

## ARAPAHOE COUNTY

## Condo Association Collects \$1.7M for Window, Siding Defects

*Eleven-One-Eleven Condo. Ass'n v. Collins Cos.*

**Westlaw Citation:**

2007 WL 2060052

**Type of Case:**

Construction Defects • Defective Workmanship  
Contracts • Construction Contracts  
Fraud & Misrepresentation • Negligent Misrepresentation  
Real Property • Homeowners Association

**Specific Liability:**

Window replacement and siding contractor and subcontractors performed defective work, causing damages to condominium homeowners' association

**General Injury:**

Monetary damages

**Jurisdiction:**

*State:* Colorado  
*County:* Arapahoe  
*Court:* District Court of Colorado, Eighteenth Judicial District, Arapahoe County

**Case Name:**

*Eleven-One-Eleven Condominium Association Inc. v. Collins Companies Inc. and Leonard B. Collins*

**Docket/File Number:**

05 CV 5871

**Verdict:**

Plaintiff, \$1,703,345.40

**Verdict Date:**

March 16, 2007

**Judge:**

Valeria N. Spencer

**Attorneys:**

*Plaintiff:* Scott F. Sullan and Mari K. Perczak, Mari K. Perczak LLC, Greenwood Village, Colo.

*Defendants:* Craig S. Nuss, Patterson, Nuss & Seymour, Greenwood Village, Colo.

**Trial Type:**

Jury

**Experts:**

*Plaintiff:* Edward Fronapfel, MS, PE, civil engineer, Denver, Colo.

*Defendants:* Michael Higgins, PE, Pure Technologies, Columbia, Md.

**Breakdown of Award:**

\$1,703,345.40 to plaintiff for damages

The court entered an amended judgment for \$2,809,623 to include prejudgment interest and costs.

**Summary of Facts:**

Collins Companies Inc., through its principal Leonard Collins, reportedly contracted with Eleven-One-Eleven Homeowners Association, or HOA, to replace the siding and windows on a 92-unit condominium building. The HOA took legal action, claiming the construction work was defective and caused more than \$2 million in property damage.

In its lawsuit, the HOA claimed Collins Companies and its subcontractors performed negligent work. HOA asserted Leonard Collins made negligent misrepresentations before the work began and also actively participated in, and directed, the work. According to the plaintiff's attorneys, the HOA's estimated cost of repair totaled \$2,398,793 while the defendants' initial estimated cost of repair totaled \$1,112,063.01; however, the defendants amended their estimate to \$1,160,482.36 shortly before these claims proceeded to jury trial.

The plaintiff's attorneys said Arapahoe County jurors returned a verdict March 16, 2007, in favor of the homeowners' association for \$1,703,345.40. The court entered an amended judgment April 18 for \$2,809,623 to include prejudgment interest and costs.

## Driving Error in Youthful Days Costs Motorist \$26.8K

*Wilson v. Beaver*

**Westlaw Citation:**

2006 WL 4665934