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FAX COVER SHEET

**To: Director of the Office of Civil Rights – US
Environmental Protection Agency**

Fax # 1-202-501-1836

Date: August 6, 2015

From: Charles Matthews

Re: (b) (6) Privacy [REDACTED] Complaint

Number of pages including this cover sheet: 7

**This is a confidential communication. If you
have received it in error please return it to
the sender.**

Thank you very much.

Charles Matthews

AUG 07 2015



Charles Matthews
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August 3, 2015

Director of the Office of Civil Rights
U.S. Environmental Protection Agency
Mail Code 1201A
1200 Pennsylvania Avenue
Washington, D.C. 20460

**VIA FIRST CLASS MAIL, U.S. POSTAL SERVICE, POSTAGE
PREPAID, PROOF OF MAILING REQUESTED AND
VIA FAX: 202-565-0196 AND 202-501-1836**

RE: COMPLAINT of (b) (6) Privacy on her behalf and on behalf of her
minor daughter, (b) (6) Privacy

Dear Director of the Office of Civil Rights:

Please regard the following as a Complaint filed by (b) (6) Privacy on her
behalf and on behalf of her minor daughter, (b) (6) Privacy

**Suspected Violator's Name, Company, Address and Telephone
Number:** Kurt Hogaboum and Village Villas Rentals, P.O. Box 8548, Hot
Springs Village, AR 71910 (Telephone No: 501.922.0303) and the owner of
the residence at (b) (6) Privacy Hot Springs Village, Arkansas 71910,
name and address unknown at this date.

Date of Incident: July 4, 2014 to present date

Contact Information for (b) (6) Privacy, Jesseville, AR 71949
Telephone No. Work: (b) (6) Privacy
Telephone No. Mobile: (b) (6) Privacy
Email: (b) (6) Privacy

Is the violation still occurring?: Yes

Have you already notified your state DEP?: No but a notification to
the Arkansas State DEP will go out immediately following this notification.

AUG 07 2015



How would you characterize the suspected violation? I would characterize the suspected violations as initially accidental but becoming intentional once the landlord was notified by me of the violations and did nothing to investigate or remedy it; the violations were and are caused by bat guano which I understand releases a harmful bacteria into the air; the ultimate cause of the bat guano was and is the presence of bats in and about my former residence at ■ (b) (6) Privacy Hot Springs Village, Arkansas 71910 and the landlord's failure to inspect my former residence and eliminate the bats and their guano.

Please describe the incident or hazard in as much detail as possible: I leased her residence at ■ (b) (6) Privacy Hot Springs Village, Garland County, Arkansas 71910 from the previously named suspected violator July 4, 2014.

During the first week we occupied the residence we discovered a bat inside our residence.

In the evening while my daughter was watching television in the downstairs living room she heard a flapping noise and called me into the room. She said there was a bird in the house.

I turned on all the downstairs lights and discovered that it was a bat.

We opened the sliding glass door and after several failed attempts to get the bat to fly out of the open glass door we closed the door and went upstairs to my bedroom, shut the bedroom door and went to bed.

The next morning when my alarm went off, I turned on the light next to my bed and a dead bat hit the pillow between our heads.

I contacted the landlord's office that morning and reported the incident. A representative of the landlord told me to keep my windows closed.

I told her that my windows had been closed and asked that they look into the matter. I was told that the incident would be reported.

Nothing came of the matter.

A few days later my daughter and I arrived home in the evening, entered the house, turned on the light in the dining area and saw a bat hanging from the ceiling.

I swatted it with a broom, knocking it to the floor.

The bat quickly recovered and started aggressively flying around the room I swung at it with a broom until the broom broke.

We grabbed our things and left immediately and stayed that night at my mother's residence.

I again reported the incident to the landlord the next morning and was told that they would take care of it right away.

When I went to the Landlord's office to pay the August 2014 rent I met with Kurt Hogaboum, the Landlord's leasing agent.

It was then that Mr. Hogaboum asked me, "What are you doing, leaving the doors open?"

I told him no doors or windows had been open and this was the second incident within the last week.

Mr. Hogaboum told me he would contact someone to take care of it, but when I asked Mr. Hogaboum who he would contact and when they would take care of it he refused to give me any further information.

