when s/he walks in your store. 2-4 seconds. Use a genuine smile, too! This is a universal form of validation. Shake their hand to make physical contact because this brings you into their per-

sonal space and this is where business is conducted.

You've made contact, now use the verbal channel of communication—if the customer hasn't already enlisted your help. If they ask for a certain item, "do you carry XYZ widget?" Don't lose the emotional connection with them by saying yes. Yes/no questions end a conversation. Instead of saying Yes, which ends the conversation, say something like, "good question, why are you asking?" Now, you have dialogue going and dialogues create relationships and relationships create business.

In an office setting, a staff member walks into your office and just stands in front of your desk. You might want to ask, "what?" and the person may just shrug their shoulders, say "nothing" and turn around and walk out. What if you said: "you look uncertain, how can I help?" At this point, are you getting up from behind your desk in order to remove any barriers between you and this person and also as a way to move out of a confrontation position that your office desk arrangement and seating supports?

This is called consultative selling. You ask questions to determine what the customer/staff member really needs and then make a recommendation based on that. By using your verbal and nonverbal channels of communication, you fulfill the customer's need; they are happy; you have fewer returns; they are happy; they tell their friends about you (good reputation).

INSPECTOR'S CORNER

Wrinkles: Carpet Installer's Dilemma

By Roy Leach, Floor Covering Inspections NW, NWFA-Certified - ICRI-Certified as Grade 1-Tier 2 Concrete Testing - FCITS #1099 - The Clean Trust (formerly IICRC) #64458

Installers have the hardest, physical job in our floor covering world. They are frequently put in a position of being the magician that can make everything perfect in this imperfect world. They find ways to piece together a carpet that was ordered too short and sometimes repair a subfloor at no cost, because the salesperson did not figure it into the prep. A caring and talented installer is a huge asset. They leave the final impression with the customer, who sees the installer as the one who transforms their home or business.

Why then are installers blamed for so many failures: over 70%! Partially this is due to not reading and/or following the manufacturer's installation instructions and partially having to change old ways of doing things in an ever changing industry.

Recently I was contracted to oversee an installation for a carpet replacement. The installer did not plan to seal the seams. I stated why the seams had to be sealed. He complained about it but sent his helper to seal the seams any way. Then the installer started stretching the carpet using only a kicker. I mentioned that a power stretcher was mandatory in order for the customer to have a warranty. He stated he did not have to use it and the kicker was faster. I asked him if you had read the 2011 CRI installation manual and he stated he had not and did not care. Unfortunately this seems to be a common occurrence.

The Carpet and Rug Institute (CRI) states in bold print in their installation standards, section 16.5.1, "**Using a mechanical stretching device (i.e. power stretcher) is mandatory.**" Further (paraphrased) *Devices used as a substitute are not acceptable.* In this case the carpet's warranty was voided because the installer chose to be stubborn and not follow CRI's installation guidelines as instructed by the manufacturer!

Everyone needs to realize the manufacturer has done all the research and development on their products and they know their product's limitations. All of their installation instructions, care guides, and warranties are based on those limitations. Therefore, if an installer elects to install outside the scope of the manufacturer's installation instructions he and the dealer should expect the floor covering to fail.

CRI also states in their manual that a carpet is to be stretched 1% larger than the room in length and width to create a tight stretch after fastening the carpet to tackstrip. When this happens the crystallized latex backing will end-up with oblong holes in its back caused by the latex pulling against the tackstrip pins. If there are no oblong holes in the back of the carpet the carpet was not power stretched or a power stretcher was used but not enough pressure was applied to achieve 1% of excess stretch. It is impossible to put the correct stretch on a carpet and not have oblong holes in the back.

If the installer does not apply enough stretch the backing will relax from the room's temperature, humidity and traffic. When this happens wrinkles will develop. This happens with all carpet, especially the Berber style. You may wonder why. Here is the reason. Berber carpet needs twice as much latex to hold both ends of the yarn in the backing to create a loop. This makes the back of Berber carpet twice as stiff and heavy.

