

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA,)
STATE OF COLORADO,)
STATE OF MARYLAND,)
STATE OF NEVADA,)
STATE OF TENNESSEE, and)
COMMONWEALTH OF VIRGINIA,) Civil Action No. _____
)
Plaintiffs,)
)
vs.)
)
PULTE HOMES, INC.,)
)
Defendant.)
_____)

COMPLAINT

Plaintiff, the United States of America, by authority of the Attorney General of the United States, at the request of the Administrator of the United States Environmental Protection Agency (“EPA”), by and through their undersigned attorneys, with respect to claims under federal law; and Plaintiffs, the State of Colorado, by the authority of the Colorado Attorney General’s Office, at the request of the Colorado Department of Public Health and Environment; the State of Maryland by the authority of the Attorney General of Maryland, at the request of the Maryland Department of the Environment; the State of Nevada by the authority of the Attorney General of Nevada, at the request of the Department of Conservation and Natural Resources through Nevada Division of Environmental Protection; the State of Tennessee by the authority of the Attorney General of the State of Tennessee, at the request of the Tennessee Department of Environment and Conservation; and the Commonwealth of Virginia, at the request of the Virginia Department

of Conservation and Recreation and by approval of the Governor of Virginia, (hereinafter, “State Plaintiffs”) by and through their undersigned attorneys, with respect to their state law claims, allege as follows:

INTRODUCTION

1. This is a civil action for injunctive relief and civil penalties brought pursuant to Section 309(b) and (d) of the Clean Water Act (“CWA”), 33 U.S.C. § 1319(b) and (d), against Pulte Homes, Inc. (“Pulte”) for the discharge of pollutants in storm water without a permit in violation of CWA Section 301, 33 U.S.C. § 1311; for failure to provide information to the Administrator in violation of CWA Section 308, 33 U.S.C. § 1318; and for failure to comply with the conditions of permits (including various state general permits) issued pursuant to CWA Section 402, 33 U.S.C. § 1342, for the discharge of pollutants in storm water from construction sites, in violation of CWA Section 301, 33 U.S.C. § 1311. This action also is brought pursuant to the Colorado Water Quality Control Act (“CWQCA”), §§ 25-8-607 and -608, C.R.S.; Sections 9-339 and 9-342 of the Environment Article, Annotated Code of Maryland; Nev. Rev. Stat. §§ 445A.695 and 445A.700; Tennessee Water Quality Control Act, Tenn. Code Ann. §§ 69-3-115(a)(2)(D) and -117; and the Virginia Stormwater Management Act, Va. Code Ann. §§ 10.1-603.1 to -603.15, against Pulte for similar violations of State Plaintiffs’ state laws (hereinafter referred to as State Plaintiffs’ “analogous state laws”).

JURISDICTION AND VENUE

2. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331, 1345 and 1355 and 33 U.S.C. § 1319(b). This Court has jurisdiction over the State Plaintiffs’ claims pursuant to 28 U.S.C. § 1367 (supplemental jurisdiction).

3. Venue is proper in this District pursuant to 33 U.S.C. § 1319(b), and 28 U.S.C. §§ 1391 and 1395, because Pulte conducts business in this District, and because certain of the violations occurred in this District.

4. Notice of the commencement of this action has been given to the States of Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Maryland, Michigan, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, and Texas, and the District of Columbia, and Commonwealths of Massachusetts, Pennsylvania, and Virginia in accordance with 33 U.S.C. § 1319(b).

DEFENDANT

5. Pulte is a corporation organized under the laws of Michigan and is a “person” as defined in CWA Section 502, 33 U.S.C. § 1362(5), 40 C.F.R. § 122.2.

6. Pulte is a corporation doing business in 28 states, including this District. Pulte’s principal place of business is in Bloomfield Hills, Michigan. Hereinafter, the term “Pulte” includes subsidiaries wholly owned by Pulte.

7. Pulte has constructed and/or is currently constructing residential homes on various pieces of property owned and/or operated by Pulte throughout the United States, including this District. Pulte constructs thousands of new homes each year.

STATUTORY AND REGULATORY AUTHORITY

8. The Clean Water Act is designed to restore and maintain the chemical, physical and biological integrity of the nation's waters. 33 U.S.C. § 1251(a).

9. To accomplish the objectives of the Act, CWA Section 301(a), 33 U.S.C. § 1311(a), prohibits the “discharge of any pollutant” by any person except in certain circumstances, including in compliance with a National Pollutant Discharge Elimination System (“NPDES”) permit issued by EPA pursuant to CWA Section 402, 33 U.S.C. § 1342.

10. CWA Section 502(12), 33 U.S.C. § 1362(12), defines the term “discharge of a pollutant” as, inter alia, “any addition of any pollutant to navigable waters from any point source.”

11. CWA Section 402(p), 33 U.S.C. § 1342(p), requires a permit for storm water discharges associated with industrial activity.

12. EPA regulations define the term “storm water discharge associated with industrial activity” to include storm water discharges from construction activities, including clearing, grading, and excavation activities, that result in a disturbance of five or more acres of total land area. 40 C.F.R. § 122.26(b)(14)(x). Construction activity also includes the disturbance of less than five acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five acres. Id.

13. EPA regulations also define the term “storm water discharge associated with small construction activity” to include storm water discharges from construction activities, including clearing, grading, and excavation activities, that result in a disturbance of equal to or greater than one acre and less than five acres. 40 C.F.R. § 122.26(b)(15)(I). Construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one acre. Id.

14. State Plaintiffs' analogous state laws require a permit for discharges of storm water associated with construction activities to state waters.

15. In 1992, EPA issued a Final NPDES General Permit for Storm Water Discharges from Construction Activities. 57 Fed. Reg. 41176, 41209 (Sept. 9, 1992). EPA has, on various occasions, subsequently modified and reissued this general permit. See 63 Fed. Reg. 7858-7906 (Feb. 17, 1998); 63 Fed. Reg. 36490-36519 (July 6, 1998); 65 Fed. Reg. 25122-25145 (Apr. 28, 2000); 68 Fed. Reg. 39087-39091 (July 1, 2003).

