

**From:** UKMJDopusarts <UKMJDopusarts@comcast.net>  
**To:** Laura Phillips <L.Phillips@farrinsurance.co.uk>, LOUISE GYNN  
<lousie.gynn@merlinclaims.com>  
**Cc:** Paul Camies <paul.camies@virgin.net>, "MJ Duchene, OpusaArts LLC"  
<UKMJDopusarts@comcast.net>  
**Date:** Wednesday, December 16, 2009 9:26 PM  
**Subject:** FW: Insurance Claim, 65 Stockholm House Addendum, complaints  
filed on water escape and damage

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**E-mail from Mr. Lopez about serious leak being uncovered:**

**shown on web page:**

**<http://no65sh2008.tripod.com/2009heatingmolddecoration/2009molddamage.html>**

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**From:** UKMJDopusarts <UKMJDopusarts@comcast.net>  
**Date:** Wed, 16 Dec 2009 21:00:06 -0600  
**To:** Laura Phillips <L.Phillips@farrinsurance.co.uk>, LOUISE GYNN  
<lousie.gynn@merlinclaims.com>  
**Cc:** "MJ Duchene, OpusaArts LLC" <UKMJDopusarts@comcast.net>, Paul  
Camies <paul.camies@virgin.net>, George Anderson  
<ganderson101@gmail.com>  
**Bcc:** Dejka Emilia <e\_dejka@yahoo.co.uk>, Fernando Lopes  
<faclopes28@hotmail.com>, Alberto Monteiro <albertodiy@gmail.com>  
**Subject:** FW: Insurance Claim, 65 Stockholm House Addendum, complaints  
filed on water escape and damage

**Addendum, complaints filed on water escape and damage**

**RE: Time frame, between late October, 2008 and March, 2009**

**Mr. George Anderson (flat no. 61) was the party that identified the water escape, as Ms. Dejka and Mr. Lopez could not see it and could not understand what was going on, and Mr. Anderson complained, I am sure, repeatedly to at least EastEnd Homes, and possibly to Mears. I don't have access to Mr. Anderson's email complaints to EastEnd Homes or the contractors, but he is very intelligent and diligent in such things in my experience.**

**I was baffled at the time where the water showing on his ceiling might be**

**coming from, although Mr. Anderson was clear that it was coming from near the central heating system in flat nos. 65 and possibly also 61, and it was not until it was pouring into the flat, that the ceiling at 61 was broken open to find the leak and stop it. Mr. Lopez witnessed this and was shocked by all the water running into flat no. 61 and pretty scared, and confirmed this in an e-mail to me shown on web page:**

**<http://no65sh2008.tripod.com/2009heatingmolddecoration/2009molddamage.html>**

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MJ Duchene, leaseholder #65 Stockholm House, Swedenborg Gardens, London E1 8HR UK - Leaseholder since 1983.

Mailing address for administration and notices:

leaseholder name: MariJayn Duchene, BA, BS  
leaseholder address: 1144 Ottawa Avenue  
leaseholder city: Saint Paul  
leaseholder state: Minnesota  
leaseholder postal code: 55118-2008  
leaseholder country: USA  
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**From:** UKMJDOpusarts <UKMJDOpusarts@comcast.net>  
**Date:** Wed, 16 Dec 2009 20:16:55 -0600  
**To:** Laura Phillips <L.Phillips@farrinsurance.co.uk>  
**Cc:** Paul Camies <paul.camies@virgin.net>, "MJ Duchene, OpusaArts LLC" <UKMJDOpusarts@comcast.net>  
**Subject:** FW: Insurance Claim, 65 Stockholm House

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**From:** UKMJDOpusarts <UKMJDOpusarts@comcast.net>  
**Date:** Wed, 16 Dec 2009 20:14:07 -0600  
**To:** LOUISE GYNN <lousie.gynn@merlinclaims.com>  
**Cc:** "MJ Duchene, OpusaArts LLC" <UKMJDOpusarts@comcast.net>, Paul Camies <paul.camies@virgin.net>  
**Bcc:** Dejka Emilia <e\_dejka@yahoo.co.uk>, Fernando Lopes <faclopes28@hotmail.com>, Alberto Monteiro <albertodiy@gmail.com>  
**Subject:** Insurance Claim, 65 Stockholm House

