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Timeline of Repeated Water Ingress/Mold Concerns

8/5/24 – Discovered water ingress in bedroom during/after rain, seems to be coming from under the wall near the bed, reported to maintenance and opened maintenance ticket.

8/6/24 – Maintenance came to apartment and confirmed that this was due to height of landscaping being over the foundation level and per work order 698907:

“dug a trench to take water away from building contractor needed to address landscape level against foundation”.

9/5/24 – Second incident of water ingress in same location due to rain.

9/19/24 – Third incident of water ingress in same location due to rain. Reported to maintenance and requested fans and dehumidifier. Note that at no point had these been offered to me in any proactive attempt to ensure that there was not moisture/mold growth in the apartment.

9/19/24 – ServPro employee arrives and confirms via testing that there is water in the walls and floors. Sets up 4 large fans and a dehumidifier that were left in apartment running for multiple days at extreme volume and heating the room significantly.

9/24/2024 – I accept $500 rental concession offered by Community Manager Irina Hearn.

9/25/2024 – Received email that work order 747424 was completed with notes:

“Landscapers are to fix the outside slope to direct water away from the wall, Proposal was obtained and approved, called Jeff on 9/19 to get the repair date, was advised early next week. Will follow up with him today for the exact date to advise resident. Work to be started and completed on 9/24”.

(At this point I assumed that the issue was resolved permanently. No mold testing has taken place despite multiple incidences of water intrusion and moisture testing confirming the need for fans and dehumidifiers.)

12/12/2024 – Fourth incident of water ingress in same location due to rain. Reported to maintenance who noted that “area inspected” per work order 769159.

3/18/2025 – Fifth incident of water ingress in same location due to rain. Reported to maintenance and received the following text from Irina:

Good morning Clifton! We received your service request about water intrusion in your bedroom again. Maintenance will be out today to assess and I will be in touch in the next few days to advise of the further repairs needed. thank you! Irina, Community Manager

3/19/2025 – Text from Irina:

Also, concerning the water intrusion issue, we are in communication with our vendor to lower the entire area by and around the walls outside of your master bedroom by 4'' and diverting water away from that area. I will keep you posted on the time frame of completion. I expect it to be about 2 weeks. thank you. Irina, Community Manager.

(No updates received until next entry)

6/2/2025 – Sixth incident of water ingress in same location due to rain. Text from Irina:

Good afternoon Clifton! We received your report of water intrusion in your bedroom still. I contacted the vendor and will get them out there asap to lower the grade. The work they did about a month ago was not completed properly and needs to be redone. I will keep you informed of the ET of completion. thank you! Irina, Community Manager

6/11/2025 – Seventh incident of water ingress over foundation and directly into bedroom, bathroom, closet, and under interior wall into living room of apartment during rain. This is the most significant amount of water that has come into the apartment of the numerous times this has happened. I left voicemails with leasing office and emergency maintenance hotline at 6:26 and 6:44 PM, respectively. Began using wet/dry vac and towels to clean up the water and then received call back from maintenance tech Mike at 6:59 PM at which point I confirmed I had handled most of water up already but that landscaping outside apartment needed to be handled ASAP, which tech committed to.

6/12/2025 – Around 8 AM Mike dug a trench out from exterior wall near bedroom to redirect future rainfall away from foundation as temporary fix. Mike then was let in to inspect interior damage, which included: extent of water ingress through multiple rooms in the apartment, tops of baseboards visibly separating from walls, waterlogged rugs in bathroom and living room, sealant at bottom of baseboards peeling away, and white chalky substance appearing between gaps in flooring. He acknowledged prior contractor’s failure to adequately resolve the landscaping issue after the last time this occurred at end of last hurricane season. Showed Mike videos and pictures of the extent of flooding which he suggested that I email to community manager Irina Hearn. Mike committed to having a crew out later the same day to clean and treat rug, after which he left. I then emailed videos and pictures of flooding to Irina.

Mike returned with Irina and interior damage and extent of water ingress was again shown to both of them. Irina confirmed that previous contractors did not resolve the landscaping issue and that she was trying to have them back out to fix it as soon as possible. She also committed to working with her regional manager to get compensation approved and suggested that I might file a renters insurance claim for damaged property such as the rug. We then walked outside at my request to review the temporary fix and I suggested that mulch against and above the foundation level be removed and Mike committed to removing grass, bushes, and mulch from exterior wall area where water ingress occurred to further mitigate issue before permanent fix is in place, after which I went back inside.

Two man crew arrived to clean and treat living room rug. Approximately 20 minutes later they finished, set expectation that rug would take a few hours to dry and then left. I noticed a not insignificant amount of water left surrounding rug, which was surprising given the reason for the work. Cleaned this up with a towel and used my own fans to help rug dry.

