

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

Jessica Nicole Henderson,

Plaintiff Pro Se,

Case No. 05771 LACL 164866

v.

Requests for Admission
Propounded to Defendant,
Timothy P. Hegwood

M and B Scott Properties, LLC,
Andrew Kenneth Miles Scott,
Summer Lynn Scott,
Scott's Home Renewal, LLC
Timothy P. Hegwood
Christopher Fisher, and
CF Consulting Corp, d/b/a PMI Realty Iowa,
and d/b/a Property Management Inc. – Central Iowa,
a/k/a PMI Central Iowa,

Defendants.

COMES NOW the Plaintiff, Jessica Nicole Henderson, and pursuant to Iowa Rules of Civil Procedure 1.503 and 1.510, requests that Defendant, Timothy P. Hegwood, admit the following Requests for Admission.

I. INSTRUCTIONS

- A. In each response to these requests for admission, admit or deny each item. If you deny the admission, state the basis for your denial.
- B. Where knowledge or information in your possession is requested, such request includes knowledge of your agents, representatives, and, unless privileged, your attorneys.
- C. If any of the information requested is not available to you, state any other available means of identifying such information.

II. DEFINITIONS

- A. The singular shall include the plural and the past shall tense shall include the present tense, and vice versa; the words “and” and “or” shall be both conjunctive or disjunctive; the word “all” means “any and all”; the word “any” means “any and all”; the word “including” means “including without limitation”; the word “he” or any other masculine pronoun includes any individual regardless of sex or gender.
- B. "Person" includes a natural person, partnership, corporation, unincorporated business, group, governmental agency or agent, and any other organization or entity.
- C. As used herein, "including" means including but not limited to.
- D. "Communication" means any transfer or exchange between two or more persons of any information, whether orally or in writing, including, but not limited to, personal conversations, correspondence, electronic messages via email or other means, and telephone calls, and includes all communications for which you may claim privilege.
- E. “Subject property” means the property located at 1713 Francis Avenue, Des Moines, Iowa 50314, which is the subject matter of this litigation.

RESPECTFULLY SUBMITTED,

/s/ Jessica Henderson

Jessica Henderson, Plaintiff Pro Se
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REQUESTS FOR ADMISSION

1. Admit that Defendants managed the subject property located at 1713 Francis Ave, Des Moines, Iowa, 50314, during the Plaintiff's tenancy at said property.

RESPONSE:

2. Admit that Defendants or their employees currently manage or have previously managed other leased properties in the state of Iowa during the past ten years.

RESPONSE:

3. Admit that Defendants or their employees have responded to maintenance requests at other leased properties in the state of Iowa during the past ten years.

RESPONSE:

4. Admit that Plaintiff submitted maintenance requests during her tenancy at the subject property.

RESPONSE:

5. Admit that Plaintiff informed you she sought medical treatment while residing at the subject property.

RESPONSE:

6. Admit that Defendants or their employees have received training or education regarding property management, maintenance, inspection, evaluation, and repair during the past ten years.

RESPONSE:

7. Admit that exposure to mold and other indoor contaminants can cause health problems.

RESPONSE:

8. Admit that Plaintiff reported issues relating to leaks, water intrusion, water damage, mold, fungi, malfunction of the sump pump, cracks in the walls or floor, roofing issues, or other

structural problems during her tenancy at the subject property.

RESPONSE:

9. Admit that Plaintiff told Defendants that she had health problems that were caused by the conditions inside the subject property.

RESPONSE:

10. Admit that the peer-reviewed scientific literature confirms that health problems can be caused by mold and other indoor contaminants in homes with conditions similar to those found in the subject property (including, but not limited to, water damage and mold).

RESPONSE:

11. Admit that Defendants breached an alleged duty to address visible code violations during their ownership of the subject property.

RESPONSE:

12. Admit that Defendants failed to notice or correct building code violations while inspecting, evaluating, and repairing the subject property.

RESPONSE:

13. Admit that Defendants leased the subject property to Plaintiff when they knew the subject property had structural defects.

RESPONSE:

14. Admit that Defendants contacted and paid for Green Home Solutions to inspect, assess, and evaluate the subject property, and provide a report with their findings, after the Plaintiff reported health effects relating to or caused by the conditions inside the subject property.

RESPONSE:

15. Admit that Defendants had the Plaintiff or members of the Plaintiff's family under observation or surveillance at any time during the past year.

RESPONSE:

16. Admit that the subject property had (or has) a history of excess moisture and humidity.

RESPONSE:

17. Admit the subject property had leaks, water intrusion, improper drainage, water damage, flooding, mold growth, fungi, sewage backing up into the basement (including malfunction, non-function or backup of the sump pump), bacterial contamination, cracks in the walls on the main floor, cracks or bowing in the basement floor or walls, broken pipes, roofing problems or other structural problems, during the time it was occupied by Plaintiff or prior to her occupancy.

RESPONSE:

18. Admit that Plaintiff specifically requested to be referred to a different rental property that was safe and habitable and did not have the same unsafe conditions as the subject property (i.e., leaks, water damage, mold and structural problems, etc.) when Plaintiff gave notice to terminate her lease at the subject property.

RESPONSE:

19. Admit that Defendants referred Plaintiff to another rental property with known defects and unsafe conditions when Plaintiff asked to terminate her lease at the subject property.

RESPONSE:

20. Admit that Defendants own or manage other rental properties with unsafe conditions or code violations.

RESPONSE:

21. Admit that Defendants own or manage other rental properties where tenants have filed complaints or litigation regarding the conditions in those properties.

RESPONSE:

22. Admit that Defendants made repairs to the subject property after it was vacated by Plaintiff to bring it into compliance with housing and building codes.

RESPONSE:

23. Admit that Defendants leased the subject property to another tenant after it was vacated by Plaintiff.

RESPONSE:

VERIFICATION BY DEFENDANT

I hereby certify under penalty of perjury and pursuant to the laws of the State of Iowa that I have read the above and following Responses to Requests for Admission and that said answers are true and correct as I verily believe.

Dated: _____

Defendant, Timothy P. Hegwood