16. Pursuant to the CWA Section 402(b), 33 U.S.C. § 1342(b), states may issue their own storm water permits for discharges into navigable waters within their jurisdiction if they are authorized by EPA to do so. Most states, including State Plaintiffs, are so authorized and have issued their own NPDES general permits governing discharges of storm water associated with construction activities. See Colorado General Permit for Storm Water Discharges Associated with Construction Activity No. COR - 030000; Maryland State Discharge Permit Number 09GP, General NPDES Permit Number MDR10; Nevada Stormwater General Permit NVR100000; Tennessee General NPDES Permit for Discharges of Storm Water Associated with Construction Activities, GP-02-01; Virginia General Permit for Discharges of Stormwater from Construction Activities, General Permit No. DCR01. For states that have not been authorized, EPA remains the permitting authority for purposes of the CWA, and the federal general permit applies. The United States may enforce the state-issued NPDES permit under the CWA, and State Plaintiffs may enforce their state-issued permits pursuant to their analogous state laws. The federal or state NPDES general permit for storm water discharges associated with construction activities that applies in a state is hereinafter referred to as the "Applicable Permit."

17. Section 308 of the Clean Water Act, 33 U.S.C. § 1318, requires owners and operators of point sources to submit information to the EPA Administrator as needed to carry out the objectives of the Clean Water Act, including the NPDES permit program of CWA Section 402, 33 U.S.C. § 1342.

18. Under EPA's regulations, persons who discharge or who propose to discharge "storm water associated with industrial activity" are required to apply for an individual permit or seek coverage under a promulgated storm water general permit. 40 C.F.R. §§ 122.21(a) & (c), 122.26(c), 122.28. In applying for coverage under a storm water individual or general permit, a potential permittee must provide the necessary information on the basis of which EPA (or the state permitting agency) may evaluate the appropriateness of the issuance of and the terms of any such permit.

19. Under 40 C.F.R. § 122.21(c), a discharger proposing a new discharge of storm water associated with construction activity covered by 40 C.F.R. § 122.26(b)(14)(x) and (15)(I) must submit an application 90 days before the date construction is to commence, or by the deadlines provided by the terms of any applicable general permit. See 40 C.F.R. § 122.28(b)(2).

20. State Plaintiffs' analogous state laws require persons proposing to discharge storm water associated with construction activity to submit information to the State as needed to carry out the objectives of State Plaintiffs' analogous state laws.

21. Though they differ in some of the details, in general, under the general permits, any person subject to the permit is required to develop a storm water pollution prevention plan ("SWPPP"), which sets forth a plan to control and reduce pollutants in storm water discharges

from construction activities. Federal CGP, Parts 3.1.B.2 and 3.4.A. The SWPPP must meet specific requirements and include certain information. Federal CGP, Part 3.

22. A central requirement of the SWPPP is the selection of best management practices (“BMPs”). BMPs are management practices implemented “to prevent or reduce the discharge of pollutants to waters of the United States.” Federal CGP, Appendix A. These practices include measures to prevent erosion (such as the scheduling of the project to minimize the amount of land that is being graded at any particular time) and measures to capture sediment before it leaves the site (such as silt fences and sedimentation basins).

23. The permits also require the permittee to implement the SWPPP and to properly operate and maintain the BMPs. Federal CGP, Parts 3.1.D and 3.6.A.

24. The permits impose additional requirements, including, inter alia: inspection of the site during construction, Federal CGP, Part 3.10; maintenance of the SWPPP and sometimes other records at the site, Federal CGP, Part 3.12; and final stabilization of the site followed by termination of permit coverage, Federal CGP, Part 5.1.A.

25. CWA Section 309(b), 33 U.S.C. § 1319(b), authorizes the Administrator of EPA “to commence a civil action for appropriate relief, including a permanent or temporary injunction,” when any person is in violation of 33 U.S.C. §§ 1311, 1318, or of any permit issued pursuant to CWA Section 402, 33 U.S.C. § 1342. State Plaintiffs are authorized to seek injunctive relief for such violations pursuant to their analogous state laws. CWQCA § 25-8-607, C.R.S.; §§ 4-116, 4-416, and 9-339 of the Environment Article, Annotated Code of Maryland; Nev. Rev. Stat. §§ 445A.465, 445A.695 and 445A.700; Tenn. Code Ann. § 69-3-117; and Virginia Stormwater Management Act, Va. Code Ann. § 10.1-603.12:4.

26. CWA Section 309(d), 33 U.S.C. § 1319(d), provides, in part, that any person who violates 33 U.S.C. §§ 1311, 1318, or any permit issued pursuant to CWA Section 402, 33 U.S.C. § 1342, shall be subject to a civil penalty not to exceed \$27,500 per day for each such violation occurring after January 29, 1997 through and including March 15, 2004, and \$32,500 per day for each such violation thereafter. 33 U.S.C. § 1319(d); 40 C.F.R. § 19.4; 62 Fed. Reg. 7121-01 (Feb. 13, 2004) (codified at 40 C.F.R. pt. 19). State Plaintiffs are authorized to seek civil penalties for such violations pursuant to their analogous state laws. CWQCA § 25-8-608(1), C.R.S.; §§ 4-116, 4-417 and 9-342 of the Environment Article, Annotated Code of Maryland; Nev. Rev. Stat. § 445A.700; Tenn. Code Ann. § 69-3-115(a)(2)(D); and Virginia Stormwater Management Act, Va. Code Ann. § 10.1-603.14.

GENERAL ALLEGATIONS

27. Based on inspections conducted at 38 Pulte construction sites in 7 states between 2002 and 2005, EPA discovered a pattern of failures by Pulte to timely obtain coverage under Applicable Permits prior to site disturbing activities that could or did result in discharges of pollutants, and a pattern of failures to comply with the requirements of Applicable Permits for the discharge of storm water from these construction sites. These sites are included in the list of sites attached as Appendix A. Additional information was obtained, including from Pulte's responses to information requests issued by EPA pursuant to CWA Section 308, 33 U.S.C. § 1318, which provided evidence of additional violations at Pulte sites that are also included in Appendix A. Appendix A also includes sites at which Pulte was engaged in construction activities as of March 31, 2008. Based on the inspections, responses to information requests and other information, the United States alleges (and State Plaintiffs allege with respect to sites in their states) that Pulte has

a pattern of failures to timely obtain coverage under Applicable Permits prior to site disturbing activities that could or did result in discharges of pollutants, and a pattern of failures to comply with the requirements of Applicable Permits for the discharge of storm water from the Pulte construction sites listed in Appendix A.

