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Homeowners File Lawsuit Against ProSolar Over Faulty Solar System and Dangerous Installation

ProSolar is accused of negligence and fraud after a series of issues with a solar system that included malfunctioning equipment, electrical hazards, and repeated failures to resolve problems, according to a lawsuit filed by St. Croix residents.

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A dispute between homeowners and purveyors of sustainable energy systems ProSolar has been taken to the courts for resolution, after the homeowners say shoddy installation work from the solar company led to a dangerous situation in which a roofing contractor received an electrical shock while completing work.

According to court documents, Jennifer Koockogey-LaJoie and Kyle LaJoie purchased a home on St. Croix in July 2022, and almost immediately began to investigate options for a solar energy system “to substantially reduce or eliminate their need to obtain power from the Virgin Islands Water and Power Authority,” according to the lawsuit. In August of the same year, they began speaking with ProSolar.

The LaJoies said that they expressed their intention to install a system that would supply at least 90% of their home's energy needs. Due to ProSolar's advertisements in the territory, they reportedly assumed that the company would be installing a Tesla Powerwall. The lawsuit says that they never knew, and ProSolar never told them, that the company also sold a different brand as well – the Enphase. In fact, during a home consultation, a ProSolar representative reportedly explicitly told the LaJoies that the company would be installing two Tesla Powerwalls for a system capable of supplying up to 7KW.

The homeowners accepted the estimate in mid-August, agreeing to pay over \$50,000 for the purchase and installation of their new home's solar power system. Before the units went in, the plaintiffs say ProSolar noted that a key piece of the puzzle – the home's transfer switch – would need to be rewired, a task the company allegedly promised to handle.

Days before financing was finalized, ProSolar reportedly communicated to the homeowners that their engineer was requiring a significant change to the installation plans, which would cost an additional sum. However, they noted that their new estimate reflected their original schematics, a circumstance ProSolar representatives allegedly said posed “no issue at all,” according to the lawsuit.

The installation of the system – two power walls and 17 solar panels – was completed in mid-October. It was only then, the LaJoies say, that they realized they had purchased a different brand to the Tesla equipment they believed they were getting. The problems only compounded from there. The homeowners claim that ProSolar technicians drilled through the roof during the initial installation process, compromising the structure. “The installation team also failed to properly wire the 17th panel into the system and failed to solder a breaker as required to complete the installation,” the lawsuit also claims.

Commissioning was completed around October 25, 2022. According to the lawsuit, the system began generating error codes almost immediately. By November 10, when the homeowners wrote to ProSolar, the system was malfunctioning completely. A ProSolar representative reportedly blamed the LaJoies satellite internet setup. The lawsuit said when questioned about that determination, ProSolar software engineer Nathan Hall, named as a defendant in the lawsuit, became enraged and stopped communicating. He was reportedly a no-show for a subsequent maintenance appointment in mid-December.

By that time, the LaJoies say, the 7KW system they purchased would only output between 0.5 and 1.4 KW on days with full sunshine. The issues persisted until January, with the homeowners claiming that ProSolar ignored their emails until finally responding that the needs of the home were greater than what the system could produce. Between January and September 2023, the LaJoies were reportedly paying sky high WAPA bills while logging numerous lengthy customer service calls to Enphase to no avail. Service tickets lodged with ProSolar also went unanswered, the lawsuit says.

In September, the batteries in the system stopped holding charge, according to the LaJoies. ProSolar reportedly kept directing them to Enphase for support, claiming that the system was

underpowered and working normally according to the data they had available. Enphase, for their part, reportedly blamed the problems on ProSolar's installation.

The LaJoies say they were caught in that back-and-forth deflection of responsibility until a major malfunction rendered the system inoperable in April 2024. A support ticket created with Enphase resulted in a directive to take up the matter with ProSolar, as a wiring issue had been detected. ProSolar representatives reportedly dismissed that determination as a “cop out,” and claimed that Enphase systems are known to have “coms” issues, according to the lawsuit.

Eventually, a ProSolar representative did conduct a site visit in late May, but allegedly did not inspect the panels or wiring work on the roof. The problems persisted until August, when tropical storm Ernesto hit St. Croix and the Big Island suffered an extended loss of power. The morning after Ernesto, a bright sunny day, the LaJoies say their solar system purchased for exactly this kind of contingency was producing no power. That circumstance persisted until WAPA's grid was restored, the lawsuit claims.

Days afterwards, a roofing contractor was at the LaJoie residence to perform some repairs. Trained in solar installations, the contractor first approached the panels to assess how they had been connected. According to the lawsuit, he touched the rail on which some of the panels were mounted, and sustained an electrical shock. Further investigations revealed that all the rails and gutters were electrified. The system had reportedly been improperly grounded when installed by ProSolar. A technician sent by the company confirmed that “there was a wiring issue on the system that had progressed to this now very dangerous active electrical issue,” according to the lawsuit. He spent over six hours that day addressing the safety issue, but when he was finished, the LaJoies \$50,000 solar system “was not working at all.”

The lawsuit accuses ProSolar of negligence in its installation of the system, intentional misrepresentation of the brand and normal functioning of the system, negligent misrepresentation and deceptive trade practices. The LaJoies are also claiming the ProSolar breached both express and implied warranties, and committed fraud when they – through a company representative – expressly promised a Tesla system only to sell the homeowners a different brand.

The lawsuit asks the court to assess compensatory and punitive damages, as well as expenses, attorney's fees, and pre- and post-judgement interest. ProSolar has not filed a response to the October 18 complaint as of press time.