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## EPA Investigates North Charleston Neighborhood

Friday June 29, 2007 5:58pm    Posted By: [Matt Megrue](#)



North Charleston, SC - Complaints of sickness in a north charleston neighborhood prompted an investigation by the EPA.

EPA officials have spent the last three days looking for explosive levels of methane in some Westcott Plantation homes built by Lennar.

Despite reports of explosive levels in a Lennar survey from 2006, initial findings indicate dramatically low levels of the gas.

One official we spoke with believes the gas may have stemmed from organic material decomposing below the homes-that got into the house by ill-fitting pipes

First test results taken from vents and air quality samples are expected in two weeks and a major report in two months.

Lennar is reportedly turning over a Phase 1 survey as well and participating in their own soil tests.

Both DHEC and the EPA say little is known about gases offput in homes, since there is nearly no national data compiled.

Materials in new homes like carpet contain formaldehyde which can emit gas, affecting test results.

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## Lennar Announces Extensive Methane Testing Determines Homes in Pebble Creek At Wescott Plantation Are Safe and Well Below EPA...

Publication: [Business Wire](#)  
Date: Tuesday, July 17 2007  
Subject: [Methane](#), [Essential fatty acids](#)

NORTH CHARLESTON, S.C. -- Extensive testing for methane and other gases has determined that homes in Pebble Creek at Wescott Plantation are safe and well below levels that the federal Environmental Protection Agency considers permissible, Lennar Homes announced today.

"We are pleased that

this process is nearing completion

and confident that we'll be able to

assure Pebble Creek residents

that their homes are completely

safe," said Bob Hilliard, division

president for Lennar Homes in

Charleston. "Our goal always is to

do the right thing for our customers and make sure they are safe and

satisfied."

The testing process began in the fall of 2006 when Lennar retained Professional Service Industries Inc., one of the nation's leading engineering and environmental testing firms, to test two homes in the subdivision for the presence of methane or other gases, Hilliard explained.

PSI found that levels of methane in these two homes were slightly elevated, although still well below federal standards, and had been caused by leaks in sewer pipes damaged during construction. Hilliard said Lennar immediately repaired the leaks and installed systems to ventilate the subsurface soils, where the methane had collected. After a few months, further testing by PSI showed that the methane in the subsurface soils was significantly below screening levels established by the EPA.

Hilliard said that, in an abundance of caution to ensure homeowner safety, Lennar then asked PSI to test other homes in Pebble Creek. Of the 129 homes in the subdivision, 91 were found to have levels of methane considered safe by EPA. Tests are pending or remain to be scheduled per the owners' request for 38 homes.

As a final step in the process, the EPA last month sent a team of specialists to test 19 homes whose owners had requested further investigation. The EPA said that the test results showed all were well below the EPA indoor air screening values and noted that "There are no health effects known to result

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from exposure to methane..." below these levels, confirming earlier tests conducted by PSI.

The EPA report is available at [http://www.epaosc.net/site\\_profile.asp?site\\_id=3271](http://www.epaosc.net/site_profile.asp?site_id=3271).

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### **The Post and Courier (Charleston, SC)**

August 19, 2007 Sunday  
Final Edition

BUSINESS; Pg. G1

1621 words

#### **Putting the hammer down; Home builder fights back in ongoing dispute**

KATY STECH, The Post and Courier

A fever-pitch home-building boom can trigger a tide of complaints about construction quality.

Most are resolved quietly.

That hasn't been the case in the Pebble Creek section of Wescott Plantation in North Charleston, where a small group of homeowners this spring blasted their builder, Lennar Corp., in a string of nightly televised news reports.

The complaints centered on construction defects and the fact that potentially harmful levels of methane gas had been seeping into some houses.

Months after the public dispute - Lennar offered to repair the defects and the Environmental Protection Agency said the methane gas levels did not pose a health hazard - the controversy lingers on. Some Pebble Creek residents say they feel their small neighborhood is tainted, hurting home values. Lennar has said that would-be buyers have canceled contracts for homes within Wescott, hurting its business.

Now, the Miami-based builder, one of the largest in the nation, is mounting its own aggressive campaign to push back against some of its critics, including at least one outspoken North Charleston homeowner and a Florida real estate consultant.

Lennar is doing so reluctantly, said Bob Hilliard, the local division president for the home builder. "As a company, we have to defend ourselves," he said.

Lennar has hired an outside public relations firm. Also, it is suing the Florida consultant, who worked closely with the complaining Pebble Creek homeowners.

The lawsuit alleges that the consultant, Mike Morgan, tarred Lennar's reputation when he said the North Charleston homes were deficient during local TV broadcasts and on his Web site. It also says that Morgan has been seeking payment from the company in exchange for his silence.

