

Water Intrusion/Mold: Home Buyer Files Action Alleging Breach of Warranty in Circuit Court of Washington County, Arkansas



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Aaron and Michelle Lewis (“Lewis”) filed a Complaint in the Circuit Court of Washington County, Arkansas against Rouse-Walker Properties, Inc. d/b/a Cobble Stone Homes (“Rouse”) alleging Breach of Warranty for a house they purchased. See Case No. 72CV-24.

The Complaint alleges that the purchased home suffered water intrusion which caused mold growth.

Lewis states that they purchased a home from Rouse in Fayetteville, Arkansas in 2022. A “Limited One Year Home Warranty” (“Warranty”) is stated to have been provided.

The Warranty is stated to have guaranteed that the house was constructed in accordance with acceptable home-building practices. Various other provisions alleged to be in the Warranty are described.

Roused is alleged to have failed to construct the home in accordance with accepted home-building practices. This is stated to have involved a failure to design and install the home’s foundation according to standard building practices.

Water intrusion is described which is stated to have resulted in damage to drywall. This is alleged to be due to a structural issue with the back wall of the garage. Rouse is alleged to have failed to adequately address the defects.

The Complaint further describes alleged health effects associated with the water intrusion and the discovery of mold growth. A mold inspection report is stated to have been conducted which indicated Trichoderma which is stated to have health effects on humans – especially in the case of those with compromised immune systems.

The Complaint’s alleges the following Counts:

- Breach of Warranty.
- Negligence.

A copy of the Complaint can be downloaded [here](#).