28. At each of the sites listed on Appendix A, Pulte engaged in construction activities that resulted in the disturbance of at least one acre.

29. Pulte's sites in Appendix A, themselves, as well as the storm sewers, ditches, or other conveyances referenced in Paragraph 30 below, constitute "point source[s]" within the meaning of CWA Section 502(14), 33 U.S.C. § 1362(14).

30. Pulte's construction activities resulted in the addition of "pollutants," including rock, sand, cellar dirt, industrial waste, solid waste, and other pollutants, to storm sewers, ditches, or other conveyances that discharge to streams, creeks, and other water bodies that are "waters of the United States," within the meaning of CWA Section 502(6) and (7), 33 U.S.C. § 1362(6), (7), and 40 C.F.R. § 122.2, and also resulted in the discharge of pollutants to state waters under State Plaintiffs' analogous state laws.

31. Pulte has discharged pollutants within the meanings of Sections 301 and 502(12) of the CWA, 33 U.S.C. §§ 1311 and 1362(12), and 40 C.F.R. § 122.2, without permit authorization.

32. Pulte is a person that proposed to discharge or who otherwise was required to timely apply for coverage under an Applicable Permit, pursuant to CWA Sections 308 and 402(p), 33 U.S.C. §§ 1318 and 1342(p), 40 C.F.R. §§ 122.21(a), (c), 122.26(c), and 122.28, and State Plaintiffs' analogous state laws.

33. Pulte failed to timely submit the information required to apply for or obtain coverage under the Applicable Permit, including but not limited to, at the following sites: Summerset at Brentwood Country Club in Brentwood, CA; Reserves at Eastlake Woods in Chula Vista, CA; Wyeth Ranch in Las Vegas, NV; and Carrington Gardens in West Bloomfield Hills, MI.

34. At sites for which Pulte did obtain permit coverage, Pulte violated the Applicable Permit, including but not limited to, at the following sites: Oak Ridge in Charlotte, NC; Arcadia Park in Rochester Hills, MI; Anthem Highlands in Henderson, NV; and Sun City Lincoln Hills in Lincoln Hills, CA. Violations of storm water requirements at these and other sites include, but are not necessarily limited to: failure to install and maintain storm water controls (such as vehicle track out pads, inlet protection, silt fencing to minimize off-site sediment and erosion runoff); failure to properly design or implement BMPs; failure to prepare an adequate SWPPP; failure to conduct inspections; and failure to conduct inspections in accordance with the Applicable Permit requirements.

FIRST CLAIM FOR RELIEF

PULTE DISCHARGED POLLUTANTS IN STORM WATER WITHOUT AN APPLICABLE PERMIT

35. Plaintiffs reallege and incorporate by reference Paragraphs 1 through 34.

36. Pulte discharged pollutants in storm water to waters of the United States without coverage under an Applicable Permit in violation of CWA Section 301, 33 U.S.C. § 1311, and discharged pollutants in storm water to waters of one or more of the State Plaintiffs in violation of analogous state laws.

37. Unless enjoined, these violations will continue or will recur at other construction sites.

38. Pursuant to 33 U.S.C. § 1319, Pulte is liable for injunctive relief and civil penalties of up to \$27,500 per day for each such violation occurring after January 29, 1997 through and including March 15, 2004 and \$32,500 per day for each such violation thereafter per day per violation.

39. Pursuant to State Plaintiffs' analogous state laws, Pulte is liable to each State Plaintiff for injunctive relief and civil penalties for each violation that occurred at a site in its state that is listed on Appendix A. CWQCA §§ 25-8-607 and -608, C.R.S.; §§ 4-116, 4-416, 4-417, 9-339, and 9-342 of the Environment Article, Annotated Code of Maryland; Nev. Rev. Stat. §§ 445A.695 and 445A.700; Tenn. Code Ann. § 69-3-115(a)(2)(D) & -117; Virginia Stormwater Management Act, Va. Code Ann. §§ 10.1-603.12:4 and -603.14.

SECOND CLAIM FOR RELIEF

PULTE FAILED TO TIMELY SUBMIT THE INFORMATION REQUIRED TO OBTAIN COVERAGE UNDER AN APPLICABLE PERMIT

40. Plaintiffs reallege and incorporate by reference Paragraphs 1 through 34.

41. Pulte failed to timely submit the information required to obtain coverage under an Applicable Permit for the discharge of storm water associated with its construction activities in violation of CWA Section 308, 33 U.S.C. § 1318, and failed to timely submit the information required to obtain coverage under an Applicable Permit for the discharge of storm water pursuant to one or more State Plaintiffs' analogous state laws.

42. Pursuant to 33 U.S.C. § 1319, Pulte is liable for injunctive relief and civil penalties of up to \$27,500 per day for each such violation occurring after January 29, 1997 through and including March 15, 2004 and \$32,500 per day for each such violation thereafter per day per violation.

43. Pursuant to State Plaintiffs' analogous state laws, Pulte is liable to each State Plaintiff for injunctive relief and civil penalties for each violation that occurred at a site in its state that is listed on Appendix A. CWQCA §§ 25-8-607 and -608, C.R.S.; §§ 4-116, 4-416, 4-417, 9-339, and 9-342 of the Environment Article, Annotated Code of Maryland; Nev. Rev. Stat. §§ 445A.695 and 445A.700; Tenn. Code Ann. § 69-3-115(a)(2)(D) & -117; Virginia Stormwater Management Act, Va. Code Ann. §§ 10.1-603.12:4 and -603.14.

THIRD CLAIM FOR RELIEF

PULTE VIOLATED THE REQUIREMENTS OF THE APPLICABLE PERMITS

44. Plaintiffs reallege and incorporate by reference Paragraphs 1 through 34.

45. Pulte failed to comply with the terms and conditions of the Applicable Permits, in violation of CWA Section 301, 33 U.S.C. § 1311, and one or more State Plaintiffs' analogous state laws.

46. Unless enjoined, these violations will continue or will recur at other construction sites.

47. Pursuant to 33 U.S.C. § 1319, Pulte is liable for injunctive relief and civil penalties of up to \$27,500 per day for each such violation occurring after January 29, 1997 through and

including March 15, 2004 and \$32,500 per day for each such violation thereafter per day per violation.

