

## Homeowners sue Del Webb

Mike Padgett - The Business Journal, Phoenix

**September 4, 2001** - Two complaints alleging shoddy construction at the Anthem development north of Phoenix were filed Tuesday in Maricopa County Superior Court against developer Del Webb Corp.

Each of the complaints seeks \$25 million in damages for alleged property damage resulting from such alleged defects as improperly installed windows, waterproofing and roofs, said Tom Miller, the plaintiffs' attorney.

One complaint names one plaintiff, homeowner Robert Aldrich, who lives in Anthem's Country Club neighborhood. The second complaint lists five plaintiffs who live in the master-planned community's Parkside development. They are Lisa Ruyack, Cassandra Fudge, Joel Hoffman, Deborah Theuerl and Steve Ruttenberg.

Allegations of poor workmanship at Anthem include use of expansive soils, which Miller said contributes to cracking foundations when the soil gets wet and dries out; and poorly installed stucco, waterproofing, windows and roofs.

Del Webb officials declined to comment on the case because they had not received a copy of it by late Tuesday. Spokeswoman Jacque Petroulakis said Del Webb officials have been working with all homeowners who notify them about "issues that need attention and repair."

"We're disappointed that a few homeowners have decided on legal action rather than continuing to work with us to solve their individual issues and concerns," Petroulakis said. "I can tell you that this kind of litigation will not benefit homeowners, only the lawyers."

Petroulakis said Del Webb representatives "have every desire to continue to work with individual homeowners to work toward resolution and address any legitimate concerns that may exist."

She added that "many residents have found that they can rest assured that we're here to take care of those issues."

Named as codefendants in the Anthem Countryside complaint are Pulte Homes Inc., which bought Del Webb Corp. earlier this year, and Anthem Arizona LLC, an Arizona corporation.

Codefendants named in the Anthem Parkside complaint are Pulte Homes, Anthem Arizona, and Del Webb's Coventry Homes division.

The Anthem complaints comprise the second and third class actions Miller has filed for Valley homeowners against Del Webb Corp. The first was filed in January on behalf of four homeowners in the company's Terravita development in north Scottsdale.

Miller said he is hopeful the Terravita case will lead to a court hearing "sometime before the end of this year."