

EX 3 C
8/25/11 MJB

Missouri Attorney General Jay Nixon

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: 62480
Confirmation Time: 2007-10-25 14:50:42

Your Contact Information

Name: Mr. Mike G Oakley
Address: 208 Bennington Dr.
Troy MO 63379
County: Lincoln
Email: mike390@centurytel.net
Home Phone: 636-462-1570
Work Phone: 636-462-1571

Information About Company that Complaint is Against

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

Details of Transaction

Date of Transaction: May 04 2004
Amount of Transaction: 200000.00
Payment Method: Loan

Details of Complaint

How and where did you learn about product or service?

Details of Complaint

How and where did you learn about product or service?

Newspaper / Classified

Description of Complaint:

My wife and I purchased a home in Bennington Estates, owned and developed by Dennis Kallash. At the time of purchase we received no written or verbal notice of any restrictions regarding water usage. Yet, since then, we have been told our community well was intended for household use only. Even this, according to info received from Mr. Kallash, would put our water supply in jeopardy. According to a letter from Dennis Kallash, this well will provide only 14,100 gallons per day. Again, using Mr. Kallash's numbers, 370 gallons for each household per day is normal (this seems to be in line with averages I found at other sources on the internet) this would be a usage of 17,760 gallons with the 48 homes currently in Bennington Sub. This does not take into account the 10 lots that still remain undeveloped which would push that number to 21,460 gallons used per day. This appears to be a terrible developing and engineering flaw. Strangely enough, Mr. Kallash operates the company responsible for the engineering and surveying in Bennington as well. I have contacted Dennis about possible solutions to this problem and was told Do not water our lawn ever. This is something all lot owners should have been told long before we purchased lots, built homes and started lawns. Now our property values are declining and local Real Estate agents avoid our community because of these problems. One of the most important factors with selling a home is curb appeal. Hard to do without the use of water. If we had known of these problems up front we never would have purchased in Bennington Estates and now that we have we feel stuck. To make matters worse, we have now been served a notice of non-compliance (threatening with a fine of \$150.00) for violating a rule about watering that does not exist anywhere in the restrictions on file. Mr. Kallash appears to have no interest in working with the residents of this community, that he engineered and developed, to remedy this situation. Any advice or guidance in this matter would be greatly appreciated. Thank you. Sincerely, Mike Oakley

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

Yes

What action have you taken to resolve this complaint?

Spoke with Dennis Kallash several times

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

BY FILING THIS COMPLAINT, I UNDERSTAND THAT: The Attorney General is not my private attorney, but enforces state consumer protection laws; I will testify in court to the facts stated in this complaint; and a copy of this complaint will be provided to the merchant against whom I am filing this complaint.