48. Pursuant to State Plaintiffs' analogous state laws, Pulte is liable to each State Plaintiff for injunctive relief and civil penalties for each violation that occurred at a site in its state that is listed on Appendix A. CWQCA §§ 25-8-607 and -608, C.R.S.; §§ 4-116, 4-416, 4-417, 9-339, and 9-342 of the Environment Article, Annotated Code of Maryland; Nev. Rev. Stat. §§ 445A.695 and 445A.700; Tenn. Code Ann. § 69-3-115(a)(2)(D) & -117; Virginia Stormwater Management Act, Va. Code Ann. §§ 10.1-603.12:4 and -603.14.

PRAYER FOR RELIEF

WHEREFORE, the United States of America and the State Plaintiffs respectfully request that this Court:

- A. Order Pulte to comply with the terms of the Act and the conditions of Applicable Permits at its construction sites by requiring, among other things, the development and implementation of appropriate storm water pollution prevention plans, the application of BMPs to minimize or eliminate discharges of pollutants from its sites, and the implementation of corporate policies designed to achieve and assure compliance with the Applicable Permits and the Act;
- B. Assess civil penalties against Pulte of up to \$27,500 per day for each violation occurring after January 29, 1997 through and including March 15, 2004 and \$32,500 per day for each violation thereafter per day for each violation;
- C. Award the United States its costs and disbursements in this action; and
- D. Grant any such further relief as this Court deems just and proper.

Respectfully submitted,

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APPENDIX A

<u>Sites</u>	<u>County</u>	<u>State</u>
Anthem (Country Club, Parkside, Westside)	Maricopa	Arizona
Bailey Commons	Maricopa	Arizona
Bella Via	Maricopa	Arizona
Cecina	Maricopa	Arizona
Copper Basin	Maricopa	Arizona
Countryside Estates	Maricopa	Arizona
Desert Ridge Fireside	Maricopa	Arizona
Desert Ridge SB1	Maricopa	Arizona
Fireside Norterra (Dynamite Mtn.)	Maricopa	Arizona
Lagos Vistoso	Maricopa	Arizona
Lone Mountain	Maricopa	Arizona
Northgate	Maricopa	Arizona
Pecan Creek	Maricopa	Arizona
Solera at Johnson Ranch	Maricopa	Arizona
Solera aka Springfield Lakes	Maricopa	Arizona
Agua Fria Ranch	Maricopa	Arizona
Arroyo Norte	Maricopa	Arizona
Cabrillo Point	Maricopa	Arizona
Canyon Trails	Maricopa	Arizona
Chaminade	Maricopa	Arizona
Corte Bella	Maricopa	Arizona
Cortessa	Maricopa	Arizona
Deer Valley Ranch	Maricopa	Arizona
Del Rio	Maricopa	Arizona
Festival Ranch (Pulte)	Maricopa	Arizona
Laveen Crossing	Maricopa	Arizona
North Agua Fria Region aka Corte Bella Offsite Sewer	Maricopa	Arizona
Paseo Point	Maricopa	Arizona
Sheely Farms	Maricopa	Arizona
Sienna Hills	Maricopa	Arizona
Sierra Verde	Maricopa	Arizona
Stetson Valley	Maricopa	Arizona
Sun City Festival	Maricopa	Arizona
Sun City Grand	Maricopa	Arizona
Sun Valley South	Maricopa	Arizona
Sundance	Maricopa	Arizona
Surprise Farms	Maricopa	Arizona
Tartesso	Maricopa	Arizona
Tierra Del Rio	Maricopa	Arizona
Verrado	Maricopa	Arizona
Vista De Montana	Maricopa	Arizona
Westwing Mountain	Maricopa	Arizona

<u>Sites</u>	<u>County</u>	<u>State</u>
White Tank Foothills	Maricopa	Arizona
Continental Reserve	Pima	Arizona
Gladden Farms	Pima	Arizona
Jubilee	Pima	Arizona
Lytic (Ironwood Reserve)	Pima	Arizona
Presidio de Cancion	Pima	Arizona
Presidio de la Tierra	Pima	Arizona
Presidio del Valle	Pima	Arizona
Rancho Resort	Pima	Arizona
Rincon Trails	Pima	Arizona
Sierra Morado	Pima	Arizona
Solera (Sonora at Rancho Sahuarita)	Pima	Arizona
Sonora AA 3000's	Pima	Arizona
Sonora AA 4000's	Pima	Arizona
Sonora Traditional San Xavier	Pima	Arizona
Sonora Traditional Trio	Pima	Arizona
Sonora Traditional Tubac	Pima	Arizona
Village 10 Cortona	Pima	Arizona
Village 10 Monticello	Pima	Arizona
Village 10 Sienna	Pima	Arizona
Vistoso Ridge	Pima	Arizona
Carter Ranch	Pinal	Arizona
Copper Basin	Pinal	Arizona
Johnson Ranch	Pinal	Arizona
Martin Valley	Pinal	Arizona
Merrill Ranch	Pinal	Arizona
Peralta Trails (Peralta Prelude and Peralta Discovery)	Pinal	Arizona
Remington III	Pinal	Arizona
Senita	Pinal	Arizona
Taylor Ranch	Pinal	Arizona
Red Rock Village	Pinal	Arizona
Arcadia Park	Alameda	California
Birchwood Park	Alameda	California
City Limits	Alameda	California
Elevation 22	Alameda	California
Glashaus	Alameda	California
Grand Terrace	Alameda	California
Sevillano Tracts	Alameda	California
Verona	Alameda	California
Zephyr Gate	Alameda	California
Anchorage at Marina Bay	Contra Costa	California
Carmel Estates	Contra Costa	California
Magnolia	Contra Costa	California
Rosegarden	Contra Costa	California

