

**Working Group to Evaluate the Connection Between
Polybutylene Pipes and Indoor Mold in Residential
and Commercial Buildings**

Final Report
to the Public Health Committee
of the Connecticut General Assembly

Pursuant to Public Act No. 23-42 Sec.2

January 5, 2024

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INTRODUCTION

Over the past several months, the Working Group to Evaluate the Connection Between Polybutylene Pipes and Indoor Mold in Residential and Commercial Buildings has held several meetings, communicated with, and met with several stakeholders and industry experts to better understand Polybutylene Pipes and their contribution to mold.

This has included representatives from the Connecticut Department of Housing, Community Association Institute of Connecticut, Insurance Association of Connecticut, Plumbers, and Home Inspectors.

Working Group to Evaluate the Connection Between Polybutylene Pipes and Indoor Mold in Residential and Commercial Buildings

PA 23-42, Sec. 2

Sec. 2. (*Effective from passage*) (a) There is established a working group to evaluate the connection between polybutylene pipes and indoor mold in residential and commercial buildings, including, but not limited to, whether such pipes are a contributing factor to mold growth, the impact of mold on the health of the residents and potential solutions such as early intervention options to prevent mold growth in buildings containing such pipes and abatement of mold found in such buildings.

(b) The working group shall consist of the following members, each of whom shall have experience related to mold growth, prevention or abatement or the impact of mold on public health:

(1) Three appointed by the Senate chairperson of the joint standing committee of the General Assembly having cognizance of matters relating to public health.

(2) Three appointed by the House chairperson of the joint standing committee of the General Assembly having cognizance of matters relating to public health.

(3) Three appointed by the Senate ranking member of the joint standing committee of the General Assembly having cognizance of matters relating to public health; and

(4) Three appointed by the House ranking member of the joint standing committee of the General Assembly having cognizance of matters relating to public health.

(c) All appointments shall be made not later than August 1, 2023. The working group shall select a chairperson from among its members. The chairperson shall convene the first meeting of the working group not later than September 1, 2023.

(d) Not later than January 1, 2024, the chairperson of the working group shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to public health regarding the findings of the working group and any recommendations for legislative changes.

Working Group to Evaluate the Connection Between Polybutylene Pipes and Indoor Mold in Residential and Commercial Buildings

Membership List

Name	Appointing Authority
<p>Harry Amadasun, Carriage House Condominium Owner and East Hartford Town Council Member</p> <p>Tyron Harris, Carriage House Condominium Owner, and East Hartford Board of Education Member</p> <p>Kendra Franks, East Hartford Resident</p>	<p>Three appointed by the Senate chairperson of the Public Health Committee</p>
<p>Daniel Keune, Connecticut Association of Realtors</p> <p>Paul Januszewski, President of Greater Enfield Landlord Association and Connecticut Coalition of Property Owners</p>	<p>Three appointed by the House chairperson of the Public Health Committee</p>
<p>Chris Eident, Indoor Air Quality Professional, Mystic Air Quality</p> <p>Juliette Parker, Branford Manor Resident, Groton Town Council</p>	<p>Three appointed by the Senate ranking member of the Public Health Committee</p>
<p>Mike Tortora, Air Quality Services</p> <p>Representative Steve Weir</p>	<p>Three appointed by the House ranking member of the Public Health Committee</p>

Background of Discussion Items and Findings

- Polybutylene pipes were used generally in residential and multifamily housing from 1978-1995.
- Polybutylene pipes were sold with a life span of about 30 years, and used mostly in budget conscious buildings (condominiums & apartments).
- With a life span of approximately 30 years, much of the polybutylene piping has already been replaced. Some of these pipes are still in existence, but it's not widespread.
- It was generally used in areas other than the northeast, but it does exist in Connecticut.
- Because the piping is generally installed behind closed walls, it's not always easy to identify its presence.
- Condominiums piping generally exists in the walls (common areas). Home inspectors hired by a prospective buyer generally don't inspect common areas due to liability, so even though the pipes may not be seen in an individual unit, the common piping in the walls could be made of polybutylene, and likely would not be picked up in a home inspection.
- Adding a special section to the CT Department of Consumer Protection's Residential Property Condition Report was not recommended, as this report already covers plumbing. Additionally, many homeowners would have no idea how to identify polybutylene piping, and it's often behind walls, so requiring a seller to report this piping may add undue liability to a seller.

Recommendations

The Working Group recommends that the Connecticut General Assembly:

- Establish and implement awareness standards to inform buyers and owners of the existence of Polybutylene Pipes.
- Since the presence of polybutylene piping in a condominium could be a liability, its presence should be acknowledged and disclosed in the Condominium Association Documents at the time of sale, to alert potential buyers.
- Create and establish a dedicated Polybutylene information link on the Department of Housing, and Department of Consumer Protection websites to inform consumers on the existence of Polybutylene Pipes and what to do if it is discovered in their home.
 - include in this section a recommendation to home buyers/ homeowners to carefully review their insurance policies to understand if these pipes are covered if they exist in their home.

Appendixes

Appendix A Public Act

<https://www.cga.ct.gov/2023/ACT/PA/PDF/2023PA-00042-R00SB-00959-PA.PDF>

Appendix B Membership list

https://www.cga.ct.gov/ph/tfs/20230601_Mold%20Working%20Group/Membership.pdf

Appendix C Links to references

<https://rmwbh.com/update-fannie-freddie-guidelines/>

<https://www.polybutylenelawsuit.com/faqgeneral.htm>

<https://moderncastle.com/polybutylene-pipes/>

<https://www.thisoldhouse.com/21097212/how-to-replace-polybutylene-piping-with-pex>