

In the news...

by Trisha Richards

Grow Houses – Keep an Eye Out

Toronto Police busted 140 marijuana grow labs in 2003. Last year, they executed search warrants at 320 more grow house operations. Since January of this year, 250 marijuana grow ops have already been raided in Toronto. As the numbers continue to climb, home buyers have to be equipped with information that will prevent them from making one of these stigmatic, and possibly fatal, home purchases.

"There is a definite concern about the numbers that are being uncovered in Ontario," says Det. Sgt. Jim Qualtrough of the Scarborough drug squad. "As we uncover one, we discover two or three more for each place and it just grows from there."

Grow ops pose many risks to home owners and communities. There may be fire hazards due to exposed live wires and the risk of physical injury due to structural damage. However, the most significant unseen risk is that of extensive mould.

"Sometimes grow operations use greenhouse or agricultural chemicals that are not meant to be used in living spaces...Agriculture produces a lot of humidity; our houses are not built for tropical environments. Question is, how long the operation was in place, how much humidity may have been created, and is there the possibility of mold growth and even rot," says Alek Meipoom, RHI, president of Ontario Association of Home Inspectors (OAHI).

What's particularly disturbing is that there's no legislation forcing a seller to reveal to a buyer that the premise was previously used as an indoor 'pot' garden. Having to come clean about the house's shady past, specifically that it was used to grow marijuana, is in violation of the owner's rights, according to Barry Lebow, CEO of Lebow Hicks & Katchen and head of the Real Estate Training Academy.

"Some of us are lobbying that the government should make it mandatory to disclose this, but under the privacy act, a guy could be a convicted a felon, in jail, and we're protecting his privacy. He doesn't have to disclose it," Lebow says.

For real estate agents, the question of disclosing a house as a former grow op to a potential purchaser falls into a grey area.

"Our code of ethics isn't that specific. It would probably fall under Rule 11, which is Discovery of Pertinent Facts," says John Burnet, manager of the Complaints, Compliance and Discipline department at the Real Estate Council of Ontario. The rule states that if an agent knows of a property's defects, he is obligated to disclose them to the buyer. However, there is currently no actual law specific to grow ops, he says.

"And what if the people who own it just don't tell them?" adds Lebow. Real estate agents only have to disclose anything detrimental if it's know to them, and if the home owner doesn't fess up, the agent will be none the wiser.

In addition, it is very possible that a seller will renovate the home considerably well enough that only a trained eye can tell.

Grow ops need water for plants, electricity for lights, and ventilation, so grow house operators tamper with the house systems to provide these services,

says Gerard Gransaul, P Eng., engineering manager at Carson Dunlop and Associates, home inspection professionals. "Of course, if the house is being sold, the grow op has ceased, and they have tried to cover up the signs."

Gransaul lists the following as things one may observe at a former grow house:

- repairs of illegal taps into the electrical main line, sometimes right through the foundation wall below the main panel, visible in the form of a big patch in the concrete. An unusually high Hydro bill for a period of time would be a tip off; Hydro does not supply that info to the general public
 - unusual extensions or repairs to basement wiring and plumbing
 - water stains all over the basement floor or the first floor framing as viewed from the basement
 - unusual holes or repairs to ducts, vents, chimneys or plumbing stacks to provide ventilation
 - patches to the subflooring at the corners of rooms (often seen from the basement) where big exhaust ducts, running basement to attic, have been removed. Sometimes the extra ducting remains in the attic, visible upon inspection.
 - if no ventilation has been provided, mould may be observed on exterior walls or attic sheathing
- Is it worthwhile to invest?

"What a buyer needs to know is what they are getting themselves into," says Meipoom. "Having an inspection done by an OAHI-accredited inspector should provide (a home buyer) with a fairly good idea of what repairs are needed. Then it's a numbers game: cost of house, plus renovations, plus surprises (in comparison to) what's comparable in the neighbourhood."

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