



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Wetlands/Breach of Contract: White County, Arkansas, Circuit Court Complaint Filed Alleging Failure to Disclose

09/05/2023

Rice holdings, LLC ("Rice") filed a September 1st Complaint against three individuals and a realty company that include:

- Renee Holder
- Paul David Norman
- Ted Arnett
- Ted Arnett, on behalf of Arnett Realty, Inc.
- Arnett Realty, Inc.

The Complaint alleges that Rice entered into a real estate contract (commercial) ("Contract") on January 6th with the individuals and corporation for purposes of purchasing +/-9.72 acres in White County, Arkansas.

A Contingency Removal Addendum is stated to have been subsequently entered into between the parties removing certain contingencies.

A Seller Property Disclosure ("Disclosure") is stated to have been provided to Rice regarding the Property on January 31st.

Page 4, Line 29 of the Disclosure is stated to have provided:

... To your knowledge, has any part of the Property been designated as Wetlands?

Individuals Holder and Norman are stated to have provided a "no" response.

The Complaint alleges that Holder and Norman had knowledge that the Property contained wetlands.

Page 5, Line 45 of the Disclosure is stated to have provided:

... To your knowledge, are there any notifications of environmental conditions about the Property from the EPA, governmental agencies, or some other source?

Individuals Holder and Norman are stated to have provided a "no" response.

The Complaint alleges that individuals Holder and Norman had knowledge that the Property had notifications of environmental conditions about the Property from the EPA, governmental agencies, or other sources.

Rice is stated to have determined that the Property contains wetlands. Further, the Complaint alleges that Rice's intended use for the Property is protected by EPA and the Property is not suitable for Rice's intended purchase use.

The Complaint alleges that the Property was sold with the knowledge that it contained wetlands and therefore there has been:

- Breach of contract
- Unjust enrichment

A copy of the Complaint can be downloaded [here](#).