

StarTribune

Chanhassen residents on the hook for sewage mess

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Star Tribune

March 5, 2011 - 4:13 PM

It was bad enough when sewage gushed up through basement toilets and floor drains in a Chanhassen neighborhood.

Now 25 homeowners who've been cleaning up the mess have learned that the city's insurance company will pay them nothing for damages that in some cases exceed \$25,000.

"My heart goes out to the homeowners and I can sympathize with what they're going through," said Chanhassen city manager Todd Gerhardt.

Travelers Insurance informed the city last week that it is denying all claims by the homeowners. Though the sewage backup was triggered by a city water main break, the insurer maintained that the city was not at fault through any negligence, and that its crews responded quickly to the problem.

That news sent unhappy homeowners -- some who have insurance, others who don't -- scrambling to review their options. That could include reviewing a 2009 flooding situation in Edina, where the insurer also refused to pay but the city still offered relief to some homeowners.

Loretta Worters, spokeswoman for the nonprofit Insurance Information Institute, said that sewer backup is usually not part of a homeowner's policy, and needs to be purchased separately. Other problems can also cause sewer backups, she said, including major downpours, aging pipes and blockage from roots. "It's typically maybe 40 or 50 dollars additional premium annually," she said.

The problem in Chanhassen on Feb. 23 began with a lateral crack in a 12-inch water main, apparently caused by shifting soil. Water flooded a manhole and caused sewage to back up into the homes. Two dozen basements along Chanhassen Hills and Lake Susan drives started filling quickly with sewage, ranging from a few inches to nearly 3 feet.

Most of the homes had finished basements, and the filthy water ruined washers, dryers, furnaces, carpets, lower walls and other furnishings.

Dave Jacobson and his wife noticed the problem when they went downstairs at 8 p.m. to tuck in their daughter.

"My wife stepped on the carpet and it was soaking," he said. "Then we noticed it was all over the entire basement and it



From one side of Chanhassen Hills Drive to the other, residents learned that something was terribly wrong in their homes Wednesday night when a geyser of sewage began spewing from toilets on the lower level. For Amy Powell and her husband, Carlos Puig, the ensuing mess, caused by a broken water main, ruined the last of a seven-year remodeling effort. As much as 3 inches of sewage had covered the floor of their split-level home. On Thursday rolls of ruined carpet were heaped in the snow next to their driveway. It was much worse across the street at Shari Hoeft's house. Her driveway sported a big blue dumpster, and it was filling up fast as clean-up crews tore apart her previously finished basement. The night before Hoeft heard a rushing sound, opened her basement door and looked down the stairs to "three feet of poop" on the floor, she said. Two of her three daughters had their bedrooms down there. At least 18 homes in the neighborhood had suffered flooded basements from thousands of gallons of water that gushed into sewer lines and caused backups. Officials dug test holes to locate where the unusual break occurred. Why it happened could take longer to determine. Shari Hoeft, mother of three, lives at 8600 Chanhassen Hills Drive. She's sitting in the basement in a daughter's bedroom. Another daughter also had a bedroom in the basement. Wading through sewage up to 3 feet deep last night, they recovered a few items, including a TV, high school yearbook and sleeve of kid photos, before they gave up. A big blue dumpster sits in the driveway today. She was planning to move out anyway (house in foreclosure, she says) and had moved lots of her possessions to the basement, which filled with "3 feet of poop" last night.

was coming through the floor drain in the furnace room."

As the couple raced to move clothes and other belongings out of harm's way, their doorbell rang. The next-door neighbor was having the same problem. Then another neighbor rushed over.

River of sewage

At Kelly Seltun's home, the basement toilet started bubbling, and within minutes was spewing sewage. So were the floor drains in the shower and laundry area.

Seltun and her husband watched helplessly as the basement filled with three or four inches of the slop, and opened a sliding glass door to let the overflow run out of the house. "It flowed out our door like a river for two hours," she said. "Had we not been home and caught it right away and allowed the water to escape, it would have been much worse."

Meanwhile, Chanhassen crews responded to frantic calls and popped a manhole. When they saw what was flooding the sewer line, they shut off the water main immediately, officials said.

Jacobson has a \$10,000 rider on his homeowner's insurance that will cover most of his structural damage, but not the loss of camping equipment and other personal belongings. Seltun said her policy will cover \$5,000 in damage, but the first estimate of her losses is \$27,000.

Both say that many of their neighbors had no coverage, and had never heard of sewer backup insurance. They're extremely unhappy to be receiving no financial help from the city or from Travelers.

"The city has washed its hands of us, and it doesn't seem right," Seltun said. "It's not like I own and maintain the water system in town."

Amy Powell, whose home sustained \$14,000 in structural damage, said that if a regular pipe burst in her home and caused a flood, that would be covered by most insurance. "But because it's the city's sewage backing into our houses, that's not covered by anybody?" she said. "We didn't do anything wrong, and couldn't stop it once it started."

Insured or not

Travelers spokesman Matt Bordonaro said he could not answer questions about the case because of "company privacy guidelines."

Powell and others say that the city may bear some fault, and neighbors have joined forces to research whether other water main breaks might indicate a wider problem.

Gerhardt said that the line that broke has been tested routinely, and that it's about 20 years old. It would not typically be replaced for at least another 10 to 20 years, he said.

Although it's unfortunate, said Gerhardt, **the incident should be a reminder to all homeowners to check their insurance policies, and consider adding extra protection against sewer problems if they don't have that coverage.**

Gerhardt said that Chanhassen is prevented by state law from compensating homeowners on its own for damage, since its insurance company has found that the city has no liability.

Another recent case

However, Edina took a different approach after a similar problem on Feb. 19, 2009, flooded 21 homes and one commercial building on Wooddale Avenue. Edina's insurance company also refused to pay.

After complaints from the homeowners, Edina's city council decided that those with documented claims could apply for up to \$15,000 in assistance for certain damages if they signed a waiver not to sue. Ceil Smith, assistant to Edina's city manager, said the city paid a total of \$215,000 to the homeowners from the city's utility fund, which comes from the sale of water.

Edina resident Laura Ericksen said she benefited from a \$15,000 payment, but it didn't come close to paying the \$35,000 it cost to replace a furnace, water heater, washer and dryer, and other damage. Only two of her neighbors had full insurance coverage, she said, and her policy covered only \$5,000.

"I've upped my coverage to \$50,000," she said.

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