

\$3.3 million awarded to woman sickened by mold

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A Maricopa County Superior Court jury has awarded \$3.3 million to a Scottsdale woman who was sickened and permanently disabled by a mold infestation in her apartment building.

Robin Minium was a project manager for American Express and worked out of her upscale apartment near Scottsdale and Bell roads. She had lived there since 2000.

According to court documents, her health deteriorated significantly by 2002, and as she got sicker, she spent more time in her apartment.

The building was rife with several types of toxic molds, possibly as a result of pipes that were not properly connected and drained, according to her court pleadings.

She sued the apartment complex for failing to maintain the premises in a condition fit for human occupation.

Minium learned about the mold infestation from her neighbors, and her doctors told her that her illness was consistent with toxic mold exposure, so she left the apartment and moved into a hotel.

Then the apartment managers conducted tests, determined the extent of the infestation and performed remediation on the affected apartments.

Minium did not return, and she claimed that she was never able to recover personal belongings left in the apartment when she moved out, including family heirlooms. And she claimed her health was permanently impaired.

"She is disabled from any work and will be for the rest of her life," said her attorney, Andrea Watters.

Watters filed suit in Minium's behalf in August 2004 against the apartment complex, Pillar at Scottsdale LLC, and its parent company, Pillar Communities LLC.

Watters said that Minium, 47, suffered significant permanent hair loss and a neuro-cognitive disorder that does not affect her long-term memory but keeps her from performing basic day-to-day functions such as balancing a checkbook or remembering where she put her car keys.

Over the course of the trial, which began April 14, attorneys and experts for Pillar at Scottsdale argued that mold contamination could not have such lasting health effects.

But the jury sided with Minium, and on April 22 returned a verdict in her favor.

Kendall Steele, the attorney who represented Pillar, said, "We disagree with the result, and as far as I know, we will be strenuously challenging the verdict." The attorney who will be handling the appeal could not be reached Friday.

Source:

<http://archive.azcentral.com/arizonarepublic/local/articles/2009/05/02/20090502mold0502.html>