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Customers rip remodeling firm



Carlina Jean, S-S, August 2, 2007

Gladys Stein, of Delray Beach, stands in the middle of her two bedroom Kings Point condo that she says construction company Home Team Advantage promised would be ready for her by March 15.

By Jon Burstein | South Florida Sun-Sentinel
August 5, 2007

The great-grandmother wants to be home as she fights the cancer that has spread from her breasts to her stomach. She can't, and she blames a Delray Beach construction company.

Gladys Stein, 82, said the company promised that her hurricane-damaged Delray Beach condo would be ready for her return by March 15. But all she has to show for about \$28,000 she paid the company is a dust-coated, unfinished set of rooms.

"I don't know how much time I have on this earth," Stein said.

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that John Ostendorf and Douglas Livingston—the two men they knew as Home Team Advantage — are awaiting a Sept. 24 trial in Broward on construction-related felony charges involving a bankrupt remodeling company, HomeCo Unlimited.

Ostendorf, Home Team Advantage's president, has said he was a subcontractor for HomeCo. Livingston, HomeCo's chief executive officer, has said he is a subcontractor with Home Team Advantage. Customers of both companies said they dealt with both men during their remodeling jobs.

The Broward State Attorney's Office has opened an investigation into Home Team Advantage after receiving "complaints alleging conduct very similar" to those made in the HomeCo case, said Ron Ishoy, the office's spokesman.

Livingston has denied any wrongdoing by HomeCo and said Home Team Advantage has a good relationship with its customers. He said the company is working to resolve any problems reported by Home Team Advantage customers.

Homeowners who checked the company's history also say they feel state authorities failed them. The state agency that regulates contractors does not identify on its Web site that Ostendorf is awaiting trial or his prior affiliation with HomeCo.

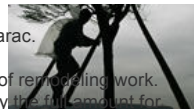
Ostendorf faces 64 theft charges and a single count of organized scheme to defraud that could carry, with a conviction, a prison sentence of up to 30 years.

"I'm as angry with the state as I am with [Home Team] because the state..."



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do this. What do small people like us do?" said Peter Collins, of Tamarac.



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Collins hired Home Team Advantage in December 2004 for \$35,000 of remodeling work. He fired the company in June 2007 despite having already paid nearly the amount for what he describes as shoddy, incomplete work. The tile in one room slopes down and there are gaps in the drywall, Collins said.

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Under the HomeCo case, authorities criminally charged Ostendorf and Livingston with using the company to take money for construction work never started or that it failed to finish.

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Former HomeCo customers have said Livingston would spout profanities at them if they questioned him and in some instances even threatened physical violence, according to county and court records. Six customers filed police reports against him and one sought a restraining order. In addition to the same 65 charges Ostendorf faces, Livingston is charged with five counts of extortion.

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Livingston said in a 2004 interview that he has never threatened HomeCo clients and that the Oakland Park-based company completed every job it had except when a client illegally fired the company.

HomeCo declared bankruptcy in March 2004, owing as much as \$960,000 to more than 100 clients as potential creditors, according to court documents. By the time of his arrest in November 2004, Ostendorf already was operating Home Team Advantage under a contractor's license he received a week before HomeCo filed for bankruptcy.

Livingston and Ostendorf now have a new trail of unhappy homeowners. Twenty-two former and current Home Team Advantage customers told the South Florida Sun-Sentinel they have had problems with the company, including remodeling jobs taking more than two years, shoddy construction work and Livingston threatening them with liens or lawsuits when they challenge him. Two customers have filed lawsuits and another, a Boynton Beach doctor, filed a police report after he said Livingston was verbally abusive over the phone.

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Some homeowners described how the company's subcontractors would show up and then leave the job unattended for days — sometimes weeks — and then described having their homes and lives in disarray for months as workers showed up sporadically, sometimes for only a few hours at a time when they did. Some customers said they were told delays were because of permitting problems when the company hadn't even applied for the permits yet.

In Stein's case, she signed a contract with the company in December, but Home Team Advantage didn't apply for the permits until Feb. 14. Despite getting the permitting on March 2, little work appeared to have been done by mid-July: Drywall on the floor. No bathroom or kitchen fixtures. Shards of a wall mirror on the floor of the den. New cabinets sitting in the middle of the living room.

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After a subcontractor on Stein's job learned she had talked to a reporter, the job was cleared out. A worker who showed up at her condo late Thursday afternoon said the work will be done by next month. Stein hasn't filed any formal complaints.

Livingston said last week that he would supply the Sun-Sentinel with a list of Home Team Advantage clients. Livingston didn't provide such a list but he said he would supply the Sun-Sentinel with a list of Home Team Advantage clients. Livingston didn't provide such a list but he said he would supply the Sun-Sentinel with a list of Home Team Advantage clients. Livingston didn't provide such a list but he said he would supply the Sun-Sentinel with a list of Home Team Advantage clients.

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"It was generally a positive experience," said Joel Leininger, a Boynton Beach resident who had about \$20,000 of remodeling work done to his home.

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Livingston's attorney in the HomeCo case, Hilliard Moldof, said his client would not be speaking to the Sun-Sentinel further. Ostendorf's attorney in the HomeCo case, Gottlieb, declined to comment and said he advised his client not to comment.

At least three Home Team customers have filed complaints with the state Department of Business & Professional Regulation (DBPR), which licenses contractors. They received letters in response saying the state agency considered the complaints "civil in nature and will need to be addressed in a court with appropriate jurisdiction."

Former Home Team customer Bryon Halsey, of Fort Lauderdale, said he filed a complaint with DBPR after trying to get a \$6,500 refund on his remodeling job following missed deadlines and what he described as shoddy work. The state agency sent him a letter declining to investigate, prompting him to call in tears begging for the agency to act.

"I thought DBPR was going to help me," he said.

On the department's Web site, Ostendorf's contracting license is listed as having "no complaint information found." For a consumer's grievance to qualify as a "probable cause" panel of contractors and citizens. That process can take months.

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During the fiscal year ending June 30, the department closed 6,984 pending complaints against licensed contractors. Of those, 17 percent resulted in a public citation or administrative complaint posted on the Web site.

Confidentiality laws prevent DBPR from revealing if homeowners have filed complaints about Home Team Advantage. The system protects contractors against false claims that could taint their records, said Joe Friedman, a Department of Business & Professional Regulation spokesman.

HomeCo did business under the contracting license of Barclay Mavis, the third defendant in the HomeCo case, Friedman said. The state Web site lists complaints by contractor so the complaints against HomeCo wouldn't appear connected to anyone else. Mavis has given up his contracting license and taken a plea deal to testify against Ostendorf and Livingston.

Friedman said the state can't list on its Web site that Ostendorf is facing criminal charges.

"He is innocent until proven guilty under the laws of the United States," Friedman said.

As the trial approaches for Livingston and Ostendorf, building permits records indicate Home Team Advantage has more than 30 active permits pulled in Broward and Palm Beach counties. One of those is for retiree Stein's Kings Point condo. Stein said she doesn't know what to do next. She is renting another condo in the development but she has to be out of it by the end of August. She had based all of her plans on Home Team Advantage's promises, she said.

"I will have nowhere to go," Stein said.

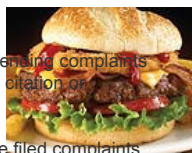
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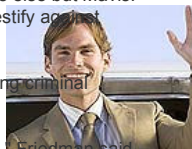
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