

# Daughters sue deceased landlord, Hamilton over house collapse that killed their mom



*Tika Justice*

*Facebook photo*

HAMILTON — The daughters of a woman who died in a "pancake-style" house collapse in 2018 brought a wrongful death suit against the landlord, saying he failed to address water leakage in the basement of their township home that an engineering firm concluded led to the tragedy.

The lawsuit pointed to "extensive deterioration and disintegration" of the foundation of the rental property, which Leonard Busch Associates, a Ewing-based structural engineering firm, said [caused the collapse](#) that killed 38-year-old Tika Justice and injured her two daughters.

Aziera and Sekoya Miller, who were rescued from the rubble, were living with their mother at the 1804 South Broad Street home when it collapsed the morning of July 23, 2018.

MER-L-001240-20 07/14/2020 1:17:31 PM Pg 1 of 25 Trans ID: LCV20201221110

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<b>AZIREA MILLER, Individually, and</b>	:	<b>SUPERIOR COURT OF NEW JERSEY</b>
<b>as the Administratrix Ad Prosequendum</b>	:	<b>LAW DIVISION – MERCER COUNTY</b>
<b>of the ESTATE OF TIKA JUSTICE, and</b>	:	
<b>SEKOYA MILLER,</b>	:	<b>Docket No.: _____</b>
	:	
<b>Plaintiffs,</b>	:	<b>Civil Action</b>
	:	
<b>vs.</b>	:	<b>COMPLAINT and JURY DEMAND</b>
	:	
<b>ESTATE OF WILLIAM POZNIAK,</b>	:	
<b>INTERSTATE OUTDOOR</b>	:	
<b>ADVERTISING, L.P., TOWNSHIP OF</b>	:	
<b>HAMILTON &amp; JOHN DOES 1-10,</b>	:	
<b>(said names being fictitious),</b>	:	
<b>ABC Corporations 1-10 (said names</b>	:	
<b>being fictitious) and XYZ Partnerships</b>	:	
<b>1-10, (said names being fictitious) jointly,</b>	:	
<b>severally and in the alternative,</b>	:	
	:	
<b>Defendants.</b>	:	

Plaintiffs, Aziera Miller, Individually, and as the Administratrix Ad Prosequendum of the Estate of Tika Justice and Sekoya Miller, residing at 272 Ward Avenue, Apartment 8B, in the Township of Bordentown, County of Burlington and State of New Jersey, by way of Complaint says:

The 10-count complaint, filed by attorneys Robin Lord and Clifford Bidlingmaier III, named the estate of now-deceased landlord William Pozniak, who has perished since the house collapsed; Hamilton Township and Interstate Outdoor Advertising as defendants.

"What happened to Ms. Justice and her family was a complete tragedy," Lord said. "While the lawsuit cannot bring her back, we are hopeful that it will save

lives in the future."

The counts range from intentional infliction or emotional distress to civil rights violations, premised on the claim that the daughters' "right to equal protection and the right to life, liberty and the pursuit of happiness" were violated.

The lawsuit says the township "had a duty" to ensure the rental was properly maintained. Hamilton officials did not immediately respond to a request for comment and a representative for Pozniak's estate was not immediately known.

The billboard company, which started up in Cherry Hill in 1984 and declares itself one of the "fastest-growing outdoor advertising companies in the nation," did not immediately respond to a message seeking comment on the filing.

The lawsuit says Justice's complaints to Pozniak about water leaks in the basement went unaddressed.

The attorneys believe the landlord "knew or should have known" the house was uninhabitable and there was a "reasonably foreseeable risk" of collapse.

"None of her complaints were ever answered with any affirmative action to correct the defective conditions," according to the lawsuit.

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*A makeshift memorial has been set up at the site of a deadly house collapse in Hamilton.*

*Isaac Avilucea — The Trentonian*

The billboard sign standing next to the home, later razed, "prevented appropriate airflow to the basement and foundation," the complaint said.

Justice lived at the home with her daughters — who were also injured in the collapse — since leasing it in September 2013.

Pozniak, of Allentown, purchased the 1,615-square-foot home — which was built in 1920 — in June 2001. He owned other properties in Trenton and Hamilton, including a photography studio at 1806 South Broad Street, next door to where the deadly collapse occurred.

Records obtained by *The Trentonian* showed the Justice home [failed inspection a month](#) before township officials issued a certificate of occupancy in 2013, which was required before the rental could be occupied.

*The Trentonian* previously [reported that Pozniak had commenced](#) eviction proceedings against Justice around the same time the home collapsed because she was late paying the rent, a recurrent problem for the single mother.

Pozniak took Justice to court more than two dozen times in landlord-tenant disputes over the years, online records showed, which in some cases, led to a tenant warrant being issued.

The daughters say they've suffered mental, emotional and psychological anguish over the loss of their mother, feeling it could have been prevented if the landlord and officials heeded warnings about the alleged derelict condition of the home.

Possibly bolstering the case, the engineering firm report concluded: “We believe chronic, long-term water penetration through the east side exterior wall led to the extensive deterioration and crumbling of at least one course of block probably over a wide area,” the engineers said in a report issued a day after the tragedy. “We speculate that this disintegrating block gave way yesterday morning leading to several floor joists slipping off their supports and directly resulting in the catastrophic collapse of the building.”

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*A woman trapped waist deep in rubble following the collapse of a home in Hamilton.*

*Contributed by James Feig*

## Backstory

Justice was lauded as a hero for sacrificing herself to save her the life of her then-16-year-old daughter, Sekoya.

Rescuers discovered the teen under her mother’s body, protected from heavy bricks and debris that tumbled down around them in the second-story bedroom. She spent time in rehab.

“Did not surprise me at all,” John Pavlovsky Jr., a Bordentown certified public accountant whom Justice had worked for as receptionist, [previously told \*The Trentonian\*](#). “She always protected her kids, and she always talked about how important they were. I would have expected no less from her.”

Aziera, who was 20 years old at the time of the collapse, survived after being found partially buried underneath rubble in a separate second-story bedroom.

She heard “cracking” noises and started screaming moments before the home caved in on itself, Hamilton officials said at the time.

Church leaders and community members took up a collection for the family after Justice's death.

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*Emergency crews respond to a collapsed building that was occupied.*

*L.A. Parker - The Trentonian*

Justice, who graduated from Hightstown High School in 1998, died a month before her 20-year reunion.

Following the death of Justice's husband, her life revolved around her daughters, friends recalled. She beamed with pride over their accomplishments, with the single mom helping her eldest daughter pay her way through the first year of college.

“She pushed her girls hard and wanted the best for them,” Saint Phillips Baptist Church [Pastor Joseph Woods](#) said.