

## The perils of pot houses

**Bal Brach**

Canwest News Service

OTTAWA -- An Ontario couple thought they had found the perfect place to raise their two young children. But, what was to be their dream home, in a safe, tight-knit community, soon turned into a nightmare. They had purchased a former marijuana grow-op.

Four years later, health concerns and legal bills are piling up.

The couple, who wish to remain anonymous, say there is evidence of mould in the home and they worry about the health of their two young children. Since moving in, the husband has suffered from sinus infections.



CREDIT: Ottawa Police Service / CND  
Grow ops from Ottawa Police Service web site.

"Even if you get the air quality tests, you still have the worry in the back of your mind, 'Is there any mould in the house? Is there anything that's hidden? My children are coughing. Well, is it a cough or is it because of something that's hidden behind the walls?' I don't want to continue to live in a house that might have an effect on me or my children later."

These folks found out the hard way they had stumbled into a former drug den.

"In my case it was my neighbour coming out and saying, 'By the way did you know this house was used as a grow op?' and my mouth dropped," said the husband.

The family is now embroiled in a costly legal battle over the purchase of the house. The couple is suing the previous owner as well as the listing agent and realtor involved with the transaction.

They allege the realtor was fully aware of the previous use of the home and failed to disclose the information during negotiations. "You pay a lawyer for a reason, you pay a real estate agent for the same reason, to do their due diligence ... in my case it wasn't even put on the listing," said the husband.

"We purchased the house four years ago and we're still in litigation, it's totally ridiculous."

The couple is drained emotionally and financially. They owe lawyers more than \$100,000, not to mention the stigma they say never goes away, from living in a former drug house.

"We went around to try and meet our neighbours and when they asked where we lived, they said, 'Oh, you live in the drug house.' That's not what I want to be known as. It causes a lot of hardship and pain moving into an area where

people know your house was a grow-op."

After spending their life savings on the home, the couple feels helpless.

"Essentially they've been defrauded," said Toronto area lawyer Andrew Ruzza. "They've purchased something which is not what they expected."

Ruzza, who is representing the family, believes legislation needs to change to protect home buyers in Canada. When neighbours told Ruzza's clients their home was a former grow-op, a simple check with local police confirmed it. In some provinces, such as B.C. and Quebec, however, privacy issues restrict the free flow of this type of information.

"I'd really like a judge or a court to say there really is no right to privacy when it comes to this sort of thing," said Ruzza.

The resale price of a former drug house varies from province to province, but generally experts say the homes sell for 10 to 25 per cent less than market value.

For those thinking of making a quick buck by flipping these properties, the idea may be alluring, but be warned, it's costly.

"It's definitely not something I'd recommend to the average investor," said B.C.-based contractor Owen Brown, who rehabbed a drug lab in the northern B.C. town of Prince George last year. "There was toxic mould everywhere."

Brown said it usually takes his company a month to renovate a home, but this former drug house took six months and cost more than \$150,000.

"We ripped out everything, downed fixtures, even some of the exterior studs. I own my own construction company; otherwise the costs would have been substantially higher."

Brown estimates that hiring a contractor would have cost nearly \$230,000. "I would stay away from grow-ops unless you know the contractor very well."

Mould is linked to a wide range of symptoms and illnesses, including asthma. Health Canada says it can trigger asthmatic attacks, as well as a number of other respiratory problems such as coughing and wheezing. Mould exposure is also tied to headaches and an increase in allergic reactions. It can be especially dangerous for children and people with weakened immune systems.

Ruzza warns home buyers to be aware of their rights when signing contracts. He suggests asking the seller clear questions about what activities took place in the home, in the purchasing contract.

"Have the vendor sign off that they're swearing the house was never used as a grow house. It's a right you have as a party to a contract to include a term that's favourable for you. If they're unwilling to sign off on it, then ask why," he said.

Ruzza's clients are just one of many families across Canada devastated after learning their homes were former grow-ops. The case is still several months away from trial.

In an attempt to protect the public, many police forces across the country now publish the addresses of busted grow-ops on their websites.

Ottawa is the latest police force to target the multi-billion dollar marijuana

industry.

"They come in and spend hundreds of thousands of dollars and if something illegal happened there and we have the information, I think we have a requirement to provide it to people," said Ottawa Police Chief Vern White.

Since the beginning of February, Ottawa police have been listing the addresses of dismantled grow-ops and meth labs on the police website.

There's not a lot of work to this. We develop our website and that's it," said White. At the end of three months, the published information migrates to the City of Ottawa website where it will stay.

"I think it has to be everywhere . . . I'm not convinced that there shouldn't be a national registry required."

According to an RCMP report, law enforcement agencies across the country seized nearly two million marijuana plants in 2006. The report estimates 90 per cent of Canada's marijuana is produced in B.C., Ontario and Quebec.

Canada's Public Safety Minister Stockwell Day said the idea is being considered. "While there is no national grow operations registry, we are working closely with our provincial and territorial partners to determine the feasibility and challenges of instituting such a registry on a broader scale," Day said in a statement.

Ottawa is among at least five cities in Ontario publishing addresses of dismantled illegal drug operations. Windsor, Guelph, Durham and London all have similar programs.

In Manitoba, when the Winnipeg police force found itself fielding countless calls about potential properties, the force started listing addresses on its website.

The Winnipeg program started three years ago and began as an information sharing tool to make the public more aware.

In Calgary, health services work with the Calgary police when shutting down a grow-op. Alberta is the only province in Canada where public health officers have the status of "executive officers," who can make specific remediation orders to properties.

"We disclose this information on a regular basis to the public so they can make an informed decision on whether they want to purchase a home that's been a grow-op," said Robert Bradbury, Director of Health Protection, Calgary Health Region.

Bradbury said the health service's website, which lists active and inactive grow-ops, is extremely popular among potential home buyers.

Surprisingly, in B.C., where marijuana is a \$2 billion-a-year industry, there is currently no list of busted grow-op houses for the public to view.

Bill Sutherland, President of the Canadian Association of Home and Property Inspectors, said beyond the obvious loss in property value, it's public safety at issue. Sutherland has been inspecting homes for more than a decade and said the structural, electrical and moisture damage he has seen in homes with grow-ops requires extensive repair.

Although some provincial laws require property owners to disclose whether or not their home was once a grow-op, there is still no way of knowing for sure.

The best insurance against buying a home that's been used as a grow-op is to hire a home inspector. A few hundred dollars upfront could save thousands in the long run.

#### FACT BOX:

Here are some tips:

-- Look for red tuck tape around walls, windows, floors (growers use it when putting plastic on the windows and enclosing spaces to keep the moisture in)

-- Look for staple marks typically at the ceiling level (where growers usually hang plastic to cover windows)

-- Look for any kind of change in ventilation (growers won't vent through the roof, they'll try the attic or closet)

-- Look for moisture stains in the attic or closet

#### Links:

[www.ottawapolice.ca](http://www.ottawapolice.ca)

[www.winnipeg.ca/police](http://www.winnipeg.ca/police)

[www.calgarypolice.ca](http://www.calgarypolice.ca)

[www.calgaryhealthregion.ca](http://www.calgaryhealthregion.ca)

[www.police.london.ca](http://www.police.london.ca)

[www.drps.ca](http://www.drps.ca)

[www.police.windsor.on.ca](http://www.police.windsor.on.ca)

[www.police.guelph.on.ca](http://www.police.guelph.on.ca)

[www.cahpi.ca](http://www.cahpi.ca)

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