


VOLPE LAW

CIVIL LITIGATION
CONSTRUCTION LAW
REAL ESTATE LAW

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December 28, 2023

SENT BY EMAIL

Parc at Cherry Creek

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leasing2@theparatcherrycreek.com

stheus@theparatcherrycreek.com

emergency@theparatcherrycreek.com

Re: LEASE TERMINATION

To Whom It May Concern:

This law firm represents John Zoubek and Agnieszka Bielawska, former tenants at the Parc at Cherry Creek, 7699 E. Warren Circle, Unit 301, Denver, CO 80231. As you may already know, Mr. Zoubek and Ms. Bielawska have reported mold growth and exposure within the apartment(s) several times during their occupancy, which have resulted in severe health impacts. On medical advice from a doctor, Mr. Zoubek and Ms. Bielawska have been directed to immediately vacate the apartment complex to avoid further detrimental health impacts, as health conditions make them more susceptible to environmental contaminants. A letter from Mr. Zoubek's physician is attached for your convenience. Please also bear in mind Colorado's strong public policy against uninhabitable residential premises, as set forth in C.R.S. Sections 38-12-503 and 505.

Effective immediately, Mr. Zoubek and Ms. Bielawska are no longer tenants. All occupants/tenants have vacated as of today's date. Keys and any fobs or remotes will be returned to you tomorrow morning, Friday, December 29, 2023. Due to mold growth in the unit for which you have been unsuccessful in remediating, you are advised to wear appropriate protective gear. Please close the Zoubek/Bielawska account and send any remaining overpayment of rent, amounts owed, as well as security deposit moneys, to Mr. Zoubek at the following address: 4380 S. Monaco Street, #2059, Denver, CO 80237. Please be advised my clients are further demanding reimbursement of out-of-pocket costs flowing from displacement and lack of use of the unit. These costs amount include \$144 paid to the hotel for pet fees, \$400 for eating out due to not having access to their kitchen, rent credit for 11/17 displacement to present, \$400 for mold testing paid directly to you, and \$465 for further mold testing paid on 12/19/23 to Envirospec (invoice attached).

Please contact my office directly with any questions or concerns. My clients reserve any and all rights, claims, and/or remedies against you. Nothing in this letter shall constitute a waiver of any of such rights, claims, and/or remedies.

Sincerely,

Parc at Cherry Creek
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/s/ Benjamin Volpe

VOLPE LAW, LLC
ben@volpelawllc.com