

Toxic molds bring lawsuit from homeowners

Cindy Horswell

THE WOODLANDS -- Three months ago, Sharyn and Bruce Iler abandoned the spacious house they had called home for seven years in this master-planned community.

CHRON.

A sign posted there warns that the house is contaminated with toxic mold. Anyone entering must don a respirator and a protective suit, said [Sharyn Iler](#), 52, a conference consulting business owner.

Correcting the problem, she said, would cost more than the house is worth.

"So they're telling us to bulldoze it to the slab," she said.

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Dentist [Larry Brunson](#) and his wife, Alda, said they vacated their house in the same community after their 16-year-old daughter, Iris, suffered a severe allergic reaction to toxic mold in the walls.

The two families are among 73 in The Woodlands suing builder [Life Form Homes Inc.](#); a manufacturer, Finestone; and others over a synthetic stucco used on their houses.

The lawsuit in state District Judge [Suzanne Stovall](#)'s court in Montgomery County claims the material -- made of plastic foam and a fiberglass mesh covered with a thin acrylic coating -- is defective.

It traps moisture behind walls, leading to wood rot, mold growth, termite infestation and other damage, the lawsuit states.

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At least a third of the plaintiffs complain of illnesses ranging from allergic reactions to heart inflammation because of exposure to large reservoirs of molds.

Homeowners and their attorneys said some of the molds look like black ash. Others are velvety black with white strands, and others have slick, dark coatings. So far, six homes involved in the lawsuit have been abandoned, said plaintiffs attorney [Rene Rogers](#).

"We have others who would like to leave but can't afford it," she said, noting that the homes are valued at \$200,000 to \$500,000.

[John Allen](#), the Houston attorney for Finestone, called the synthetic stucco "a good, effective product that performs as designed if properly applied."

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He said moisture penetration occurs only when the watertight product is improperly applied around windows and joints.

As for reported illnesses, he said, "Mold is in the air. We're surrounded by it. It pre-exists mankind. Many of those complaining had allergies long before they bought these houses."

[Chris Ryman](#) of Houston, the attorney for Life Form Homes, said that only subcontractors certified by the manufacturer were used to install the synthetic stucco. Life Form has made reasonable offers to repair leaks, he said, declining to comment further.

Most of the homeowners have rejected Life Form's offer to patch the houses rather than replace the product with regular stucco. They point out that since 1999, Village Builders, a builder not involved in the Woodlands case, has spent more than \$12.5 million stripping synthetic stucco from more than 350 homes in the Houston area and replacing it.

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Village Builders is suing to recover its losses from the manufacturer.

"One of our clients tried to let Life Form patch it twice, but he still could not sell his home because it could not pass the moisture-inspection tests," Rogers said. "They (the homeowners) still found large reservoirs of the toxic mold stachybotrys."

Sharyn Iler said that two days after moving out in March, she received a letter from Life Form offering to patch and repair her house.

She said experts she had hired told her the house was beyond repair and that Life Form had repainted it three times to cover "rustlike spots" she now knows are caused by excessive moisture in the walls.

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The house, she said, also has termite damage.

"We've had termite treatments, but the termites never have to come out of the walls to be killed," she said. "They stay in the walls because they have all they need to eat and drink there."

Iler said she and her husband watched as special trucks took away most of their possessions, on the advice of experts.

Those items are to be disposed of as toxic waste, she said, because mold spores can contaminate anything porous. That includes clothing, shoes, linens, mattresses, books, pictures, rugs and upholstered furniture.

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"All we're allowed to keep -- after it is cleaned -- will be our hardwood furniture, tables and bed frames, and then our housewares such as dishes and pans," Iler said.

Alda Brunson said damage from synthetic stucco is often hidden.

"The houses look fine," she said. "You can't see what's going on behind the walls."

She was among the first to discover the problem while trying to figure out what was causing her daughter's health problems.

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"Iris began getting ill about a year after we moved into the house in 1993," said Brunson, a homemaker. "Twice we had to rush her to the emergency room because she couldn't breathe and went into anaphylactic shock. Then we were trained to administer the shot, and it probably happened another 25 times at home before we moved."

Brunson said she worked hard to keep the house spotless because her daughter is severely allergic to mold. Still, the teen had serious reactions.

Then Brunson heard about problems with synthetic stucco in South Carolina and Georgia. She researched the product on the Internet and learned that some claimed it was responsible for mold growth in walls.

Brunson said a microbiologist she hired to take the walls apart in her daughter's bedroom uncovered large reservoirs of toxic molds.

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"My daughter moved out immediately and lived with a neighbor for six weeks until we found a small patio home to move into about a year ago," she said. "My daughter started getting well right away. She hasn't had to take antibiotics for over a year."

Iler, a breast-cancer survivor, said she feared that her cancer was returning when she experienced constant fatigue, burning eyes and a chronic cough.

But no cancer was detected, and she now believes she was reacting to toxic molds in her walls.

"Selling your home with these kinds of troubles becomes impossible," Brunson said.

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In 1996, [Maryland Casualty Insurance Co.](#) said it would no longer pay claims resulting from synthetic stucco because the company considered it inappropriate on houses, said attorneys for the Woodlands homeowners.

The manufacturer blocked distribution of a video about the problem. But Allen, attorney for manufacturer Finestone, denies that the product is a threat.

"We continue to sell it for home use," he said.

He acknowledged that some lawsuits have been filed against the company but said none has been tried to conclusion.

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However, Rogers, the homeowners' attorney, said Finestone has settled many cases out of court.

With a trial probably two years away, some homeowners have started picketing Life Form at home tours in hopes of speeding the process.

"We think they need to take a stronger stand behind their product," said Brunson.

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Cindy Horswell has been a writer at the Houston Chronicle since 1979, where she has won numerous awards for features, news and investigative pieces that she has authored.

A graduate of the University of Texas where she made the dean's list and wrote for the "Daily Texan," she holds a Bachelor of journalism degree. She also has been previously employed as a newscaster at KNOW, an AM radio station that was No. 1 in the Austin market at that time, where she won an award for a documentary; and was assistant editor of a magazine published by the Texas Restaurant Association.