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STATEMENT OF:

**WILLIAM SHEPARD
DIRECTOR,
ECHO BAY HOMEOWNERS
ASSOCIATION**

**ASSEMBLY JUDICIARY COMMITTEE
APRIL 8, 2003**

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ASSEMBLY JUDICIARY

DATE: 4/8/03 ROOM: 3138 EXHIBIT S

SUBMITTED BY: W. Shepard

STATEMENT OF WILLIAM SHEPARD

I'm Bill Shepard. I'm a director on the Echo Bay Homeowners Association Board of Directors. I also served on the Board's Landscape Committee. We have a large community. There are 408 condominium homes, 51 buildings on several acres of land. Its located at the intersection of Vegas Valley Drive and Nellis Boulevard in northeastern Las Vegas.

Our community was built with improper drainage from one end to the other. We knew we had a real bad problem with the drainage when we had our first flood. There are three gates at the community. When there's a heavy rain, we collect water from upstream and it gathers at the entrances and exits. Cars and emergency vehicles have trouble getting in. Some homeowners even had to sandbag their doors. I have a few pictures of one flood.

We asked the builder to look at the drainage. It came out, but it would only agree to do minor repairs. We had a civil engineer look at the problem, and we learned that it would take a lot of work to drain the site correctly.

These weren't the only problems we had. There are a lot of seniors who bought homes in the community to retire. Many of us were told that the homes would be quiet. The models were. We found out later that the walls were not built to Code. We also had other problems, like underground main line breaks, that cost a lot to fix.

We tried to work with the builder without filing a lawsuit. We gave the builder a chance to fix everything. Instead, the builder turned the matter over to its insurance company. The insurance company hired its own lawyers, who ultimately offered us pennies on the dollar. We had to file suit.

During the case, our Association also got sued by the Federal Government because the community wasn't built according to civil rights laws for disabled people. Our lawyers told the government that we didn't have anything to do with the design or construction of the place, but that didn't matter. After a long, expensive legal battle, the Court ultimately let us go. The Federal Government made the builder make repairs for disabled people.

When we bought our homes, we expected to get what we paid for. We also expected to be treated with respect, fairly and in a timely fashion. It didn't happen. We didn't want to take legal action, but we were forced to.

On behalf of the Echo Bay community, please know that there are a lot of people like us who aren't treated fairly when they have serious problems with their homes. When that happens, the law needs to be there to protect us.

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