

State of Connecticut  
GENERAL ASSEMBLY



PUBLIC HEALTH COMMITTEE  
LEGISLATIVE OFFICE BUILDING  
HARTFORD, CT 06106-1591

Mold Working Group,

Meeting Summary

Wednesday, December 20, 2023

10:00 AM Zoom Remote Meeting

Attendance: Rep. Steve Weir, Daniel Keune, Harry Amadasun, Tyron Harris, Chris Eident, Mike Tortora, Paul Januszewski, and Juliette Parker

I. Convene Meeting

- Rep. Weir convened the meeting at 10:03 AM. and informed members that agenda item #2 listed will be discussed first.

II. Discussion

1. Present and Review Working Group Suggestions

- Identify members of the working group.
- Identify meeting dates.
- Provide background information on polybutylene piping, including manufacturer information such as dates of manufacture, 30-year shelf-life, how they are inferior, and include link to the "This Old House Video"
- Provide information from meetings with Connecticut Association Institute, Insurance Association of Connecticut, and Connecticut Department of Housing
- Provide information on professionals that we spoke with
  - Interviews with several plumbers indicated that polybutylene pipes are problematic and have a propensity to leak and can lead to mold growth. Most of

these pipes have been replaced, and the problem is not widespread.

- Provide information and make recommendations:
  - Creating an awareness campaign around the existence of polybutylene piping on the Department of Housing and the Department of Consumer Protection websites
  - Creating best practices and having resources for homeowners.
- Pre-purchase awareness
- How to address polybutylene pipes if found pre-purchased
- How to find a Professional

Rep. Weir gave an overview of the above outline and added that he would like to add improving education for condominium associations to the list.

Daniel Keune referenced the Fannie Mae and Freddie Mac disclosure requirement for condominiums to list anything on the catastrophic side or substantial dollar amount side on the resale certificate. He asked if association board members have any potential liability for non-disclosure in their resale certificate and to new buyers. It might be a good idea to consult with an attorney that specializes in association and condominium law.

Paul Januszewski asked if disclosures would be required if there is not a catastrophic failure, or if there has been a catastrophic failure that has been addressed/ mitigated, but some of these pipes are still on the property. He agreed there might be a need to consult with an attorney because this is subjective.

Rep. Weir explained his intent was to offer education on the subject and to allow it to filter into the continuing education piece that home inspectors are required to take.

Paul Januszewski agreed that awareness and education is going to be a big part of the group's recommendations for first-time home buyers and investors that aren't aware of the need to look for these pipes.

Rep. Weir reported that during his meeting with The Condominium Association Institute, the attorneys and the insurance representatives could not agree if this should be included in the condominium documents. He added that the Working Group could work with the condominium association to figure out how to make sure investors are aware.

Daniel Keune expressed his apprehension about including this on the Residential Property Condition Report Form since it's already covered under the plumbing questions.

Rep. Weir referenced the required courses for property managers and suggested it might be beneficial to lobby the Department of Consumer Protection and Condominium Association Institute to include education and awareness around this subject.

Paul Januszewski suggested adding a one-liner question asking, "**are you aware of any polybutylene pipes on the property**", with a yes/no answer to make first-time home buyers or investors aware.

Daniel Keune suggested home inspectors are already aware of this issue and if first time buyers or investors choose to buy a property without inspection, they are making a business decision.

Paul Januszewski asked, if it's not going to be included on the Residential Property Condition Report Form, can we find out if the home inspectors/building inspectors have this on their radar in the form of a checklist that they currently use.

Daniel Keune acknowledged the subject is on the radar of most home inspectors, especially the most experienced. He suggested reaching out to CAHI to find out if they educate their members on this issue.

Juliette Parker asked if the Connecticut First Time Home Buyers Programs could be asked to provide this information to applicants to ensure that families are aware of the importance of the home inspection.

Rep. Weir asked if that wouldn't be a lender requirement.

Juliette Parker stated not necessarily and added that the real estate company she used when purchasing her condominium told her it's not necessary and that she should be fine.

Daniel Keune stated FHA list home inspection as a recommendation in their document send to buyers.

Juliette Parker again requested that the recommendation be included in the first-time home buyer program.

Daniel Keune informed the group that the Greater Hartford Association of Realtor contract is the one recommended by the State Association. This gives the buyer the option to accept or waive the inspection.

Juliette Parker pointed out that young buyers who are barely making it financially, might decide to waive the inspection because of financial reason.

Paul Januszewski stated that the group might be able to ensure that when a buyer makes the decision to waive the home inspection, it is with an informed consent and an understanding of things that could be missed.

Daniel Keune suggested the notification for home inspection waivers could also be an office policy.

Juliette Parker asked if this form could be mandatory since its standard industry practice.

Rep. Weir asked Juliette Parker if she is asking the Working Group to make the home inspection mandatory?

Juliette Parker responded yes.

Paul Januszewski suggested mandating the waiver form instead of the home inspection.

Daniel Keune asked who would ensure that the form is being used.

Rep. Weir stated that he supports the use of a similar form but is not in support of mandating it as there could be unintended circumstances that may surface in the future. He provided an overview of the recommendations as discussed and asked if "awareness" should go in the handbook, or on DCP and DOH websites, or we can make the recommendations and allow the agencies to determine the best course of action.

Daniel Keune pointed out that the home inspection is already mandated on page 8 of the CT Residential Property Condition Report, under the heading "buyers' certification".

Rep. Weir asked if the working group wanted to recommend moving that section to page 1?

Daniel Kuene suggested duplicating what the Realtor Association did.

2. Overview of Discussion with Brandon McGee, Deputy Commissioner, Connecticut Department of Housing

- Rep. Weir reported that Deputy Commissioner McGee acknowledged that there are no Department of Housing grants or loans for private organizations /associations. He is committed to working with Sen. Saud Anwar to find a solution to the issue specific to Carriage Park.

III. Announcement of Time and Date of Next Meeting

- There is no meeting scheduled.

IV. Adjournment

- The meeting adjourned at 10:44 AM.