

Owner: Harry Russo

Chronology of events associated with pool construction.

Nov. 10, 2018 – Hernan Longo of Crystal Clear Pools (CCP) provides rendering of proposed pool, which shows a larger deck and smaller pool than what was actually constructed.

Nov. 12, 2018 – I hired Crystal Clear Pools to build my pool at a cost of \$57,600. Proposal provided to me by Carlos Hernan Longo included a “lifetime warranty on the pool shell. I was required to pay a 50 percent down payment, which I did in three installments:

Nov. 12, 2018 - \$10,000

Nov. 15, 2018 - \$10,000

Dec. 11, 2018 - \$8,800

TOTAL Deposit -\$28,800

Dec. 21, 2018 - Work begins with demolition of an existing wooden deck.

Jan. 8, 2019 - Subcontractor James Powers digs hole.

Jan. 10, 2019 - Steel and Ground completed

- Payment made to Hernan Longo (\$6,775 – Check #206)
- Hernan Longo tells owner that foundation is sinking on southeast corner and they will have to reinforce it with concrete at a cost of \$4,880. Payment made to Hernan Longo (\$4,880 - Check #207) THIS WORK WAS NEVER DONE.
- Inspection failed.

Jan. 14, 2019 – Second Steel and ground inspection passes.

Jan. 16, 2019 – Gunite is sprayed by Ryan Holland of Top Gunite.

- Payment made to Hernan Longo (\$6,775 – Check #208)
- Hernan Longo tells owner that foundation is sinking on northeast corner and they will have to reinforce it with concrete as well at a cost of \$4,880. Payment made to Hernan Longo (\$4,880 - Check #209) THIS WORK WAS NEVER DONE.

Jan. 26, 2019 - Owner texts Hernan Longo a photo of severe erosion at northeast corner of house due to recent heavy rains.

Feb. 6, 2019 - No work done for three weeks. Owner questions Hernan Longo about the two \$4,880 check he wrote for the foundation reinforcements for which the work had not yet been done. Expresses concern about lack of communication and time on job. Hernan says he is not feeling well.

Feb. 8, 2019 – Received Notice to Owner from Ryan Holland of Top Gunite noting that contractor has not paid for materials and labor.

Feb. 22, 2019 - Hernan Longo assures me that the Notice to Owner sent by Top Gunite and Ryan Holland is routine and he will be paid.

March 11, 2019 – First footer attempt fails inspection. Owner contacts Romina and Hernan via text. Romina tells owner that Hernan has been hospitalized and I should deal with her only.

March 22, 2019 – Owner contacts Romina to inquire about pool status. No response.

March 27, 2019 – Owner contacts Romina Cynthia Campello de Longo and Hernan Longo expressing concern about the lack of progress on pool construction. Also inquires about the money CCP has already been paid. No response.

March 28, 2019 – Romina said she found a subcontractor to complete retaining wall, and that he will start the next day. HE DOES NOT.

April 2, 2019 – Ryan Holland DBA Top Gunite files a claim of lien on owner's property for non-payment of pool shell work. It was one of seven lien claims he filed for work completed in behalf of CCP but not paid.

April 5, 2019 – Second footer attempt fails inspection.

April 9, 2019 – Romina Campello de Longo visits to request money up front to pay Juan Bartolome of a Touch of Spain Concrete who she is going to hire to complete my footers. She said the previous subcontractor took her money and disappeared. Owner refused to pay anymore to Romina up front and demanded that Bartolome contact him directly.

April 10, 2019 – Owner pays Juan Bartolome \$1,650 to begin work on footers.

April 13, 2019 - Owner requests copy of contract and list of all subcontractor involved with pool construction. THIS WAS NEVER PROVIDED.

April 15, 2019 – Romina tells owner that her husband is no longer with the company.

April 18, 2019 - Hernan Longo assures owner he has nothing to worry about regarding the claim of lien. He assures owner that Ryan Holland will be paid. Hernan Longo says he is seriously sick and can't take the pressure. (Throughout this business relationship, Hernan Longo has claimed to have a brain tumor, pneumonia, and a stroke. He also claimed to be getting a divorce. Yet he still promised to take care of matters concerning my pool and non-payment of subcontractor. (THIS IS THE LAST OWNER HAS HEARD FROM HERNAN LONGO.)

Owner also was assured by Romina that Ryan Holland will be paid no later than three weeks

April 23, 2019 – Third footer attempt fails inspection.

May 1, 2019 – Fourth footer attempt fails inspection. Cracks are beginning to form in home's floors and walls due to rains and erosion from dig. Owner requests CCP insurance information. Owner once again requested contract and list of subcontractors involved the pool construction. Despite assurances, these documents again were not provided.

May 8, 2019 – Fifth footer attempt fails inspection. Bartolome does not know how to fix it.

May 16, 2019 – Bartolome informs me that CCP inspections have been suspended. Owner meets with Jay Maher to request an exception due to the state of his foundation. Also files complaint. Maher suggests that owner have patience and allow CCP to complete project, noting that it would be more

costly to challenge CCP in court and hire another contractor. (Incidentally, CCP was the contractor who built Mr. Maher's pool.)

May 17, 2019 – Sixth footer attempt passes as emergency inspection, but later fails due to cave in.

May 21, 2019 – After speaking with numerous owners who have been put in similar situations by CCP, owner files a statement with the Flagler County Sheriff's Office, alleging construction fraud.

May 22, 2019 – Owner files complaint with the Florida Department of Business and Professional Regulation. Owner sends Romina and Hernan a certified letter formally requesting copy of contract; list of all subcontractors and suppliers; lien releases from all subcontractors; an affidavit reciting the status of payments to all subcontractor, suppliers and laborers associated with owner's pool construction; a statement of payments owner has made to CCP and its principals, as well as an accounting of all expenditures deducted from these funds; and a schedule of performance. NONE OF THESE REQUESTS HAVE BEEN HONORED.

May 24, 2019 – Glenn Roy, an attorney for Ryan Holland and Top Gunite, calls my 89-year-old mother looking for me. She gets frightened and gives him my contact information. He calls me and informs me that they will move forward on filing foreclosure on my property for non-payment. I contact Romina and she again assures me the bill will be paid in a matter of weeks. Meanwhile, Ryan Holland has texted and called owner numerous times demanding payment.

May 25, 2019 – Owner begins looking for other options to finish pool.

May 29, 2019 - Owner fires Crystal Clear Pools and hires Aqua Construction to complete the project.

May 31, 2019 – Ryan Holland demands payment via text message.

June 1, 2019 – State Attorney RJ LaRizza calls me to note that there is an active investigation underway regarding CCP. He indicated that financial records have been subpoenaed and that Det. John Castenheira is the point person with the Flagler Sheriff's Office. I relay this information to Ryan Holland, but he still is demanding payment from me.

June 6, 2019 – FlaglerLive publishes a story alleging corruption involving CCP and the Chief Building Inspector Charlie Mini, who was fired.

June 10, 2019 – I offer Ryan Holland half of the \$6,361 owed him by CCP. He rejects my offer.

June 14, 2019 – Ryan Holland informs me that he is instructing his attorney to move forward with lien foreclosure.

June 19, 2019 – Ryan Holland's attorney files to foreclose on my property.

As of June 25, 2019, owner's estimate of work paid for vs. work performed by Crystal Clear Pools since Nov. 12, 2018:

Paid directly to Hernan Longo (CCP): \$52,110

Value of work performed: \$13,560

Money owed to owner by CCP for work paid but not performed: \$38,560

Money paid by owner to Top Gunite to remove lien: \$4,500

Attorney fees: \$4,069

Total owed to owner: \$47,129