

# Mold: An Old Contaminant Creates New Concerns for Homeowners

Mold has been around for millions of years, and continues to travel in and out of our homes and work places through ventilation systems, doors and windows. Despite the fact that it is ever-present, mold has recently and increasingly become the subject of lawsuits being filed by homeowners against home builders, landlords, architects, realtors, building system manufacturers and insurance companies seeking property damage and bodily injury awards. Why this sudden attention to mold? In recent years, we have learned more and more about the health effects of mold, particularly with respect to mold as a cause of allergic reactions and asthma attacks. In addition, timelines for new construction have decreased because of competitive pressures leading to carelessness with respect to roofing and drainage, the two leading causes of mold problems.

## **Q: What, exactly, is mold?**

**A:** Molds are neither plants nor animals, but multicellular organisms known as fungi. They can be found growing almost anywhere on virtually any organic substance where moisture and oxygen are present. Molds grow as filaments (hyphae) similar to plant roots. The hyphae penetrate the surface of porous materials and reproduce by making thousands of spores that can't be seen with the naked eye. These spores are dispersed into the air and can easily enter one's nasal passages.

## **Q: Where can mold be found?**

**A:** Mold can be found almost anywhere. In the home, mold can grow on wood, paper (including wallboard), carpet, foods, insulation, or other organic material with sufficient moisture and air. Whenever excessive moisture accumulates in a home or building, mold growth will often occur.

## **Q: What problems do molds cause to homes or buildings?**

**A:** If left unchecked, molds will digest whatever they are growing on, gradually destroying the material. Molds also create unpleasant odors.

## **Q: What health risks do molds present?**

**A:** Molds can cause allergic reactions in most people. Molds can cause more serious problems for people with very heavy exposures, such as certain agricultural workers. People with compromised immune systems or pre-existing lung problems may suffer very severe or even life-threatening reactions to mold exposure.

## **Q: Is there a “safe level” for mold inside a home or building?**

**A:** No. Although the United States Environmental Protection Agency (EPA) and a limited number of local health agencies have issued guidance for remediation of mold in buildings, these agencies have not identified a safe level of mold in the air or on building surfaces.

## **Q: What conditions can lead to mold growth in homes?**

**A:** Any source of water entering or collecting within the interior of a home or building can lead to mold problems. Blocked gutters, leaking plumbing, defective roofs, flooding, rain-soaked

construction sites, absence of drains or proper landscaping to carry rainwater away from foundations, infiltration of water along the tops of walls or ceiling caused by ice dams, plugged or poorly installed weepholes, and installation of wet or water-logged construction materials are among the most common causes of mold damage.

**Q: How can I prevent mold growth?**

**A:** The key is moisture control. Repair moist areas and plumbing leaks quickly. Keep heating, ventilation, and dehumidifier drip pans and collection troughs clean. Vent dryers to the outside. Maintain drainage away from foundations through proper sloping, clean gutters, open drainpipes, and inspect roofing and attics periodically for leakage.

**Q: What steps should I take if I find a mold problem?**

**A:** First, identify and fix the source of the moisture that is supporting the mold growth. Further actions will vary with the nature of the damage, from damp cleansing of non-porous surfaces to complete removal and replacement of organic materials with mold growth. The EPA website provides good, detailed guidance on how to address a mold problem at <http://www.epa.gov/mold/moldresources.html>.

**Q: Are there companies that specialize in identification and repair of mold damage?**

**A:** Yes. However, most states have yet to adopt licensing requirements for these businesses. Firms experienced in industrial hygiene and surface and air sampling techniques are a good starting point to determine if anything more than visual inspection is necessary to identify the nature and location of any mold problem. Although not required by law, it is wise to have any significant mold inspection and testing project supervised by someone who holds the title of Certified Industrial Hygienist from the American Industrial Hygiene Association. If a mold problem is extensive the industrial hygienist may recommend hiring a qualified remediation firm to address the problem. Look for remediation firms that are certified by one of more responsible industry trade groups, such as the Institute of Inspection, Cleaning & Restoration or the American Indoor Air Qualify Council. To avoid conflicts of interest, the testing company and the remediation company should be separate.

**Q: Should I have the air tested for mold in a home I am considering for purchase?**

**A:** Mold is everywhere, so it is likely that any sampling will detect some mold. Also, there is no standard for comparison. A thorough inspection of the home for leaks or water damage, walls darkened by mold growth, and musty odors is the better course of action.

**Q: Does my homeowner's insurance policy cover mold damage?**

**A:** Maybe. Many insurance companies have begun to revise homeowners' policies to exclude coverage for property damage or personal injury claims attributed to mold. Some companies have chosen to contest coverage in court, while others have granted coverage. Review your policy and determine whether mold damage is excluded. If so, consult with your insurance agent and your lawyer about coverage for mold damage, especially when purchasing a home. Some insurers offer, for an additional premium, a special rider to cover moisture and mold damage.

**Q: What laws govern mold damage or injuries?**

**A:** Federal law, Ohio law and the laws of various municipalities in Ohio do not specifically regulate the prevention, recognition, evaluation or control of mold. However, there are laws that may apply

to losses suffered due to mold, including general workplace health and safety laws, landlord-tenant law, contract law, insurance law and tort law. In addition, statutes and regulations governing certain real estate transactions impose specific disclosure and investigation duties on sellers, buyers and realtors. Because the legal and factual issues raised by a mold problem can be complicated, it is wise to get competent legal advice in any situation involving potentially significant losses.

4/25/2013

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