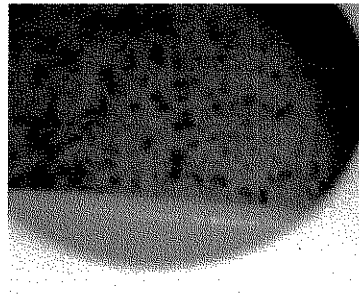


# **FAMILIES FILE SUIT**



*By Corey Siggins*

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# Families file suit

## Parkland residents sue over mold being found in their homes.

Two families have filed lawsuits as a result of finding chronic mold infestation inside their Parkland homes.

Richard and Nancy Wendelken, along with Brian and Wendy Savage, recently filed lawsuits against Coral Springs-based WCI Communities and its plumbing subcontractor Ridgeway Plumbing Inc.

The lawsuits allege that negligent construction by WCI and Ridgeway brought about the rapid growth of mold in the Wendelkens' house in Parkland Isles and the Savages' house in Heron Bay — both luxury Parkland communities.

"We've had property damage and health problems because of the mold," Nancy Wendelken said. "Our house is basically unlivable now, thanks to faulty engineering from these companies."

The Wendelkens had lived in their Parkland Isles house since January 2000. They first found out something was wrong one night in June when Richard Wendelken discovered a leak in the master bedroom closet.

Richard was able to trace the source of the leak to a PVC pipe in the back wall of the closet. The pipe, a component of the house's air conditioning unit, had become detached and caused water to leak onto the floorboards.

"My husband could see mold growing on the floor of the closet, which surprised both of us," Nancy said. "At the time, we didn't realize that mold spores were circulating around the house through the AC unit."

After being told by their air conditioning company that they should have the house inspected, Richard and Nancy contacted WCI officials.

Representatives of Enviro Team, an environmental company, were sent by WCI to the Wendelken home the following day to determine the amount of mold that was present. Another examination was conducted a month later by Rimkus, the family's homeowner insurance carrier.

Both inspections uncovered the existence of active mold spores that had infiltrated many parts of the house. The type of mold that was found has been known to cause a wide variety of illnesses to individuals having long-term exposure to it.

Nancy said she and Richard, as well as their 6-year-old son Brent, had been plagued with different health problems after moving to the house.

"Richard started to have problems with vertigo, and I began experiencing bouts of chronic fatigue," she said. "My son seemed to be getting sick every other month. He would cough so much that people would look at us when we were out in public, wondering what was wrong."

In the case of the Savages, the discovery of mold took place this past July when Brian Savage spotted a brown tar-like substance on the baseboard in the kitchen pantry of the house.

He then proceeded to pull the refrigerator away from the wall, revealing the presence of mold on the baseboard and the surrounding cabinetry. WCI was contacted soon afterward, and Enviro Team officials were sent to the house for an inspection.

Enviro Team's findings of prevalent mold infesta-

tion matched the results of an additional inspection conducted the following month by the Savages' homeowner insurance carrier, SDII Global.

Brian Savage said he and his wife and two children had been living in the house since December 2001. Ever since, they had been dealing with such ailments as headaches, difficulty in breathing, and dizziness.

"One time, my son woke up with a nosebleed. His whole pillow was literally covered with blood, which terrified everyone," Brian said. "We didn't think all of these things could be brought about because of mold."

In the meantime, the families have been living in temporary housing funded by their respective insurance companies. They have not been able to retrieve any of their belongings, for fear that they have been contaminated with mold spores.

"We don't have any of our furniture or personal things yet. We weren't able to bring any of our son's toys with us, which has made him very upset," Nancy said. "Of course, we still have to pay all the bills pertaining to the house. That hasn't stopped."

Both families have retained the services of Boca Raton attorney Scott Gelfand to represent them in their lawsuits, filed last week in Broward County Circuit Court.

WCI and Ridgeway are accused in the lawsuit of improperly installing the PVC pipe in the Wendelken home and the refrigerator water line connection in the Savage home, causing the mold infestation.

The Wendelkens also allege that the actions of WCI inspectors resulted in the home sprinkler system being left on for approximately 30 hours and leav-

ing the family with a high water bill.

Brian Savage said the intent of the lawsuits is to force WCI and Ridgeway to admit their role in the mold infestation.

"They should take responsibility for what they've done," Brian said. "That's especially true for WCI, which has been trying to minimize the problems we've had. I mean, they claim to be the premier builder in Florida."

When contacted on the issue, Ridgeway president Greg Kozan said his company was not involved in the installation of plumbing in the two houses.

"Someone didn't do their homework, as far as I'm concerned," Kozan said. "I will say that I've worked with WCI for the past five years, and this kind of problem has never come up before."

WCI representatives did not return several calls seeking comment and have not had any communication with the families' attorney as of yet.

Nancy Wendelken is hopeful, though, that her family will soon get the response they want.

"What they did was ethically irresponsible of them," she said. "I wouldn't wish this ordeal on any family."

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