

**Nightmares on Mold Street  
(10 Things You Should Know About Mold)  
By Robert L. Cain**

"Nightmares on Mold Street," "Is Your Office Killing You," and "The Mold in Your Home May Be Deadly" are headlines amping up the volume on mold fears among Americans. The trial lawyers always seem to need a new product or toxin to sue over and to get the news media excited about.

"In the 1980s, the hot issues were asbestos and urea-formaldehyde foam insulation," writes Warren Lutz, Esq. in the March 4, 2004 issue of the Mason Contractors Association magazine. "By the 1990s, the focus became radon, fire retardant treated plywood, polybutylene pipe and EIFS (Exterior Insulation and Finish Systems, such as LP siding)." Now, it's mold.

In this article, we will look at first, some basic facts about mold, second how to prevent mold, third, how to clean it up, and fourth, how to protect against mold lawsuits.

Most of these products were faulty or at least somewhat dangerous. The jury is still out on mold, though 10,000 juries have heard mold cases in the past decade. They are to reach 50,000 in the next few years, estimates Lutz. Trial lawyers have acquired a "mold is gold" philosophy.

My point is mold is a lawsuit waiting to happen. Even insurance companies are excluding mold coverage from their basic commercial and residential plans today, while mortgage lenders are trying to require mold coverage in insurance policies. Eric Wong in the April 2006 *Apartment Finance Today* writes, "Most of the recent court awards [for mold] have not been covered by insurance.

Steve Setliff and Matt Mazefsky write in the November 25, 2005 *Realty Times* "Mold litigation has received increased attention from celebrities who claim to also be victims of toxic mold. Erin Brockovich sued the sellers and builders of her new home for over \$1 million in damages because of alleged mold damage. Ed McMahon sued his insurance company for \$20 million because the alleged toxic mold in his home caused him to become seriously ill. McMahon settled the case for more than \$7 million"

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#### Mold 101

Well over 100,000 species of mold exist in our ecosystem and roughly 1,000 species in the United States. It is everywhere, and its ubiquity is attributable to the fact that it can live on almost nothing. All it needs are moisture, oxygen, and something to digest.

The EPA opines in its online mold course, "As molds grow, some (but not all) of them may produce potentially toxic byproducts called mycotoxins under some conditions. Some of these molds are commonly found in moisture-damaged buildings. More than 200 mycotoxins from common molds have been identified and many more remain to be identified. The amount of types of mycotoxins produced by a particular mold depends on many environmental and genetic factors. No one can tell whether a mold is producing mycotoxins just by looking at it. Some mycotoxins are known to affect people, but for many mycotoxins, little health information is available. Research on mycotoxins is ongoing. Exposure to mycotoxins can occur from inhalation, ingestion and skin contact. It is prudent to avoid unnecessary inhalation exposure to mold."

While mold needs those three ingredients to live, if we eliminate any of the three, the mold will not grow. Mind you, it will not cease to exist, because it is around all the time. It will simply lie or float dormant. Oxygen and something to digest are always present or are too difficult to eliminate. What is left is moisture. Eliminate moisture and we eliminate mold infestation.

The EPA points out, "Moisture problems can have many causes. Some moisture problems have been linked to changes in building construction practices since the 1970s. These practices

led to buildings that are tightly sealed but, in some cases, lack adequate ventilation. Without adequate ventilation, moisture may build up indoors and mold may grow.”

So, where mold has always been around, it never became an issue until construction practices changed so that buildings never breathed anymore. After all, we can't waste energy. Since you can never do just one thing, tightening up buildings and saving energy resulted in increased mold infestations.

#### How to Prevent Mold Infestation

The EPA has a slew of suggestions for keeping moisture, the controllable cause of mold, at bay. Common moisture problems include:

- Leaking roofs
- Leaking or condensing water pipes inside wall cavities or pipe chases
- Leaking fire-protection sprinkler systems
- Landscaping, gutters and down spouts that direct water into or under a building high humidity (>60% relative humidity).
- Unvented combustion appliances such as clothes dryers vented into a garage. (Clothes dryers and other combustion appliance should be vented to the outside.)
- Poorly draining condensate drain pans inside air handling units
- Porous thermal or acoustic liners inside duct work
- Room materials above ceiling tiles
- The backside of drywall (also known as gypsum board, wallboard or SHEETROCK®), paneling and wallpaper
- The underside of carpets and pads

You may suspect mold, even if you can't see it, if a building smells moldy. You may also suspect hidden mold if you know there has been a water problem in the building and its occupants are reporting health problems. Mold can hide in ductwork for HVAC systems. If you get a serious mold infestation in ductwork, the EPA says you must replace the ductwork to eliminate the infestation since you can never get it all.