<u>Sites</u>	<u>County</u>	<u>State</u>
Rosegarden Classics	Contra Costa	California
Summerset (Brentwood Country Club)	Contra Costa	California
Cordillera	El Dorado	California
Laurel Oaks	El Dorado	California
Countryside Estates	Imperial	California
Savannah Ranch	Imperial	California
Rio Vista, Bakersfield	Kern	California
Solera – Kern	Kern	California
Ashton Place	Los Angeles	California
Madeleine Court	Los Angeles	California
Quartz Hill II	Los Angeles	California
Sonoma Ranch	Los Angeles	California
Bella Rosa	Orange	California
Covington Heights	Orange	California
Sabella at Talega	Orange	California
Amberley Place	Placer	California
Denby Square	Placer	California
Diamond Woods	Placer	California
Doyle Ranch	Placer	California
Grandmere Station	Placer	California
Haddington	Placer	California
Katies Gate	Placer	California
Sun City Lincoln Hills	Placer	California
The Club (Del Webb)	Placer	California
Walerga Road Widening Project	Placer	California
Brookdale Terrace	Riverside	California
Fuller Ranch	Riverside	California
Oak Valley Greens	Riverside	California
Rancho Diamante	Riverside	California
Stellan	Riverside	California
Stoneridge	Riverside	California
Sun City Shadow Hills	Riverside	California
Ashton – Barrington	Riverside	California
Maravilla, Temecula	Riverside	California
Morgan Valley Tract 29473	Riverside	California
Stone’s Throw	Riverside	California
Watermark	Riverside	California
Water’s Edge	Riverside	California
Weatherly-Adler	Riverside	California
Winchester Hills	Riverside	California
Anatolia Village	Sacramento	California
Glenbrooke	Sacramento	California
Maritime Estates aka Mariner’s Cove	Sacramento	California
Regency Park Village “B” aka Regency Park, Park Lane at Regency	Sacramento	California

<u>Sites</u>	<u>County</u>	<u>State</u>
Zraggen Ranch	Sacramento	California
Apple Valley Jess Ranch	San Bernardino	California
Cypress Pointe	San Bernardino	California
Estates at Apple Valley aka Jess Ranch Tract	San Bernardino	California
Rancho Summit	San Bernardino	California
Ridgemont Heights	San Bernardino	California
Solera at Apple Valley (Jess Ranch)	San Bernardino	California
Aubrey Glen	San Diego	California
Balearas, Carlsbad	San Diego	California
ColRich at La Costa Oaks	San Diego	California
Eastlake III Vista VR-1	San Diego	California
La Costa Ridge	San Diego	California
Reserve at the Woods	San Diego	California
Reserves at Eastlake Woods WR-2	San Diego	California
WestRidge Cottage and Village Homes	San Diego	California
Woods in Eastlake Woods	San Diego	California
Cambridge Place	San Joaquin	California
Eastlake	San Joaquin	California
Mountain House	San Joaquin	California
Cobblestone at Westlake	San Joaquin	California
Cranberry Cove at Westlake	San Joaquin	California
Westlake/Willow Shores	San Joaquin	California
Woodbridge	San Joaquin	California
Altura	Santa Clara	California
Bedford Square	Santa Clara	California
Bentley Park	Santa Clara	California
Danbury II	Santa Clara	California
Danbury IV	Santa Clara	California
Danbury Place	Santa Clara	California
Kenwood Estates	Santa Clara	California
Madison	Santa Clara	California
Mariani Square	Santa Clara	California
Ventana	Santa Clara	California
Valley Glen	Solano	California
Brighton East Farms, Canterbury	Adams	Colorado
Fronterra Village	Adams	Colorado
Anthem Highlands	Broomfield	Colorado
Anthem Land Development	Broomfield	Colorado
Anthem Ranch	Broomfield	Colorado
Villages of Parker Filing 26A	Douglas	Colorado
Bluffs at Spring Creek	El Paso	Colorado
Countryside	El Paso	Colorado
Heights at Cross Creek	El Paso	Colorado
Mesa Ridge	El Paso	Colorado

Sites**County****State**

Sand Creek Villas	El Paso	Colorado
Walters Commons Filings 1 & 2	El Paso	Colorado
Woodmen Courtyards	El Paso	Colorado
Woodmoor Park	El Paso	Colorado
Parkview at Golden	Jefferson	Colorado
Oxbow Ridge	Hartford	Connecticut
Woodlands of Newington	Hartford	Connecticut
Ponsett Ridge	Middlesex	Connecticut
Cheshire Crossing	New Haven	Connecticut
Oxford Greens	New Haven	Connecticut
Wicksfield	Kent	Delaware
Farmington	New Castle	Delaware
Traditions at Christiana	New Castle	Delaware
Bay Crossing	Sussex	Delaware
Hart's Landing	Sussex	Delaware
Inlet at Pine Grove	Sussex	Delaware
Dakota Crossing	D.C.	District of Columbia
Harbour Island	Brevard	Florida
Turtle Creek	Brevard	Florida
Waterstone	Brevard	Florida
Ave Maria Del Webb	Collier	Florida
Ave Maria Parks	Collier	Florida
Bellera Walk at Ave Maria	Collier	Florida
Pulte at Ave Maria	Collier	Florida
The Groves at Orange Blossom	Collier	Florida
The Ranch at Orange Blossom	Collier	Florida
TND at Ave Maria	Collier	Florida
Twin Eagles	Collier	Florida
Verona Point	Collier	Florida
Verona Walk	Collier	Florida
Arrowood at Bartram Park	Duval	Florida
Bayberry at Bartram Park	Duval	Florida
Flagler Station	Duval	Florida
Greenbrier at Bartram Park	Duval	Florida
Hawthorn at Bartram Park	Duval	Florida
Midtowne	Duval	Florida
Summerfield	Duval	Florida
Sweetwater	Duval	Florida
Twinleaf at Bartram Park	Duval	Florida
Vizcaya	Duval	Florida
Wolf Creek Condos	Duval	Florida
Trillium	Hernando	Florida
Ventura Bay	Hillsborough	Florida
Villa Serena	Hillsborough	Florida

