

Jury Rejects Homeowners' \$10M Lawsuit Over 'Moldy Mansion'

POSTED SEPTEMBER 5, 2013 IN [JURY AWARDS REAL ESTATE](#) BY [SYLVIA HSIEH](#)

A couple who bought a moldy mansion and sued the builder and sellers for \$10 million for construction defects say they are disappointed by a jury's verdict awarding only \$79,000 in damages.

Leo and Kathryn Vecellio purchased the 25,000 square foot Palm Beach mansion plus a guesthouse for \$40 million in 2008. After they moved in, they discovered water intrusion and other problems. The Vecellios claimed they were forced to spend more than \$11 million to get rid of the mold and redo the roof and windows that leaked water and for other repairs.

They sued the builder, Dan E. Swanson, and the sellers, Laura and Dean DeSantis, claiming that they knew about the construction defects that affected the value of the property.

The couple, who also complained of mildew, bugs, rotten wood, hollow floors, shaky railings and a leaking pool, originally named more than 10 subcontractors and suppliers, but most had settled with the couple before trial.

Lawyers for the builder and sellers denied that there were any problems with their construction, and argued that the couple's extensive renovations were improvements to the property that had nothing to do with the original construction.

After a jury trial that lasted over two months, the jury decided that the builder did not know about construction defects. However, the jurors did find that Swanson intentionally lied or left out important facts about the construction and ordered him to pay \$78,984 in damages.

The couple can still convince the judge that they are entitled to other damages under warranties in the construction contract with Swanson.

The Vecellios are seeking reimbursement for their renovations plus the money they spent to move out of their 'dream home' while it was being repaired.

"The evidence that we [already] presented will still be considered by the judge. There will be more evidence to be considered. I'm determined to see this through," Leo Vecellio said after the jury's decision.

Tagged as: [construction defects](#), [mold](#)



iStockphoto/Thinkstock

Related Posts In Jury Awards Real Estate

Check out some other great posts & articles that you might like.

Have a Legal Question?

Its Free & Easy

- [Recall Sampler: Play Ball! But Not With Moldy Gloves](#)
- [Judge Rejects BP's Plea to Stop Oil Spill Settlement Payments](#)
- [Editor's Choice: Jury Awards Edition](#)
- [Editor's Choice: Jury Awards Edition](#)
- [Defective Chinese Drywall Still Besets Many Homeowners](#)

[Show more related posts](#)

Real Estate Law Firms

In Minneapolis, MN [change location](#)

 **Nash Law Firm, PLLC**
Serving Hennepin County, Minnesota
763-333-0682 | [Contact Now](#)

 **Wagner, Falconer & Judd, Ltd.**
Minneapolis, MN
612-339-1421 | [Contact Now](#)

 **McGrann Shea Carnival Straughn & Lamb Chartered**
Minneapolis, MN
612-338-2525 | [Contact Now](#)

[View All 63 Law Firms](#)

Legal News When You Need It


Daily (or weekly) free legal newsletters.


Have a Legal Question?


Top rated lawyers are ready to answer. **It's Free, Easy and Safe**


Most Popular on Lawyers.com

 [Innocent People Fall Victim to Civil Forfeiture \[Video\]](#)

 [NFL Star Irving Fryar Indicted for Mortgage Fraud](#)

 [Parents Win \\$1M for Teacher's Abuse of Special Needs Son](#)

 [Newsbreak: OSHA Issues New Standards for Hazardous Chemicals \[Video\]](#)

 [N.J. Ban on Gay Conversion Therapy Faces Lawsuit \[Video\]](#)

[Meet the Team](#)

[Topics](#)

[Archives](#)

Search Lawyers.com Blog