Morgan denies any wrongdoing, saying he is only looking out for the best interests of Lennar's current and future buyers.

Gassy situation

Lennar acknowledges that some of the construction complaints in Pebble Creek were legitimate.

Some of the company's Rockville-model homes, for example, didn't have hallways wide enough to meet fire code requirements. Some buyers, such as John Hull, said parts of the framing on their homes were shifting.

Hull, who moved to North Charleston from California in 2005 and was among Lennar's harshest critics in Wescott, pointed to metal plates that held boards together buckling under the pressure.

Last summer, fewer than a dozen Lennar homeowners called for the company to fix the homes or, in some cases,

buy them back. They also blasted city building inspectors for overlooking problems, though department officials stood by their work.

The complaints escalated last fall after a sewer pipe buried beneath part of Pebble Creek cracked and began to leak smelly methane gas into some of the homes above. Lennar said it fixed the pipe promptly.

The group of homeowners turned to the Web to see if problems with Lennar were widespread. A simple search turned up Morgan's Web site, [www.defective-homes.net](http://www.defective-homes.net). Morgan said on his home page that the Web site was a "must read" for anyone who is buying or already owns a Lennar home.

"You will find a wealth of information about problems with Lennar homes from very minor issues to deadly defects. You will also read about Lennar home buyers and owners that have not been able to get Lennar Homes to fix the problems ... some after years of aggravation and expense," he wrote.

He also included links to government agencies that handle home-construction complaints.

Morgan began selling real estate near Palm Beach, including Lennar-built homes, three years ago. He also runs an Internet company and consults for Wall Street analysts, saying he charges up to \$1,000 an hour for his services.

Pebble Creek homeowners contacted Morgan, who traveled to North Charleston to see the problems firsthand. By then, a local TV station had aired the first of several segments about the construction problems, calling it "American Dream - American Nightmare?" In a follow-up story, Morgan appeared on camera saying, "All of these homeowners have defective homes with some serious code violations."

Another local TV station also interviewed Morgan, who said during the broadcast that Lennar's actions were "criminal," according to the company's lawsuit.

Lennar says it offered to fix the affected homes, and less two months ago, an EPA study found that methane gas levels in 20 houses it tested were not high enough to cause health problems.

#### After effects

But the fallout continues, according to Lennar. Some prospective Lennar buyers fled and others canceled their sales contracts, the company says in its lawsuit against Morgan. As a result, the company said it has suffered financial losses, partly because the value of its existing unsold homes has fallen.

Lennar isn't the only one complaining. Some of the roughly 250 buyers of Lennar-built houses in Pebble Creek and other Wescott neighborhoods believe their property values have been hurt as a result of the publicity.

Jill Droze, for one, said the complaining homeowners were in the minority, by far.

"There's a little bit of frustration because a handful of people who have gotten a lot of media attention have made it bad for the rest of us who didn't raise a ruckus about how great our home is," she said.

When Droze briefly put her house on the market recently, she said, a real estate agent told her that Lennar-built homes in Wescott had been stigmatized by the controversy.

Lennar said that's why it's fighting back: to restore its reputation in the local market. As part of its strategy, the company is providing media outlets with private correspondence from Morgan and one Wescott homeowner in an effort to discredit them.

In its defamation lawsuit, filed in Charleston County in July, the builder says Morgan "initiated a multiprong attack on Lennar in which he routinely and intentionally makes false and inflammatory statements about Lennar and its activities through print and broadcast media outlets."

#### Selling knowledge?

Lennar believes Morgan's advocacy campaign sprang from the canceled purchases of Lennar-built homes in Florida by about 30 of Morgan's clients. Morgan said the cancellations cost him \$250,000 in sales commissions. Lennar has said it was not contractually obligated to pay him commissions.

After the cancellations, Morgan wrote in an e-mail to the company: "Seeing as though Lennar has cost me hundreds of thousands of dollars in revenue, I have chosen to make a living on the other side of this, through my website and marketing of the defect and code issues to potential and current buyers."

Several months later, he sent another message, saying litigation was the wrong way to resolve their differences. "I am more of an asset to you than a foe. ... Our lawsuits are a distraction from what could be a partnership," Morgan wrote.

Morgan said he was not trying to solicit payments from Lennar, as the company claims in its complaint. He says he only meant that the company should make use of his knowledge of what buyers want.

"I said I was more of an asset to them than anyone else because, in this market, home builders are getting crushed," Morgan said in an interview with The Post and Courier last week. "This is a perfect opportunity to come out and ... say, 'We're going to build a defect-free home.' That's what would get people to come out and buy houses."