<u>Sites</u>	<u>County</u>	<u>State</u>
Westpark Preserve	Hillsborough	Florida
Waterway Village	Indian River	Florida
Verde Ridge	Lake	Florida
Anguilla at Sandoval	Lee	Florida
Belleville and Clairfont at Sandoval	Lee	Florida
River Hall	Lee	Florida
Royal Pointe at Majestic Palms	Lee	Florida
Sabal Pointe at Majestic Palms	Lee	Florida
Sutherland and Hopefield at Sandoval	Lee	Florida
Village Walk of Bonita Springs	Lee	Florida
Whispering Palms	Lee	Florida
San Michelle	Manatee	Florida
Harrison Ranch	Manatee	Florida
Fore Ranch	Marion	Florida
Stone Creek	Marion	Florida
Berkshire Park (Lake Sawyer)	Orange	Florida
Berkshire Place (Lake Sawyer)	Orange	Florida
Cypress Creek	Orange	Florida
Isles at Cay Commons	Orange	Florida
Meadow Ridge	Orange	Florida
Spring Isle Landings	Orange	Florida
Spring Isle Pointe	Orange	Florida
Spring Isle Ridge	Orange	Florida
Stonebridge Monterey	Orange	Florida
Stonebridge Reserve	Orange	Florida
Village Walk of Lake Nona	Orange	Florida
Vista Cay Bayshore	Orange	Florida
Vista Cay Monterey	Orange	Florida
Bella Trac	Osceola	Florida
Windsor Hills	Osceola	Florida
Mallory Creek	Palm Beach	Florida
Pinewood Lakes	Palm Beach	Florida
Lakeside	Pasco	Florida
Wiregrass	Pasco	Florida
Coachman Reserve	Pinellas	Florida
La Cresta	Polk	Florida
Island Walk	Sarasota	Florida
Isles at Palmer Ranch	Sarasota	Florida
Sarasota National	Sarasota	Florida
Dunwoody Commons	Seminole	Florida
Regency Oaks	Seminole	Florida
Riverwood at Nocatee	St. John's	Florida
Tidewater at Nocatee	St. John's	Florida
Lakes at Tradition	St. Lucie	Florida
Harmony Enclave	Cherokee	Georgia

<u>Sites</u>	<u>County</u>	<u>State</u>
Harmony Glen	Cherokee	Georgia
Harmony Meadows	Cherokee	Georgia
Woodlands Views	Cherokee	Georgia
Collins Lake Estates	Cobb	Georgia
Nichols Glen	Cobb	Georgia
Park Avenue Registry	Cobb	Georgia
Park Avenue Terraces	Cobb	Georgia
Park Avenue Views	Cobb	Georgia
Riverline Crossing	Cobb	Georgia
Vinings Overlook	Cobb	Georgia
Westbury at Vinings	Cobb	Georgia
Lenox Crossing Views	Dekalb	Georgia
Fieldstone Court	Forsyth	Georgia
Fieldstone Enclave	Forsyth	Georgia
Fieldstone Glen	Forsyth	Georgia
Fieldstone Park	Forsyth	Georgia
Kingswood	Forsyth	Georgia
Vickery Lake	Forsyth	Georgia
Deerwood Reserve	Fulton	Georgia
Kimball Bridge Registry	Fulton	Georgia
Nichols Enclave	Fulton	Georgia
Overlook at Lenox	Fulton	Georgia
Princeton Lakes Enclave	Fulton	Georgia
Princeton Lakes Estates	Fulton	Georgia
Princeton Lakes Glen	Fulton	Georgia
Princeton Lakes Park	Fulton	Georgia
Princeton Lakes Regency	Fulton	Georgia
Del Webb Lake Oconee	Greene	Georgia
Edinburgh Commons	Gwinnet	Georgia
Edinburgh Highlands	Gwinnet	Georgia
Reynolds Walk	Gwinnet	Georgia
Views at Peachtree Corners	Gwinnet	Georgia
Avonley Creek	Gwinnett	Georgia
Peachtree Place	Gwinnett	Georgia
Village at Deaton Creek	Hall	Georgia
Heron Bay Brookside	Henry	Georgia
Heron Bay Villas	Spalding	Georgia
Sun City Peachtree	Spalding	Georgia
Bristol Park	Cook	Illinois
Del Webb Edgewater	Kane	Illinois
The Reserve of Elgin	Kane	Illinois
Winchester Glen	Kane	Illinois
Del Webb Sun City Huntley	Kane and McHenry	Illinois
Autumn Creek	Kendall	Illinois
Prescott Mill	Kendall	Illinois

<u>Sites</u>	<u>County</u>	<u>State</u>
Cypress Park	Lake	Illinois
Del Webb Grand Dominion	Lake	Illinois
Grant's Grove	Lake	Illinois
Heritage Park	Lake	Illinois
Meadow Wood	Lake	Illinois
Cedar Ridge	Will	Illinois
Del Webb Shorewood Glen	Will	Illinois
Cobblestone Lakes	Boone	Indiana
Avalon	Hamilton	Indiana
Britton Falls	Hamilton	Indiana
Cherry Creek	Hamilton	Indiana
Gray Eagle	Hamilton	Indiana
Guilford Town Homes	Hamilton	Indiana
Long Ridge Estates	Hamilton	Indiana
Maple Knoll	Hamilton	Indiana
Meadow Brooke Village Estates	Hamilton	Indiana
Village of West Clay	Hamilton	Indiana
Summer Ridge	Hendricks	Indiana
Breckenridge	Marion	Indiana
Reserve	Johnson	Kansas
Stratton Oaks	Johnson	Kansas
August Woods	Anne Arundel	Maryland
Glen Arbor North	Baltimore	Maryland
McHenry Pointe	Baltimore City	Maryland
Carroll Vista by Del Webb	Carroll	Maryland
Coventry of Westminster	Carroll	Maryland
Fieldstone aka Clearfield	Carroll	Maryland
Homeland Elderly Housing	Carroll	Maryland
Liberty Hill	Cecil	Maryland
Whispering Creek	Frederick	Maryland
Campus Lakes	Harford	Maryland
Forest View	Harford	Maryland
McCann Property	Howard	Maryland
The Cloisters at Village Crest II	Howard	Maryland
The Paddocks	Howard	Maryland
Glen Meadows	Montgomery	Maryland
Snyder Property	Montgomery	Maryland
Summerfield Crossing	Montgomery	Maryland
The Reserve at Fair Hill	Montgomery	Maryland
Palisades	Prince Georges	Maryland
Chesapeake	Talbot	Maryland
Easton Club, Phases 1, 2, 3, 6, 8, 9 East Phase 5, Water Loop	Talbot	Maryland
Galyn Manor	Talbot	Maryland
Choate Farms	Essex	Massachusetts