**December 16, 2009**

**Dear Ms. Gynn:**

**In response to your e-mail,**

**- The date of the fitting of the central heating system**

**The replacement of the old central heating and upgrade of the water pressure was done by EastEnd Homes, throughout the estate. a few years ago, one building at a time. The replacement of the central heating system in Stockholm House began in the fall of 2008, and started, it appears, on the 16th floor as my neighbor, George Anderson wrote me an e-mail confirming that. There was also remodeling of kitchens and bathrooms done to some of the flats, however, that remodeling had already been done, recently, at flat no. 65 and we did not request that.**

**- The name, and contact details of the third party contractor who carried out this work.**

**The contractor was Mears, who were hired by EastEnd Homes.**

**- The date when the leak occurred**

**The leak appears to have started slowly in about October of 2008, and got progressively worse, by early 2009, causing my neighbor in flat no 61 to send an e-mail and state that water that came from around the central heating system was saturating his ceiling, and he include photos which I have posted online.  
<http://no65sh2008.tripod.com/2009heatingmolddecoration/2009molddamage.html>**

**Shortly thereafter the water started purging down into flat no. 61 and from Mr. Lopez's statement, some contractor, probably Mears, had to break into the ceiling of flat no. 61 and find the leak, which was reportedly difficult to find, to stop the water.**

**My tenants could not see any water egress as it was under the floor, but they had begin to have a small amount of mould by later October, 2008, which progressively increased.**

**- Confirmation of what caused the leak to occur from the fitting of the heating system**

**The leak appears to have been cause to some fault in the water containing elements of the forty year old central heating of flat no 65 Stockholm House. It appears to have been a burst pipe of some kind. This is all I know. It was not something inside of flat no 65 Stockholm House, that we (myself, my tenants, my neighbor at flat no. 61) could see and appraise or study.**

**- Details of where work was being carried out at the time**  
**Replacement of the forty year old central heating/hot water system and upgrade of the water pressure was done by EastEnd Homes, throughout the estate. starting a few years ago, one building at a time. The replacement of the central heating system in Stockholm House began in the fall of 2008, and started, it appears, on the 16th floor as my neighbor, George Anderson wrote me an e-mail confirming that, pleased that this had started. There was also remodeling of kitchens and bathrooms done to some of the flats, however, that remodeling had already been done at flat no. 65 recently, and we did not request that work to be done.**

**Mears was the contractor that EastEnd Homes hired to do this.**

**The replacement of the central heating system of flat no 65 Stockholm House involved totally removing the 40 year old central heating system for the entire building, Stockholm House, and replacing it with new combi gas furnaces in each apartment unit, with tank less water heating, and upgraded water pressure from the mains. EastEnd Homes negotiated the contract with Mears to do this and paid for this work, which was consistent with their promise to do so before they took over ownership of the estate from the London Borough of Tower Hamlets in circa early 2006.**

**The replacement of the old central heating specifically in flat no. 65 Stockholm House, started on or about June 3 of 2009, and took about a month. Immediately after replacement of the old central heating specifically in flat no. 65 Stockholm House mould clean up started and occurred, and this was done consistent with the manner proscribed by Mr. Camies, inclusive two fungicidal cleanings, extensive drying, and painting with anti condensation paint. The mould represented a health risk to my tenants so urgency in mould clean up and resotation was important to me and my tenants.**

**There has been no recurrence of mould, the flat remains in pristine condition, see photos at:**

**<http://no65sh2008.tripod.com/2009heatingmolddecoration/emailpicts1.pdf>**

**<http://no65sh2008.tripod.com/2009heatingmolddecoration/emailpicts2.pdf>**

**also shown at:**

**<http://no65sh2008.tripod.com/2009heatingmolddecoration/2009molddamage.html>**

**I have not been able to communicate directly with Mears at all. My email to Mears were persistently blocked, no fax number given and the only address given was a temporary work station set up near St. George's estate, which includes Stockholm House. This seemed strange to me, but there was nothing I could do about that. Mr. Anderson, at flat no 61 Stockholm House, also had enormous difficulty in communicating with Mears according to his email. My tenant's (Ms. Dejka's) partner, Mr. Lopez, was diligent in communicating with Mears, to facilitate installation of the new central heating and mitigate any damage to the property during installation, and he had to do so by telephone.**

**Although I am not a heating and plumbing engineer, my suspicion is that the increased water pressure, in the old pipes and central heating at flat no 61 Stockholm House, while work was in progress in other flats, was too much of a strain for the older pipes. I was lead to believe that work would start on the top floor and go down, and it seems clear it did not.**