Within the following week, when I arrived home in the evening with a guest and walked into the living room and turned on the light another bat, this one larger than the previous two bats, was flying around.

We shut the door and left.

My daughter and I continued to live with my mother for a short time thereafter

Again, I contact the landlord the next day.

I reported the incident and asked that Mr. Hogaboum call me.

No one returned my call.

Altogether there were three bats in my residence within the first thirty days of our moving in.

During the fall and winter of 2014-2015 there were no more incidents and my daughter and I moved back into the residence.

Mid April 2015, I noticed bat guano outside my house by the chimney and on both the upstairs and downstairs decks leading out of the living room and the upstairs master bedroom.

I reported the sighting to the landlord and asked that they send someone by to eliminate the bats and fumigate my house.

No one returned my call.

It was at this time that my minor daughter's performance in school and her general health began to noticeably decline.

Until this time my daughter's grades were generally excellent, she was an enthusiastic student and generally full of energy and excited about everything she was doing.

Now it became noticeable that not only did her grades fell off, but her behavior and attitude changed for the worse as she become noticeably negative, very tired and not even attempting to do her home work.

On May 6, 2015 when my daughter reported having a sore throat and had a fever I took her to a local doctor who diagnosed her with strep throat. This doctor gave us prescription medicine and told us to come back if she did not improve.

I gave my daughter the medicine as it was prescribed and also gave the school nurse the medicine so my daughter would get the prescribed doses while she was in school.

On May 15, 2015, (b) (6) Privacy, a representative of Bug Bandit, a local pest control company, (501-627-2136/501-802-1810) came to my residence, saying she was asked to inspect my residence at the request of my Landlord.

During her inspection she found heavy concentrations of bat guano and heavy odor of bad guano and told me that it was her recommendation that my daughter and I no stay in the home until the bats and their guano were removed.

(b) (6) Privacy reported these same findings to my Landlord.

Later, when I spoke with (b) (6) Privacy, she reported to me that the representative of the Landlord, Kurt Hogaboum, told (b) (6) Privacy not to discuss her findings with me.

Sometime shortly after May 15, 2015 and without any notice to me, someone did come to the residence and apparently looked in the crawl space/attic.

What they did or did not do I do not know and when I called to inquire what was done, Mr. Hogaboum did not return my call.

On May 29, 2015 after my daughter's condition did not improve and continued to decline so that she was vomiting and coughing up yellow sputum and generally feeling terrible and sleeping long hours and not eating, following the third night she would not eat dinner I took my daughter back to see the doctor.

At that time there was an x-ray taken of my daughter's chest that showed a mass on one of her lungs.

I told this same doctor during my daughter's examination that I too had been violently ill for three days the previous week.

My symptoms were fever, vomiting, weakness and pain in my joints. I was given a shot for my illness and told to come back if I did not feel better.

July 21, 2015: My doctor at Hamilton West Family Medicine (Dr. Roberts) confirmed to me in writing that my daughter's illness **"was so protracted in nature because of the exposure to bat guano it was a significant factor in the severity of her illness and made it difficult for her (b) (6) Privacy to recover. It is my opinion that the organism involved in her infection was Histoplasmosis, which has been reported to be found in bat guano."**

The only response from the landlord to date has been to demand that I sign a new 12-month lease.

I have moved out of the residence. I have boxed our bedding in sealed boxes. I have also persevered the remains of 3 bats and some suspected bat guano.

On the recommendation of a friend I have also engaged the services of (b) (6) Privacy, (501.815.2770) a local energy efficiency professional specializing in home performance, to inspect my residence, take pictures of water leaks in the master bedroom and elsewhere, preserve the dead bats and suspected guano and advise me of what I should do to protect myself and my child.

I understand that I am providing this information to the United States Environmental Protection Agency, a federal agency with the authority to investigate and seek penalties for certain violation of the law. I understand that any information I provide must be true and accurate to the best of my knowledge. I also understand that the EPA may review any information provided herein to determine whether or not an investigation into the matter is warranted.

(b) (6) Privacy

Date: August 3, 2015

Please contact (b) (6) Privacy directly or me if you need any further information to investigate this matter.

Sincerely,



Charles Matthews