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Chinese Drywall Victims Can Go To Trial

Judge Rules That Affected Palm Beach County Homeowners Can Seek Financial Compensation

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POSTED: 9:38 am EDT August 12, 2010

PALM BEACH GARDENS, Fla. -- A judge ruled Wednesday that all homeowners in Palm Beach County plagued with Chinese drywall will be able to go to trial to try to receive financial compensation.



Chinese Drywall Victims Will Have Th

"It's like a nightmare," homeowner Barbara Tutin told WPBF 25 News after Wednesday's ruling. "It's been a nightmare, and today, finally, I have some hope that there's some light, you know, at the end."

For the past nine years, Tutin has been a victim of the hazards of Chinese drywall.

Tutin showed WPBF 25 News the corroded wires, ruined appliances and anything silver tarnished by the Chinese drywall.

She's spent thousands of dollars replacing them, and Tutin is just one of thousands of homeowners in the state fighting developers, builders and contractors to get what's owed to her.

"I'm not looking to make anything extra. I just want the house that I thought I bought. I want that house."

Attorney David Durkee has filed a lawsuit on behalf of the Tutins to get them financial compensation -- enough money to get their home and permanently be rid of the toxic material.

"Justice delayed in these cases is truly justice denied," Durkee said. "Every day these folks live in these toxic homes, they're having effects."

After a yearlong battle, a judge decided that the Tutins and other drywall victims in Palm Beach County will be able to get their day in court. The judge ruled that federally filed lawsuits against Chinese drywall manufacturers cannot interfere with cases on the state level.

"We've only sued these Florida corporations here in Florida and because of that we're allowed to go to trial against these Florida corporations that are responsible for this damage they've caused," Durkee said.

Durkee said he hopes to set a trial date for the end of this year or early next year.

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