

EX 3 B
8/5/11

I am looking for... I want to...



Missouri Attorney General Jay Nixon

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Consumer Complaints

Your consumer complaint was successfully submitted to Attorney General Jay Nixon's Consumer Protection Division.
Thank you.

This is your receipt. Please print this page for your records.

To file another consumer complaint with the Attorney General's Office, [click here](#).

FILED

SEP 09 2011

Missouri Public
Service Commission

Confirmation Details

Confirmation Number: 50874
Confirmation Time: 2007-08-03 10:20:49

Your Contact Information

Name: Nancy Davis
Address: 155 Bennington Court
Troy MO 63379
County:
Email: ncyo354@centurytel.net
Home Phone: 636-462-4075
Work Phone: 636-295-0807

Information About Company that Complaint is Against

Name of Company: Bennington Inc.
Phone: 636-528-6180
Address: 360 E. Cherry Street
Troy MO 63379
County: Lincoln
Web Site:
Email:
Contact's Name: Dennis Kallash
Contact's Title: Owner/Developer

Details of Transaction

Date of Transaction: Aug 17 2005
Amount of Transaction: 50,000.00
Payment Method: Loan

Details of Complaint

How and where did you learn about product or service?
word of mouth

Description of Complaint:

My husband and I purchased a piece of property from Dennis Kallash in Bennington Estates. At the time of purchase we received no written or verbal word of any restrictions regarding the water supply in Bennington. Since then, we built our home and moved in. On June 14th, 2007 we received a visit from Mr. Kallash, his wife, daughter and an unknown neighbor regarding 3 issues: 1- We have a large puddle that collects in the street every time it rains and we feel he needs to correct the matter. He informed us in very colorful language that it was our problem to fix. His suggestions, we tear our our drive way, install pipes and a grate, and pipe the water UP hill to the storm grate he originally installed. 2- The storm grate beside our drive way is about 2 feet below the drive way and is constantly filling up with mud, rocks, and debris. When it clogs, the water won't drain and it causes a much bigger water problem. He suggested We dig it out, put up some sort of fence and landscape around it. We feel like it was like that before we moved in, it's his drain, and his problem to fix. We're afraid somebody is going to get hurt near it. And 3- (our biggest complaint) Dennis informed us that we are no longer allowed to water our lawn - if we do, there will be a \$200.00 fine. He informed us that the water tank is not big enough to water 60 acres (the size of the subdivision). Our concern is this, there are only 50 homes in Bennington. There are 10 vacant lots. What is going to happen when there are 10 more homes using water? At that time, Dennis will give control of the subdivision to a committee. At that time, are we going to be the ones stuck paying for a larger well / holding tank - whatever it takes to correct this problem? We've paid dearly for our property and homes and it feels like a Huge injustice that we are not even able to maintain what we've purchased because of Mr. Kallash's error concerning our well. I have spoke to many of our neighbors and they have echoed our concern about the water and If we had know up front the problems we were going to have We Would NOT Have Purchased Our Property. Now that we do know the problems, we feel like we are going to be stuck in this home forever because nobody in their right mind is going to purchase a home with the kind of restrictions that this one comes along with. We need help. I have gone to the Dept. of Natural Resources, and they gave watering suggestions. When we approached Mr. Kallash with the suggestions, he would not hear of it. He said they have tried them before and they don't work. When we asked about a community meeting, Mr. Kallash stated that he put an end to them because he doesn't want everyone complaining to him at the same time. If we have a problem, we can come to him directly. I feel like no matter what we try to do to resolve any problems with Mr. Kallash, he avoids any resolution and it's at our expense. If someone could help, it would be greatly appreciated. We really don't know where to go next. Thank you, Sincerely, Nancy Davis

Did you sign a contract, warranty agreement or similar papers?

Yes

What action have you taken to resolve this complaint?

I've spoke to Mr. Kallash

Name of any agency contacted:

Dept. of Natural Resources

Have you been sued or filed a lawsuit about this complaint?

No

How do you want this complaint resolved?

Perform Service

If you answered "Other" to the previous question, please specify