Picture stretching a rubber band and then hook the ends to something solid. Then pinch the middle of the rubber band and

stretch it downward many times. This will cause the rubber band to elongate. Now picture the homeowner walking across their Berber carpet that has not been stretched tight per CRI guidelines. In addition to the backing not being properly stretched the carpet will stretch even further due to the environment and traffic and in time it will be impossible for the carpet to spring back into place when stepped on, creating wrinkles.

This exact scenario happens if the cushion, the foundation for the carpet, is too thick; especially under a Berber or commercial carpet. The stiff back is required to bend too far and will give way to the pressure, causing wrinkles and may even break down the backing. There are times when installers are told to install carpet with improper cushion. In the back of their mind they know it isn't right (I have been told this many times by installers). However they are told if they want to keep working for this dealer they must install the thicker cushion. Sometimes the dealer wants to sell the thicker cushion under a Berber carpet. These stiff back carpets feel a little more comfortable with a thicker cushion. Dealers even go so far as to tell the installer not to worry and just install the cushion.

CRI states in the Frequently Asked Questions on their website, "**What type of cushion should I use under my carpet?**" - Cut pile carpet should have a cushion that is no thicker than 7/16 of an inch and a firm cushion. Berber carpet and most commercial carpet should have a cushion no thicker than 3/8 of an inch and be a very firm cushion. Furthermore, a manufacturer's warranty is always based on the guidelines that they have set forth for installation instructions.

On a recent inspection that I did, an installer was instructed to install Berber carpet in a bedroom with a 1/2" thick cushion. By all accounts the installer did his job correctly, but when wrinkles occurred the installer was blamed. I really hate this situation, because I think it is unfair to the installer. His installation was good but the cushion installed was too thick for the Berber carpet and he was told to install it any way. As the homeowner walked across the Berber the stiff back bent too far causing the backing to stretch producing wrinkles and broke down the carpet backing.

Adding insult to injury, when the installer stood before the judge he was told that he should have known better. Reminding him he is the professional not the customer. Yes, the installer should have refused the job, but the dealer deserves blame here, too.

One more thing, if a carpet develops wrinkles and needs to be restretched it should be common sense that all furniture must be removed prior to restretching the carpet. Here is an illustration as to why: take two people, one at each end of a rubber band, stretch it long enough for a third person to grab the middle in a fist. The two people at the ends then stretch the rubber band as far as it can go. Then the person with the fist in the middle lets go and the rubber band will stretch further. That is what furniture does to the back of carpet when it is present during the restretch. Always remove all the furniture and power stretch the carpet.



Change Service Requested

CALENDAR OF EVENTS

May	15	Dinner Meeting - Seattle - Mark Levin
May	31	Labor & Industries Seminar - Kent Use Trade Scholarship Funding!
June	5	Labor & Industries Seminar - Spokane Use Trade Scholarship Funding!
July	18	Golf Tournament - Fairwood Golf & Country Club in Renton
September	10	Dinner Meeting - Seattle

Dinner Meeting Reservation for May 15th

5th dinner is
FREE
when 5
or more attend

Members \$40.00

Members at the Door \$45.00

Non-Members \$50.00

Mirabella

116 Fairview Avenue N, Seattle, WA 98109

Buffet including: lamb & chicken

*look for free street parking
(after 6pm) on John, Minor
& Thomas Streets
several reasonable lots
are also nearby *



Company Name: _____

Attendee Names: _____

5th Attendee/FREE: _____

Bankcard holder name as printed on card: _____

Card #: _____ exp. date: _____

Security code: _____ (Visa & MC/3 digits on back near signature, Amex/4digits on face of card near top right)

Street address and zip code where credit card statement is mailed to: _____

Phone: _____

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Mail reservation and check to WSFCA, PO Box 2009, Kirkland, WA 98083-2009
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