6/12/2025 – Received text from Irina:

Cliff, maintenance will remove mulch, sod and some soil from outside today. The vendor will be there on Monday. I explained to them what we are looking to do, which is to remove 1-2 feet of ground from all outside of your walls and leave it like that for time being. I will be in touch about your compensation. Irina, Community manager.

Received another text from Irina:

Hi Cliff, i wanted to let you know that i reached out to my Regional Manager for the rental concession amount and will let you know once I hear from her, which should be if not today, then tomorrow. thank you! Irina

6/13/2025 – Received text from Irina:

Good afternoon Clif! This is Irina from Terra Bella. I heard from my regional manager and she was able to approved $500 rent credit towards July rent for the inconvenience. If you do decide to accept it, there is a release we would like for you to sign. thank you! Irina

(All emails referenced here, including the one containing the release referenced above, can be found in the Email folder of my attached documents)

6/20/2025 – Sent email to Irina requesting moisture and mold testing be done and that repairs to baseboards be scheduled. Irina replied:

I'm going to have our vendor stop by your apartment to do the moisture testing/reading and if any equipment needed it will be installed.

After they are done, we will repair the baseboards. I will keep you posted as to when the vendor is going to come out. thank you! Irina

6/20/2025 – Technician arrived to perform moisture testing with a thermal camera and pin-type moisture sensor. I noted that in some areas the moisture sensor was reading in excess of 48 (on a relative scale I understand this to be significantly elevated, and if this was reading actual moisture content then even more so). I asked the technician if his company performs mold testing and he told me no and that a third party can be hired for that purpose, but that he is contracted by the apartment complex to perform moisture testing only.

6/20/2025 – Sent another email to Irina reiterating the need for mold testing after multiple incidents like this and especially given that these are the moisture levels after 9 days since the latest one.

6/23/2025 – Irina replied:

Our vendor took moisture level measurements and picked up equipment today. They are confident that there is no more moisture left and no mold growth occurred. There is no need for air testing.

Either our maintenance team or our vendor will be by your apartment tomorrow to start baseboards repairs. I will let you know exactly what time that will happen. thank you!

6/23/2025 – I send another email again requesting mold testing before repairs take place, citing the technician’s own admission that his team does not perform mold testing.

6/24/2025 – Irina replied:

I understand your concern about possible mold growth after the water intrusion in the wall. However, the drywall and inside of the apartment had been properly dried and the remediation was handled correctly, therefore proper drying and handling of the process prevented any mold growth. This is an opinion of our trusted vendors that we work with. Having said that, there will be no air testing or mold assessment done because it is not necessary.

 Out of courtesy and to keep your mind at piece, I will be more than happy to send our vendor Servpro to your apartment this week. Out of caution they can sanitize the affected area with a plant based chemical, which will take no more than 10 mins.

 Please let me know if you would like that done. Thank you!

6/24/2025 – I replied consenting to the sanitization but state that I would still like to hold off on repairs for now.

6/24/2025 – Irina replies:

Hi Cliff, no problem, we can hold off on repairs, please let me know when the good time for you is and we will schedule. I will let you know which day Servpro is going to be by this week.

6/24/2025 – I contacted your law office.

6/25/2025 – Submitted applicable documents to your office via Clio, to include: current lease, timeline of events as of 6/24, pictures/videos, emails, texts, and associated maintenance work orders.

6/27/2025 – Irina texted me to notify me that ServPro would be coming on Monday to perform the sanitization of the affected areas.

6/30/2025 – ServPro technician arrives and states that he is here to apply the treatment and mentioned that I will need to leave the apartment for 15 minutes for him to complete the process and that I should wait an additional 15-20 minutes after that before re-entering. I ask about why that is and he says that he will be using a fogger to apply the product. I ask for details about the product and he retrieves it from the truck. I take pictures of the container (Concrobium Broad Spectrum Disinfectant II) and let him know that I wasn’t aware I would need to vacate and that I work from home and don’t have somewhere to take my pets, so I will need to reschedule. He mentions that they will be in the neighborhood for another tenant tomorrow and that he could return then, which I agree to in the interest of being able to research the product and places I could potentially take my pets.

7/1/2025 – I receive a text from Irina’s number stating that it’s Marisa from the leasing office and that the vendor is here to fog the apartment, echoing the advice that I not return for 20 minutes after completion. I reply that I’m not prepared to vacate as I have back-to-back meetings and that I will need to reschedule for another time.

Damages

Saxon Floorplan (1170 sq. ft.)

A 3d rendering of a house

AI-generated content may be incorrect.

Bedroom 1:

A number and equation on a black background

AI-generated content may be incorrect.

Loss of use of 15.5% of apartment

Attached bathroom:

Unknown sqft/%

Closet in bathroom:

Unknown sqft/%