Morgan says he wants reforms for all home builders, not just Lennar. He says he is seeking tougher inspection requirements and wants elected officials to do more to protect consumers from buying bad homes.

Morgan says he still thinks Lennar owes him money from the canceled Florida sales, but he denies that he's trying to squeeze compensation out of the builder illegally.

He says he dropped a lawsuit against the company that sought damages for the Florida commissions because he didn't want his motives questioned.

"If they said to me, 'Here's a million dollars, take the Web site down,' I wouldn't take it down," Morgan said.

'Moral amount'

Lennar, meanwhile, is also questioning the motives of at least one Pebble Creek homeowner who had been an outspoken critic of the company. It provided The Post and Courier with written correspondence that it said suggests Ben Sauls, who now lives in Texas, wanted Lennar to pay him a sizable sum of money for his Wescott house to settle the matter.

Sauls wrote that the purpose of a message he sent a company executive in July 2006 was "to encourage you to realize the number you come up with must be life-changing for all of us to go on quietly with our lives." In another electronic message a few days earlier, Sauls said he wanted "a moral amount for all we have been through," a figure that "is not Medium or Medium Large but is LARGE."

Sauls, who told The Post and Courier earlier this year that he did not trust the company to fix his Pebble Creek home, said last week he was advised not to comment on the Lennar situation.

Hilliard, the home builder's top local executive, said Lennar makes repairs when necessary on homes still covered by warranties to ensure its customers are pleased. With few exceptions, he added, it is not the company's policy to buy back homes and compensate buyers when the builder makes mistakes.

Reach Katy Stech at 937-5549 or [kstech@postandcourier.com](mailto:kstech@postandcourier.com)

About Lennar

Founded: 1954.

Headquarters: Miami.

Top executive: Stuart A. Miller.

Operations: Lennar Corp. builds homes in 18 states.

Employees: 12,600.

Financial snapshot: Revenue for the first half of fiscal 2007 is down 27 percent to \$5.4 billion, reflecting the national housing slump. Company lost \$175 million for the six months ended May 31.

Local operations: Lennar is building about 10 neighborhoods in greater Charleston. It also has developments in Greenville and Myrtle Beach.

August 21, 2007

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## Lennar Homes Facing Allegations Of Fraud

Sunday May 06, 2007 8:22pm Reporter: [Brian Goode](#) Posted By: [Brian Goode](#)

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North Charleston - It's a case where the American Dream is turning into a living nightmare. Numerous complaints are being filed against the nation's 3rd largest building...Lennar.

Homes vacated in Westcott Plantation.

Ben Sauls lived on Pebble Creek - but no more- he moved his family to San Antonio - fearing his house was a health hazard.

"We said.. Well is it possible that could be causing my daughter's nose bleeds...wife's blurry vision and itchy rash around her face ...her headaches and my headaches. " said Sauls.

Sauls concerns confirmed by an air testing company - samples exceeding EPA standards, and the air samples can quote "make it hazardous for human habitation".

Heath concerns - not the only concerns - certified building inspectors found several trusses in at least 20 different homes in the subdivision -that were cut..and not attached, leaving them vulnerable to tropical storm winds

"The definition of a building code is to protect the public. And the building officials job is to make sure those codes are enforced...to protect the public," added

We contacted Lennar about the allegations and they released the following statement saying -

"Lennar is committed to delivering homes that meet local building codes and our high quality standards. If any of our homes fail to meet those standards, we will take necessary action to assure that our homebuyers receive the quality and value we promised them" - Michael Bottoms, Lennar Homes Charleston.

Promises unkept according to Mike Morgan - a Florida real estate agent who runs the website [www.defectivehomes.org](http://www.defectivehomes.org) --

"There have been people battling Lennar for seven years to get their homes fixed. We have people who can't close their doors because their houses are falling apart...it's a national problem and they totally are aware of it," said Morgan.

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### Viewer Comments on Lennar Homes Facing Allegations Of Fraud

**Donna 123**

IP: Logged

Posted: 08/14 9:36p

[ Quality built homes, by who's standard? My son-in-law- was ELECTRICUTED in 1 of Lennar's quality built homes in Clermont Fl. details at <http://local6.com/video/7302637/details.html?taf=ori> this is an investigative report done 5 mo. after his death. Sept. 20th will be my Grandpa's 2nd. Birthday and the anniversary of her Daddy's death. To date Lennar, Pike Electric, or any of the subs have stood up and done the right or thing in our case. I have been quiet about this for a long time but I am human my daughter is disabled, and is back in the Hospital as I type the main thing is to Implore anyone having electrical problems to PLEASE have a independent electrical inspector come in and check it all out ever have to take down a wall or 2.  
Thank You  
Donna

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