<u>Sites</u>	<u>County</u>	<u>State</u>
Parker River Landing	Essex	Massachusetts
Robbins Mill Estates	Middlesex	Massachusetts
Stow aka Arbor Glen	Middlesex	Massachusetts
Sudbury River Landing	Middlesex	Massachusetts
Wellington Crossing	Middlesex	Massachusetts
Great Island	Plymouth	Massachusetts
Pine Hollow	Plymouth	Massachusetts
Spy Glass Landing	Plymouth	Massachusetts
Stone Bridge Commons	Plymouth	Massachusetts
Glen Echo	Worcester	Massachusetts
Hilltop Farm	Worcester	Massachusetts
Shining Rock	Worcester	Massachusetts
Gemstone	Genesee	Michigan
Grand Reserve	Genesee	Michigan
Hidden Creek	Livingston	Michigan
Villas of Ocoela	Livingston	Michigan
Strathmore	Macomb	Michigan
The Retreat	Macomb	Michigan
Westminister	Macomb	Michigan
Carrington Gardens	Oakland	Michigan
Hills of Indianwood	Oakland	Michigan
Pinehurst	Oakland	Michigan
Preserve of Riverside	Oakland	Michigan
Ravines of Stonegate	Oakland	Michigan
Woodlands of Riverside	Oakland	Michigan
Creekside Village East	Washtenaw	Michigan
Creekside Village South	Washtenaw	Michigan
Creekside Village West	Washtenaw	Michigan
Heritage Pointe	Washtenaw	Michigan
Prospect Pointe	Washtenaw	Michigan
Arcadia Park	Wayne	Michigan
Arcadia Ridge	Wayne	Michigan
Bridgewater by Del Webb	Wayne	Michigan
Central Park Gardens	Wayne	Michigan
Hamlet	Wayne	Michigan
Liberty Park	Wayne	Michigan
Woodlands of Northville	Wayne	Michigan
Crescent Ponds	Anoka	Minnesota
Arbor Field	Carver	Minnesota
Creekside Bluffs	Hennepin	Minnesota
Creekside Estates	Hennepin	Minnesota
Enclave at Cleary Lake	Scott	Minnesota
River Valley Estates	Scott	Minnesota
Copper Ridge	Washington	Minnesota
Fairway Meadows	Washington	Minnesota

<u>Sites</u>	<u>County</u>	<u>State</u>
Ledgestone	Washington	Minnesota
Timber Ridge	Washington	Minnesota
Timber Ridge Estates	Washington	Minnesota
Waters Edge	Washington	Minnesota
Whispering Woods	Washington	Minnesota
Kensington Farms	Cass	Missouri
Kings Gate	Clay	Missouri
Kinsley Forest	Clay	Missouri
Addison Place	Clark	Nevada
Aliante Parcel 15 - Salerno	Clark	Nevada
Aliante Parcel 69 - Terrasini	Clark	Nevada
Amber Ridge at Mission Hills	Clark	Nevada
Ann 17 - Timber Creek	Clark	Nevada
Anthem at Mesquite	Clark	Nevada
Anthem Highlands	Clark	Nevada
Azure Canyon	Clark	Nevada
Branding Iron at Mesquite	Clark	Nevada
Bristol Heights	Clark	Nevada
Crestway Trails	Clark	Nevada
Eagle Creek	Clark	Nevada
Escala	Clark	Nevada
Grand Teton	Clark	Nevada
Hacienda Park	Clark	Nevada
Horizon Pointe	Clark	Nevada
Horse 15	Clark	Nevada
Mesquite Abbott Wash Sewer Outfall	Clark	Nevada
Monteverdi	Clark	Nevada
Pageantry 25 Wineridge Desert Creek	Clark	Nevada
Palm Hills	Clark	Nevada
Paradiso at Summerlin	Clark	Nevada
Provence	Clark	Nevada
Provence Country Club	Clark	Nevada
Provence Park	Clark	Nevada
Providence - Easton Place (Cliffs Edge)	Clark	Nevada
Silverleaf	Clark	Nevada
Silverstone	Clark	Nevada
Sky Pointe Condos at Centennial Hills	Clark	Nevada
Solera Condominiums	Clark	Nevada
Solera Master Plan Community at Anthem	Clark	Nevada
Spanish Court	Clark	Nevada
Stallion Mountain	Clark	Nevada
Stratton 10	Clark	Nevada
Summerfield	Clark	Nevada
Sun City Anthem	Clark	Nevada

<u>Sites</u>	<u>County</u>	<u>State</u>
Tudor Park	Clark	Nevada
Village 19	Clark	Nevada
Westchester Hills	Clark	Nevada
Wyeth Ranch	Clark	Nevada
Sierra Canyon (Del Webb)	Washoe	Nevada
Sierra Canyon II (Del Webb)	Washoe	Nevada
The Vue	Washoe	Nevada
Blueberry Ridge	Atlantic	New Jersey
Centennial Mill	Camden	New Jersey
The Manors at South Mountain	Essex	New Jersey
Amherst Farms	Gloucester	New Jersey
Amherst Meadows	Gloucester	New Jersey
Combs Farm	Mercer	New Jersey
Traditions at Hamilton	Mercer	New Jersey
30 Court Street at Morristown	Morris	New Jersey
River Pointe	Ocean	New Jersey
Water's Edge at Point Pleasant	Ocean	New Jersey
Wanaque Reserve	Passaic	New Jersey
Stormcloud Subdivision	Bernalillo	New Mexico
Ventana Vista	Bernalillo	New Mexico
Western Shadows	Bernalillo	New Mexico
Corazon at Cabezon	Sandoval	New Mexico
Loma Colorado	Sandoval	New Mexico
Lomas Encantadas	Sandoval	New Mexico
Well #10 Booster Station	Sandoval	New Mexico
Pulte at Fiesta	Valencia	New Mexico
Seasons at Massapequa	Nassau	New York
Villas at Oceanside	Nassau	New York
Brighton Green	Orange	New York
Retreat at Carmel	Putnam	New York
Copper Beech	Suffolk	New York
Courthouse Commons	Suffolk	New York
Lakeview Woods	Suffolk	New York
Pulte Homes in Patchogue	Suffolk	New York
Villages at Mt. Sinai	Suffolk	New York
Westhampton Pines	Suffolk	New York
Villages of Skybrook	Cabaruss	North Carolina
Oak Ridge	Guilford	North Carolina
Ardrey Kell	Mecklenburg	North Carolina
Ashton Grove	Mecklenburg	North Carolina
Blakeney Preserve	Mecklenburg	North Carolina
Cascades at Reavencrest	Mecklenburg	North Carolina
Falcon Ridge at Highland Creek	Mecklenburg	North Carolina
Laurels at Reavencrest	Mecklenburg	North Carolina
Summerwood	Mecklenburg	North Carolina

