

I TRUSTED THE EPA AND LOOK WHAT HAPPENED TO ME

I am a one person activist because I have not been able to make the parties who injured me financially or mentally hold themselves accountable or even care. I wanted to be a pioneer among clean energy homeowners. I never got support from local, state or federal governments when I reached out for help and reform.

Unfortunately as a result of the EPA's false representations we had to immediately engage and become trapped in costly long term litigation with the builder and billionaire developer in which we suffered enormous damages, loss of a home, loss of income, financial insecurity and near ruin, loss of safety, emotional stress- from slander, libel, police harassment, bogus third degree assault charge, violation of civil rights, intimidation by the builder and developer. I was even accused of damaging my own home! We have never recovered and cannot afford another home. Not one government official or agency has been held accountable or given me redress for my grievances though I have spent years contacting multiple agencies and politicians.

Through litigation I found out this showcased house was built on top of a 100 year old tailings impoundment created by Golden Cycle Mill where over 12 million tons of gold was processed. This former EPA CERCLA superfund site is about 12 stores high containing a deep cyanide slurry pond. It is under the jurisdiction of the Colorado Department of Public Health and Environment whose voluntary clean up guidelines are vague for remediating toxic heavy metals (lead, mercury, cadmium, zinc, etc) contamination and milling chemicals such cyanide.

Our house had a 39 panel solar array that was not oriented correctly as well as a geothermal unit that failed. My house on the mesa suffered vertical differential settlement, cracking, sinking, and flooding. We had to move out, continue to pay the mortgage and attorney fees while renting a home. For some reason after the basement flooded both my legs swelled. I suffered debilitating pain and could not walk.

The EPA relies on the judicial system to settle disputes over these land issues yet litigation did not make us whole. Our first attorney suddenly disappeared after paying him \$12,000 to settle the fraud case with a buy back. Later we discovered he had a huge conflict of interest because he had engaged in the promotion of the home. I had to quickly engage another attorney. The next attorney stated we had no option but to hire (and pay out of pocket) for expensive experts to prove the effects of the tailings and tailing slimes on our house- distress, sinking, flooding, cracking, etc. The reckless decisions of federal and state officials over this impoundment made it impossible for us as litigants to succeed in court. Our case lasted over three years. We never saw the inside of the courtroom. Our attorney advised us against arbitration and into a course of action that was costly and complex- over \$130,000 in attorney fees plus costly legal and expert costs. We were facing near bankruptcy. He became increasingly distant and threatened to withdraw unless we paid more of his \$20,000 monthly bills. He refused to negotiate his fees, demanded \$250,000 more from us to go to trial or he would redraw weeks before the scheduled trial date and at the end held on to our settlement money, our retirement, and sued us for an additional sum of \$150,000 in a different venue without serving us. We had to hire another attorney but lost because he did not prosecute the case. Grievances were filed yet no redress or accountability of these attorneys from their licensing body. This did irreparable harm to us financially and emotionally as we sought justice and redress.

We were happy and prosperous people at the forefront of an environmental movement with big promises for the future of our community and planet. Instead we were made into fools. There is no way out from a greedy attorney who would not settle the case and the antics of the builder and developer. We were scapegoated and targeted. I know from experience that the cost required to seek civil redress for fraudulent conduct in the "green" housing industry is prohibitive and unrealistic for any homebuyer in this country. We need consumer protection laws and criminal penalties.

No one should have to suffer such a horrific ordeal buying a house in this country. I tragically lost my home and cannot afford another one. I believe the justice system failed us. I ask why would anyone utilize the court system to be made whole, when in reality it's a bottomless pit that only enriches the attorney. The excessive burden of litigation, exorbitant cost and legal abuse creates a new class of poor people.

I believe I suffered a moral injury. I had to face one deception after another after trusting people and institutions. The psychic injury from not being protected by my attorney and the tactics used by their defense attorneys exists until this day. I believe the public deserves a system that does more than traumatize consumers seeking redress. It does no good for society when lawyers use our protective systems to continue to offend. It obliterates our trust.

Perhaps my life destroying ordeal can be used to create legislative change for a better future.