

Contract at center of Orkin case

By KEVIN GRAHAM
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TAMPA — Managers at Coachman Crossing Apartments didn't listen when Orkin repeatedly told them to remove mulch around their complex and shorten wooden panels that touched the ground to help get rid of termites, Orkin's attorney said Thursday.

The owners of the Clearwater apartments are suing Orkin, claiming the company faked termite treatments and neglected to fully disclose the apartment's termite problem. The owners want \$6.7-million, the amount they say the value of the complex has decreased because of the damage.

Opening statements began Thursday in the civil trial.

Daniel J. Gerber, Orkin's attorney, said wood in the apartment buildings had absorbed water, creating conditions in which termites thrive.

Gerber read a copy of the original contract Orkin signed with the apartment complex in 1992 that said the property owner was responsible for eliminating conditions that would attract termites, such as wood

siding that touched the ground. According to the contract, he said, Orkin is not responsible for remedying such problems.

Peter Cardillo, Coachman Crossing's attorney, said Orkin has a history of deceiving their customers and falsifying work orders.

Cardillo said current and past Orkin employees will testify that they were told to forge customers' signatures to receive bonuses. One employee forged about 300 signatures during one sitting, he said.

Gerber expects there will be no more than three instances in which Coachman Crossing employees dispute their signature on paperwork.

Orkin is appealing a circuit judge's decision to grant class-action status to a lawsuit representing individual homeowners. If that class-action status is upheld, it could give as many as 100,000 Florida homeowners the right to file claims against the extermination company.

Testimony in the case involving Coachman Crossing will resume Monday before Circuit Judge Claudia Isom.