Steps to control moisture in ductwork include:

- Promptly and properly repairing any leaks or water damage.
- Removing standing water under the cooling coils of air handlers by making sure the drain pans slope toward the drain and the drain is flowing freely.
- Making sure ducts are properly sealed and insulated in all non-air-conditioned spaces so moisture due to condensation does not enter the system and the system works as intended. To prevent condensation, the heating and cooling system must be properly insulated.
- Operating and maintaining any in-duct humidification equipment strictly according to the manufacturer's recommendations.
- Making sure that carpets, drapes, furniture and other furnishings are dried promptly after they have been cleaned.

#### Cleanup

If you already have a mold problem, act quickly. Mold damages what it grows on. The longer it grows the more damage it can cause. Large areas of damage will need the services of a professional but smaller areas, say less than 10 feet, can be done by the landlord.

Absorbent or porous materials, such as ceiling tiles and carpet may have to be thrown away. Mold can grow or fill in the empty spaces and crevices of porous materials and since mold cannot necessarily be seen, it could be impossible to remove completely.

Do not paint or caulk moldy surfaces. Clean up and dry the surfaces before painting. The paint simply won't stick to a moldy surface and you will either end up with a messy paint job or have to do it all over again.

If you are unsure about how to clean an item, or if the item is expensive, you might want to consult an expert. Specialists in furniture repair, restoration, painting, carpet and rug cleaning, water damage and other restoration are in the phone book, or listed somewhere inside your AOA magazine.

When you do mold cleanup, use a respirator. The EPA recommends an N95 respirator, which is available at hardware stores and internet sites. At Home Depot they cost between \$17 and \$18. Also wear gloves and goggles without vent holes where mold can filter in.

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#### How to Protect Against Lawsuits

Mostly, it is a case of paying attention. As I pointed out earlier, mold is a lawsuit waiting to happen. During your property inspections, begin by sniffing. If a unit smells moldy, chances are there is mold present. It needs to be dealt with immediately.

Davis-stirling.com, site of the California Condominium Act, recommends the following:

- Have a water-damage policy
- Keep a maintenance chart
- Send out annual notices to tenants about mold
- In addition, hand your tenants an information sheet or EPA pamphlet at move-in about mold and its dangers. You can download them free from [www.epa.gov/mold](http://www.epa.gov/mold).

#### Conclusion

The American Institute of Architects warns "While mold has been around for millennia, lawsuits alleging its 'toxicity' have not. Plaintiffs can (and have) sued anyone even remotely responsible for the construction, design, maintenance, or ownership of a building." It is up to us to pay attention to the maintenance of our property and deal with any moisture issues immediately. We do that by educating our tenants about the importance of keeping moisture under control and the potentials dangers of mold.

We cannot assume that our tenants will pay attention as we would, so regular inspections re important for keeping mold from becoming an issue. Remember, "Mold is gold" to lawyers.

#### Ten Things You Should Know About Mold

1. Potential health effects and symptoms associated with mold exposures include allergic reactions, asthma and other respiratory complaints.
2. There is no practical way to eliminate all mold and mold spores in the indoor environment; the way to control indoor mold growth is to control moisture.
3. If mold is a problem in your home or school, you must clean up the mold and eliminate the sources of moisture.
4. Fix the source of the water problem or leak to prevent mold growth.
5. Reduce indoor humidity (to 30-60%) to decrease mold growth by venting bathrooms, dryers and other moisture-generating sources to the outside; using air conditioners and de-humidifiers; increasing ventilation; and using exhaust fans whenever cooking, dishwashing and cleaning.
6. Clean and dry any damp or wet building materials and furnishings within 24-48 hours to prevent mold growth.
7. Clean mold off hard surfaces with water and detergent and dry completely. Absorbent materials such as ceiling tiles that are moldy may need to be replaced.
8. Prevent condensation: Reduce the potential for condensation on cold surfaces (i.e. windows, piping, exterior walls, roof or floors) by adding insulation.
9. In areas where there is a perpetual moisture problem, do not install carpeting (i.e. by drinking fountains, classroom sinks, or on concrete floors with leaks or frequent condensation).

10. Molds can be found almost anywhere; they can grow on virtually any substance providing moisture is present. There are molds that can grow on wood, paper, carpet and foods.

*Source: US Environmental Protection Agency*

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