

## **Simi Valley Le Parc Homeowners Recover Over \$7.2 Million For Construction Defects**

Ventura County, Los Angeles Times, VC/CC

### ***Condo Owners Group Wins \$7.2 Million In Settlement Simi Valley***

**March 5, 1996** - A group of Simi Valley homeowners was awarded a total of \$7.2 million after suing a developer and a subcontractor who built their homes. A court-appointed mediator worked out a settlement awarding the Le Parc Homeowners Assn. \$4.5 million from EPAC, a Los Angeles-based developer. The homeowners in the 264-unit condominium complex also won \$2.7 million in a Ventura County Superior Court case on Friday against CWC Drywall & Paint, said Thomas Miller, the lawyer in charge of the firm that represented the homeowners. "I think this will send a strong message to developers and their insurance companies," Miller said. Built in 1986, the condominium complex was plagued by problems, including leaky roofs, faulty electrical wiring and cracked walls, Miller said. Chet Howe, vice president of the homeowners association, said the settlement will allow the residents of the Cochran Street complex to make needed repairs. "We're finally going to get the homes we thought we had when we moved in," Howe said. Attorneys for EPAC and CWC Drywall & Paint could not be reached for comment.

**Scott Hadly Ventura, California** - The Simi Valley Le Parc Homeowners Association, represented by attorneys Thomas E. Miller and Bruce G. Mayfield, recovered a total of \$7,291,252 Friday for construction defects against subcontractors who participated in building the 264-unit condominium complex in 1986. The verdict was recorded at the Ventura Superior Court before Honorable Joe Hadden. The Le Parc Homeowners Association of Simi Valley originally filed a legal action on October 12, 1990, based on the premise that the builder used improper design and direct negligence while constructing the three-phase project from 1984 to 1986. Eleven weeks into the trial both parties entered into mediated settlement negotiations resulting in a \$4.5 million settlement with all defendants except for CWC Drywall & Paint. The claim against CWC Drywall & Paint proceeded to trial, and on Friday a verdict was reached. The jury awarded \$2,791,252 against CWC, bringing the Le Parc Homeowners Association total result to \$7,291,252. George Caulkins of Cox, Castle and Nicholson served as final mediator in the case, working closely with both sides to explore and address the homeowners' problems. The lawsuit was brought for defects encompassing numerous water problems including: water leaks in garden windows, fireplace shrouds, skylights, fixed and sliding windows, sliding glass doors and ceilings; and dry rot problems with balconies and landings. Other architectural defects include improperly installed stucco, garden walls, storage doors, exterior stairs and handrails. Significant property damage also occurred in 1994, subsequent to the Northridge earthquake. Since 1981, attorney Thomas E. Miller has collected more than \$100 million in construction defect awards on behalf of Southern California homeowners associations. *To reach The Miller Law Firm, call (800) 403-3332.*