**I have communicated with EastEnd Homes requesting assurances that there will be no recurrence of similar leaks in the central heating, and EastEnd Homes have not responded. Because the new central heating is a completely new self contained and different system, and involves totally new plumbing and installation of new radiators, it seems very doubtful that any leak would be difficult to locate immediately and rectify, were that to happen, if it happens at all. I have control over maintenance and repair of the new unit central heating system in flat no. 65 Stockholm House, whereas, I was prohibited from touching the old central heating system that serviced all of Stockholm House. Further all the pipes for this new central heating system appear to visible so there would not be the option of such a hidden leak happening again, it would seem.**

**I installed numerous fans (in living room, bathroom and kitchen) and other devices in 2006, to overcome and air flow problems. Mr. Camies' contractors installed these. There is not claim for that here.**

**If you need more info, please let let me know and I will be happy to provide this within my capacity and ability. The flat was also rewired at that time. A new bathroom was installed in about 2007. All furnishings and appliances were replaced in after 2006, so everything is effectively new in the flat. There is not claim for any of that here.**

**The only amount we are claiming from Farr Insurance is for the mould clean up and restoration done in July, 2009, by Mr. Alberto Monteiro, see estimate attached. I have already paid Mr. Monteiro £1500.00 for this work, by bank transfer, and have a remainder of £450.00 to pay. At my request Mr. Monterio did some other work (upgrading bedroom closets after old hot water tanks were removed) for which he was paid separately**

**and non of these charges are included on the estimate or payment of the £1950.00 for mould clean up and restoration.**

**Thank you.**

**MJ Duchene**

**cc: Paul Camies**

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**MJ Duchene, leaseholder #65 Stockholm House, Swedenborg Gardens, London E1 8HR  
UK - Leaseholder since 1983.**

**Mailing address for administration and notices:**

**leaseholder name: MariJayn Duchene, BA, BS  
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**Subject: RE: Insurance Claim, 65 Stockholm House  
Date: Wed, 16 Dec 2009 12:01:19 -0000  
Thread-Topic: Insurance Claim, 65 Stockholm House  
Thread-Index: Acp85kOIof04qjAjRVKAuaiRAyqyjwBXXzog  
From: "Louise Gynn" <louise.gynn@merlinclaims.com>  
To: "UKMJDOpusarts" <UKMJDOpusarts@comcast.net>  
Cc: "Laura Phillips" <L.Phillips@farrinsurance.co.uk>**

**Dear MJ Duchene,**

**I refer to the above incident and your recent correspondence to myself and Farr Insurance.**

I have now had the opportunity to review the claim details and also the report provided by County Preservation.

As you are aware, the claim for damage to the flat beneath the Insured property (61), as a result of a leak from No.65, has been declined as you do not own this flat. You are therefore unable to place a claim for the cost of repairs to that property. This position is maintained.

The report states that work has previously been undertaken to remove mould from numerous places throughout the property, as a result of the poor design of the building and a lack of airflow. That work, as you are aware, would not be covered under this policy. However, I am interested to hear that work had previously been carried out prior to the damage which forms a part of this claim, occurring.

I therefore look forward to receiving an invoice in respect of this to confirm when, and exactly what work was undertaken, for my records.

The report then states that since that work was undertaken, a significant amount of water has entered the property again, and that this is due to the Insured peril of escape of water. It has been stated that this occurred as a result of the fitting of a new central heating system to the building by a third party contractor.

This is the first notification I have received of this version of events. I have checked the original notification of the claim and various correspondence, and not once has the fitting of a central heating system to the entire building been mentioned, and there has also been no mention of a third party contractor.

I would be able to consider this under your policy. However, in order to give any consideration, I would require satisfactory information regarding this, and I therefore request the following:

- The date of the fitting of the central heating system
- The name, and contact details of the third party contractor who carried out this work.
- The date when the leak occurred
- Confirmation of what caused the leak to occur from the fitting of the heating system
- Details of where work was being carried out at the time

I also assume that the third party contractor or the freeholder of the property have been contacted by you to advise them of this issue, and I will therefore require copies of all correspondence notifying

them of the damage they have caused to your property, and their views on this.

I look forward to receiving this information in due course.

Upon receipt of all of the above items, I would then consider a claim. However, at this time, I will not confirm any cover under your policy.

Kind Regards,

Louise Gynn BA (Hons) Dip CII (Claims)  
Loss Adjuster - Property  
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