

Newsday

LONG ISLAND

TUESDAY, OCT. 7, 2003 • NASSAU EDITION

Freeport Faces Suit In Building Dispute

By Sid Cassese

STAFF WRITER

A \$110-million-plus lawsuit filed in federal court Friday charges the Freeport Building Department with allowing inspectors to violate the law, including issuing false certificates of occupancy.

Village spokeswoman Patricia Murphy declined to comment, saying the matter is "in litigation."

Attorney Frederick K. Brewington of Hempstead filed the suit in the U.S. District Court in Central Islip on behalf of Pius and Sheryll Guoba.

The Guobas charge that a house they bought in 2001 for \$395,000, while not lived in before, had been left open to the elements for nine to 12 months, resulting in shrinking and swell damage. "The defects were mostly hidden to somebody like me. But the mortgage company said it did not need to be inspected by an engineer because it was new," Pius Guoba said.

"That certificate of occupancy could only have been granted by somebody willfully and intentionally looking the other way," Brewington added.

The suit also named Property Management Inc. in Melville as a defendant. A man at Property Management who identified himself only as "Dan" would say only, "I haven't

seen any papers, and I think it is inappropriate that a lawyer would serve them only to news organizations in such a self-serving way."

Minneapolis-based U.S. Bank Home Mortgage, another defendant in the case, did not return calls.

Guoba said once he moved into the Miller Avenue house and started finding problems, he called an engineer, who pointed out more than a dozen defects, including fire-code violations. "I contacted the village, and at first they promised to help. But then, after they saw how bad it was, they stopped taking my calls."

Brewington — citing a pending case against the village by State Attorney General Eliot Spitzer charging that building inspectors, in collusion with village protective service agencies, have a pattern of illegally entering and searching the homes of primarily Hispanic residents — said this case shows a continuation of unlawful practices by Freeport inspectors. "Top village officials are aware of it, too," he added.

Guoba, 53, a truck driver and captain of a charter boat out of Freeport, said he wanted to solve the problem. "I'm paying taxes on a house now valued at \$525,000 that I can't even sell in its condition," he said.

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