

IN THE CIRCUIT COURT OF HAMILTON COUNTY, TENNESSEE

HILDA YANES, )  
)  
Plaintiff, )  
vs. )  
)  
KIMBERLY G. WEST, STEVEN H. )  
WEST AND AUBURNMOST )  
PROPERTY, LLC D/B/A AUBURN )  
HILLS MHP, )  
)  
Defendants. )

NO. 200549

DIVISION

JURY DEMANDED

FILED IN OFFICE  
2020 MAY 14 PM 2:31  
LARRY L. HENRY, CLERK  
BY: [Signature]

COMPLAINT

1. The plaintiff, Hilda Yanes "Plaintiff", is a resident of Hamilton County, Chattanooga, Tennessee.
2. The defendants, Kimberly G. West and Steven H. West ("the West's") own and/or operate a mobile home park located at 3959 Auburn Hills Drive in Ooltewah, Hamilton County, Tennessee.
3. The defendant, AuburnMost Property, LLC d/b/a Auburn Hills, MHP ("Auburn Hills"), is a foreign limited liability company registered to do business in the state of Tennessee and can be served with process through its registered agent: CT Corporation System, 300 Montvue Road, Knoxville, TN 37919-5546.
4. The plaintiff resided on Lot 43 at the defendants' mobile home park.
5. Plaintiff owned her home on Lot 43 located at defendants' mobile home park.
6. The plaintiff paid \$20 per month to insure her home on Lot 43 at defendants' mobile home park.
7. Upon information and belief, at least forty-four (44) individuals or families owned their homes at the defendants' mobile home park and paid insurance to protect those homes.

8. In the evening April 12, 2020, a tornado ripped through the mobile home park destroying mobile homes and killing one resident.

9. The plaintiff's mobile home was destroyed by the tornado, and she was forced to seek shelter elsewhere.

10. The morning after the tornado, the defendants' refused access to the mobile home park from relief agencies attempting to assist in the tornado damage cleanup.

11. Upon information and belief, the defendants refused help from our community in an effort to hide health code violations on their premises, including open sewers that ran underneath some of the mobile homes on their property.

12. The defendants' accepted the donations from local churches, the community, and Red Cross, but refused to provide these donations to the intended recipients, the Auburn Hills' residents affected by the tornado damage. Instead, the defendants "pocketed" donations over \$60,000.00.

13. In addition, for those residents whose homes were damaged or destroyed by the tornado, the defendants' demanded May rent be paid immediately or face deportation.

14. Also, if a family allowed another family to seek shelter with them because of the tornado damage, the defendants' threatened to charge that family double rent.

15. The defendants' took money from the plaintiff and others allegedly for homeowner's insurance. The defendants' failed to purchase homeowner's insurance. Instead, the defendants' converted the money for their benefit.

16. The defendants' have refused to pay for plaintiff's damaged home under the terms of the insurance contract. The failure to pay under the terms of the insurance contract is a breach of such contract and the plaintiff is entitled to consequential damages.

Respectfully submitted,

WARREN & GRIFFIN, P.C.

BY: 

C. Mark Warren BPR#: 013992  
Attorney for Plaintiff  
736 Georgia Avenue - Suite 100  
Chattanooga, Tennessee 37402  
(423) 265-4878

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**COST BOND**

I hereby acknowledge and bind myself for the prosecution of this action and payment of all non-discretionary costs in this Court, which may at any time be adjudged against the Plaintiff in the event the Defendants shall not pay them.

Witness my hand this 15 day of May, 2020.

Respectfully submitted,

WARREN & GRIEFIN, P.C.

BY:   
C. Mark Warren BPR#: 013992  
Attorney for Plaintiff  
736 Georgia Avenue - Suite 100  
Chattanooga, Tennessee 37402  
(423) 265-4878

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**CERTIFICATE REGARDING DISCOVERY**

The undersigned hereby certifies that the following discovery has been served upon all persons identified in the Certificate of Service attached hereto and incorporated herein by reference:

- 1. Plaintiff's First Set of Interrogatories to Defendant;
- 2. Plaintiff's Request for Production of Documents; and
- 3. Plaintiff's Request for Admissions to Defendant.

WARREN & GRIFFIN, P.C.

  
C. Mark Warren (BPR# 013992)  
Attorney for the Plaintiff  
736 Georgia Avenue, Suite 100  
Chattanooga, TN 37402  
(423) 265-4878

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the pleading has been served upon counsel for all parties at interest in this case through the United States Postal Service. This 15 day of May, 2020.

Kimberly G. West  
3959 Auburn Hills Drive  
Ooltewah, TN 37363

Steven H. West  
3959 Auburn Hills Drive  
Ooltewah, TN 37363

AuburnMost Property, LLC  
c/o CT Corporation System  
300 Montvue Road  
Knoxville, TN 37919

WARREN & GRIFFIN, P.C.

BY:   
C. Mark Warren



Part of a report found at this [link here](#).