

Jury Awards Homeowner \$903,000 for Mold in New House

Woman contracted pneumonia 6 times because of problem inside structure.

MIKE AND JANICE ARNETT'S \$1.4 million house, standing empty in the sunshine on Friday, has been vacant since 2006 because of litigation. A jury awarded Janice Arnett \$903,000 from the home's builder.

CINDY SKOP / THE LEDGER

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BARTOW | A Lakeland woman who contracted pneumonia six times in 18 months because of mold in her newly built house won a \$903,000 jury verdict late Thursday against the home builder.

Jurors deliberated about five hours before deciding that Lakeland builder Rudy Brown was responsible for the problems in the house.

They awarded \$718,000 to Janice Martin Arnett so she could repair her house in Eagle Lake, and another \$185,000 to compensate for the time she couldn't use the house.

Bartow lawyer Tom Saunders, speaking on behalf of Arnett, said they were pleased with the verdict.

"It's been a difficult time, but we are pleased with the outcome," he said.

Brown did not return telephone calls for comment Friday.

During the two-week trial, Saunders told jurors that Arnett and her husband, Mike, moved into the \$1.4 million, 8,500-square-foot lakefront house in July 2002.

"There were problems with the windows leaking and cracks in the stucco," he said. "The builder tried to fix it, but by August 2004, he said there was nothing else he could do."

By January 2005, Arnett had to move from the house because the mold was making her sick, Saunders said.

Orlando lawyers Steve Houser and Ray Watts, representing Brown, argued that the problems had been repaired and mold was no longer a problem in the house.

Saunders had estimated the cost of repairing the house at \$1.4 million, and the loss of use at about \$400,000. Brown's lawyers said the limited repairs that might be needed

wouldn't cost more than \$276,000.

Jurors reached a verdict that was half the amount Saunders had sought.

Saunders said Friday that the verdict will enable the Arnetts to repair the house on the eastern shore of Eagle Lake. Mike Arnett wasn't named in the lawsuit because he and his wife weren't yet married when she contracted to build the house in 2000.

This case isn't over with this verdict, however. Brown is suing the subcontractors involved with the home's construction, including Bock & Hoeft Custom Painting Contractors, Smith Contracting, Payne Air Conditioning & Heating, Overhead Door Company of Polk County and The Windowmaker Company.