Sites**County****State**

Terrace at Reavencrest	Mecklenburg	North Carolina
The Park at Newell Crossing	Mecklenburg	North Carolina
Chimneys of Marvin	Union	North Carolina
Blackstone	Wake	North Carolina
Carolina Preserve	Wake	North Carolina
Cedar Grove	Wake	North Carolina
Copper Ridge	Wake	North Carolina
Glenwood Crossing	Wake	North Carolina
Harmony	Wake	North Carolina
Highland Oaks	Wake	North Carolina
Long Lake	Wake	North Carolina
McCrimmon at the Park - Cary	Wake	North Carolina
McCrimmon at the Park - Morrisville	Wake	North Carolina
Northridge Trace	Wake	North Carolina
Sutton Place	Wake	North Carolina
Townes at Crabtree	Wake	North Carolina
New Hampton	Cuyahoga	Ohio
Schneider Reserve	Cuyahoga	Ohio
Woodgate Farms	Cuyahoga	Ohio
Quail Hollow	Lake	Ohio
Bentley Park	Lorain	Ohio
Pioneer Ridge	Lorain	Ohio
Waterbury Place	Lorain	Ohio
Keswick	Medina	Ohio
Westbury Place	Medina	Ohio
Calls Farm	Summit	Ohio
Montrose Park	Summit	Ohio
Bedminster	Bucks	Pennsylvania
Bridge Valley	Bucks	Pennsylvania
Solebury Estates	Bucks	Pennsylvania
Applebrook	Chester	Pennsylvania
Applecross	Chester	Pennsylvania
Colonial Meadows	Chester	Pennsylvania
Deerfield	Chester	Pennsylvania
Windsor Ridge	Chester	Pennsylvania
Traditions at Ridley Creek	Delaware	Pennsylvania
Coldwater Crossing	Lehigh	Pennsylvania
Greymoor	Lehigh	Pennsylvania
Vistas at Green Hill	Lehigh	Pennsylvania
Longford Crossing	Montgomery	Pennsylvania
Reserve at Upper Gwynedd	Montgomery	Pennsylvania
Woodmont	Montgomery	Pennsylvania
Kingston	Washington	Rhode Island
Sun City Hilton Head	Beaufort	South Carolina
The Haven	Beaufort	South Carolina

Sites**County****State**

Cane Bay	Berkeley	South Carolina
Belair	Lancaster	South Carolina
Sun City Carolina Lakes	Lancaster	South Carolina
The Views at Baxter	York	South Carolina
Creekside	Davidson	Tennessee
Lakes of Savannah	Sumner	Tennessee
Courtside	Williamson	Tennessee
Foxview	Williamson	Tennessee
Galestone	Williamson	Tennessee
Garden Club	Williamson	Tennessee
Retreat at Williams Grove	Williamson	Tennessee
Winterset Woods	Williamson	Tennessee
Lake Providence	Wilson	Tennessee
Alamo Ranch	Bexar	Texas
Bulverde Village	Bexar	Texas
Encino Ridge	Bexar	Texas
Grandview	Bexar	Texas
Hill Country Retreat	Bexar	Texas
Hillcrest	Bexar	Texas
Iron Mountain	Bexar	Texas
Lakeside	Bexar	Texas
Ranch at Iron Horse Canyon	Bexar	Texas
Stonegate Hill	Bexar	Texas
Preston Villages	Collin	Texas
Heritage Lakes	Dallas	Texas
Parkview	Dallas	Texas
Beechwood Creek	Denton	Texas
Braewood at Oakmont	Denton	Texas
Cross Oak	Denton	Texas
Frisco Lakes	Denton	Texas
Greens of Oakmont	Denton	Texas
Stardust Ranch	Denton	Texas
The Landing at Waterstone	Denton	Texas
Vistas at Waterstone	Denton	Texas
Wynstone at Oakmont	Denton	Texas
Hunters Glen	Ellis	Texas
Rivers Run	Fort Bend	Texas
Seven Meadows	Fort Bend	Texas
Sienna Plantation	Fort Bend	Texas
Waterview	Fort Bend	Texas
Winfield Lakes	Fort Bend	Texas
Country Ridge	Grayson	Texas
Fairhaven	Guadalupe	Texas
Kramer Farms	Guadalupe	Texas
Cinco Ranch	Harris	Texas

<u>Sites</u>	<u>County</u>	<u>State</u>
Rancho Verde	Harris	Texas
Spring Crossing	Harris	Texas
Waters Edge	Harris	Texas
Willowbrook	Harris	Texas
Woodspring Forest	Harris	Texas
Highpointe	Hays	Texas
HomeTown Kyle	Hays	Texas
Legends Ranch	Montgomery	Texas
Lakeview Summit	Rockwall	Texas
Sunrise Meadows	Rockwall	Texas
Everman Park	Tarrant	Texas
La Frontera	Tarrant	Texas
Meadowcreek	Tarrant	Texas
Ridge Trace	Tarrant	Texas
Vista Meadows	Tarrant	Texas
Blackhawk	Travis	Texas
Sonoma	Williamson	Texas
Summerlyn	Williamson	Texas
Sun City Texas	Williamson	Texas
Potomac Yard	Alexandria City	Virginia
Coppermine Crossing	Fairfax	Virginia
Laurel Hill	Fairfax	Virginia
Spring Hill	Fairfax	Virginia
White's Mill	Fauquier	Virginia
Celebrate	Fredericksburg	Virginia
East Gate	Loudoun	Virginia
Oaklawn at Stratford	Loudoun	Virginia
Potomac Green	Loudoun	Virginia
Red Cedar	Loudoun	Virginia
Windermere	Loudoun	Virginia
Mayfield Trace	Prince William	Virginia
Potomac Club	Prince William	Virginia