

Tallahassee, wrongful deaths and injuries at “The Dwellings” a Low-Income Housing project, due to CO2 poisoning

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Collins & Truett Attorneys, P.A.

Florida, Doral, Feb 11, 2021 ([Issuewire.com](https://www.issuewire.com)) - MITSUBISHI AND TALLAHASSEE 'TINY HOME' COMMUNITY FOR THE UNDERPRIVILEGED SUED FOR WRONGFUL DEATH AND MULTITUDE

OF INJURIES DUE TO MOLD, CO2 OVER-EXPOSURE, AND LACK OF VENTILATION

Tallahassee, A gross negligence lawsuit has been filed against Mitsubishi Electric and the architects of the 3-year-old housing facility called “The Dwellings.”

“The Dwellings” are a collection of tiny homes advertised as safe homes for the financially destitute. The homes were fitted with Mitsubishi Electric HVAC non-ventilating systems. The HVAC system Mitsubishi sold to the Dwellings does not exchange air with the outdoors meaning any gasses released within the ‘tiny’ homes stay there. These homes average 200 square feet. The systems are not designed to be a home’s only ventilation system, especially a home the size of a Dwelling home. This negligence has created a kill-box of trapped toxic, unbreathable air that is causing the injury and death of some of The Dwellings’ residents.

“The Dwellings” began as a benevolent idea, allowing the underprivileged an opportunity at housing as they worked towards bettering their situations. The idea may have been a good one, but the execution was poor. The homes were built to be as tightly sealed and energy-efficient as possible. The tight sealing of the homes combined with the lack of ventilation has created a perfect storm of misery for the occupants. Humans exhale CO2. Whenever the occupants are breathing, the CO2 they are releasing has nowhere to escape within the home. This means whenever someone is inside, the CO2 level in the home is constantly rising. When the residents realized this, they began to leave their windows open. The windows created a new problem, as moisture from outside humidity was brought inside. The HVAC systems collect all of the moisture from open doors and windows and create unhealthy mold build up inside the home. This past year, the managers of “The Dwellings” told all residents to keep their windows closed due to the pandemic and the mold building up in the units. This has put the residents of “The Dwellings” in a difficult situation, as they are forced to decide between risking further exposure to covid-19 and mold, or being trapped in a tiny home full of CO2 and other volatile organic compounds (VOC’s) in the breathing air.

Over the past two years, at least 7 residents have died, and a host of residents have been stricken by physical ailments, mental deterioration, insomnia, rashes, and even more serious medical emergencies including aneurysm, heart attacks, and blood clots; all of which are or can be directly related the prolonged exposure to elevated levels of CO2 and VOC’s in the air. Making matters worse, is a community for the under-privileged, economic restraints has caused the inability for many of the residents to move and are forced to live in a tiny box that is slowly killing them.

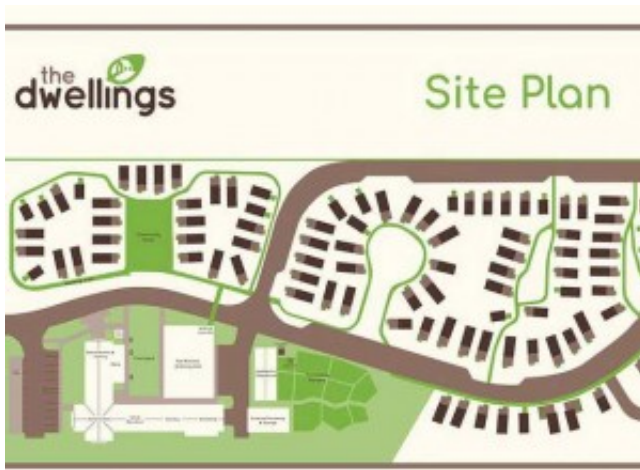
The problems of “The Dwellings” were easily avoidable, but instead of fixing their mistakes, those in charge continue to cover up past incidents and ignore ongoing problems. Mitsubishi admits the “HVAC” system they sold to the developer CESC Inc. does not ventilate nor do air exchange with the outdoors. “During the 2014 AHR Expo, Mitsubishi unveiled the MSZ-FH06NA, which far surpassed any other SEER rating on the market with a recording-breaking of 30.5.” Wanting the lowest possible carbon footprint, “The Dwellings” acquired the new HVACs over the ones previously planned. These models have been discontinued, yet “The Dwellings” never looked into why that was done. Mitsubishi also warns that the HVAC system should be maintained by a trained professional, yet managers of “The Dwellings” entrusted the upkeep of the systems to the residents, many of whom are elderly or have physical and mental limitations. Ventilation issues worsen, as the first 48 units at The Dwellings lack a kitchen ventilation hood over the stove. This construction flaw goes directly against Florida building code 510.5.3.

Richard Collins, Esq., attorney for many of the residents and estates of deceased residents alleges that Mitsubishi concealed this defect that caused the HVAC (heating, ventilation, and air conditioning) to gain a highly competitive market share in North America by achieving a deceptive a SEER rating by the

Department of Energy's Energy Star Rating program in 2015. The unit at issue does ventilate, yet they falsely advertised it as an HVAC (heating, ventilation, and air conditioning) product, which deceptively achieved an elevated SEER rating, in order to gain market share while concurrently deceiving consumers.

Mitsubishi has allegedly acknowledged the problem but has said an aftermarket ventilation system can be purchased from a third-party distributor, but this is not made clear in any of the brochures. The owners' manual for the MSZ FH06-NA states that no one who has physical or mental impairments should operate this "HVAC" system, and no one without a sound background in mechanics should care for the humid and mold interiors these units can produce if the consumer is not well trained. Mitsubishi knowingly donated and sold a combination of approximately 130 of these ductless air conditioning units for use in the tightly sealed 'tiny houses' at The Dwellings in full awareness of the lack of alternative ventilation that the air conditioning units require.

Amended complaint, filed February 8th, 2021, is available upon request.



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