

# Single mom is suing seller of meth house

## Home was once drug lab; woman fears for kids' health, might be facing foreclosure

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Her Stow home is frozen in time. The kids' clothes, their beds, the family photos, everything they own remains untouched, just as they left it almost a year ago.

The exodus from her new home was swift. And it was not fueled by ghosts or lousy neighbors.

Rather, it was the revelation of what was once inside her Meadowbrook Boulevard home and its potential relation to her children's chronic illnesses:

Andrea Wagner has learned she is the owner of a former meth house, one of at least 143 tabulated by local health officials.

The 26-year-old single mother of two is now in court fending off foreclosure efforts while at the same time fighting the man who sold her the home. Her lawsuit claims the former owner never revealed its methamphetamine production history.

"I was terrified," she said. "Certainly, I wouldn't have bought it had I known it was a meth house."

The seller's alleged failure to reveal the house's history — specifically that the cooking process of the drug and its residuals constitute a hazardous material that should have been disclosed to the buyer — serves as the cornerstone of Wagner's lawsuit against William Chlebina of Atwater Township.

Her attorney, Warner Mendenhall, said the case is unique around the state but one that should serve notice to anyone buying or selling a house.

"This is a huge problem for our cities," Mendenhall said. "What we have are people buying homes who are completely unaware of this potential hazard, even in a place like Stow, Ohio."

Chlebina could not be reached for comment. His attorney, Joseph Hoerig of Akron, did not respond to an e-mail and phone call this week.

Chlebina's attorney has filed papers denying Wagner's allegations that he knew or should have known about the meth history and disclosed it to her.

The home on Meadowbrook Boulevard was the site of a drug raid in May 2004 by the Summit County Drug Unit. Inside, police found laboratory paraphernalia, meth and chemicals used in meth production.

Because of the chemicals involved in the manufacturing process, a hazardous material company spent 71/2 hours at the home the day of the raid, police say.

Eventually, the house was sold at a sheriff's auction. Chlebina bought it and then resold it to Wagner for \$147,000 in January 2006.

At the time, Wagner was newly divorced. She was looking for a new home for her children, now ages 6 and 3. On a quiet, well-treed street with a pond nearby and a large yard, it seemed too good to be true.

"I loved it. It was a beautiful house. I thought it was great for the kids," she said.

Suspicion begins

Suspicion came quickly when a woman driving by as Wagner was unloading asked about the former meth house. Wagner said she called Stow police to confirm the woman's claim, but they could not find a record of any raid. Her worries were eased.

As time passed, however, she said her children's coughs, headaches and skin and sinus infections continued. Wagner herself developed migraines, she said.

After about a year, a law enforcement friend soon confirmed the rumor. He, in fact, had been one of the officers who took part in the raid at her home.

To prove he wasn't joking, Wagner was shown the U.S. Drug Enforcement Agency's list of known meth houses. The address of her home and others busted across the country are on the DEA's Web site.

Her first move was to get the kids out. They went to grandma's house last spring while Wagner contemplated her next move.

"It was really hard to face reality, but I eventually moved in too," she said.

Her attorneys then went to work. Wagner stopped paying her mortgage, she cut off the utilities and went about the task of breaking her deal with Chlebina.

In court papers, Taylor, Bean & Whitaker Mortgage Corp. is seeking to foreclose, arguing that the meth house dispute is between the buyer and seller and irrelevant to their issue.

Hearing set for August

For now, the case is on hold as attorneys prepare for an August hearing date in Summit County Common Pleas Court.

A proposed state law mandating that sellers notify buyers of a house's meth history remains locked in an Ohio House committee. But Mendenhall said such a law would be redundant because current state law mandates sellers disclose the presence of hazardous materials. Mendenhall contends the residue created through the meth lab constitutes a hazardous material.

According to government information, toxic chemicals used in meth labs include methanol, ether, benzene, methylene chloride, trichloroethane and toluene. Other common household chemicals used include muriatic acid, sodium hydroxide, table salt and ammonia.

Cleanup can be expensive and sometimes demolition to the wall studs is necessary. Mendenhall estimates a full cleanup of Wagner's home could cost nearly \$70,000.

County health officials say there are no studies on the long-term health effects from living in home drug labs.

Gene Nixon, health commissioner of the Summit County Health District said the greatest danger comes to law enforcement, which usually initiates the raids and removal of the production equipment. He said the long-term issues depend on the size, extent and length of the lab's operation and the infiltration to the house's construction.

"It all goes back to: it depends," Nixon said.

In the meantime, Wagner's lawsuit seeks to have Chlebina buy back the house, cover her expenses and potentially, her emotional distress.

"It's been a financial disaster for her and her children," Mendenhall said.

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Andrea Wagner, 26, stands in front of her home on Meadowbrook Boulevard in Stow, Ohio, on Jan. 23, 2008. Wagner has learned the home is a former meth house, one of at least 143 tabulated by local officials. (Karen Schiely/Akron Beacon Journal)



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Andrea Wagner, 26, looks at the backyard of her home on Meadowbrook Boulevard in Stow, Ohio, on Jan. 23, 2008. Andrea Wagner, 26, stands in front of her home on Meadowbrook Boulevard in Stow, Ohio, on Jan. 23, 2008. Wagner has learned the home is a former meth house, one of at least 143 tabulated by local officials. (Karen Schiely/Akron Beacon Journal)

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