



Senate of Pennsylvania

MEMO

TO: All Senators

DATE: January 6, 2011

FROM: Senator Lisa M. Boseola

A handwritten signature in black ink, appearing to be 'LB', written over the printed name of Senator Lisa M. Boseola.

SUBJECT: Co-sponsorship of Legislation

In the near future, I plan to reintroduce legislation limiting the liability of HVAC contractors for mold-related damage.

There is no known method for completely eliminating mold or mildew from a building. The lack of regulations and recent trends of mold-related lawsuits have left developers and building contractors with little guidance as to the extent of their legal responsibility.

HVAC (Heating, Ventilation and Air Conditioning) contractors are often the first to be sued, despite the fact that HVAC systems **do not cause** mold. In fact, a well-functioning HVAC system is the best defense against the spread of mold.

Currently, if a building or home is left mold-free and a mold condition develops years later, the workers, builders and contractor **still** can be named in a lawsuit. Without "mold insurance," which is neither mandated nor commercially available for HVAC contractors, a negative result in court can be devastating.

This is a reintroduction of Senate Bill 793 from the previous legislative session. Co-sponsors included Senator Fontana.

If you are interested in joining me as a co-sponsor of this important legislation, please contact Julie Carraghan in my office at 787-4236 or by e-mail at jcarraghan@pasenate.com.