

Home buyers warned of effects of marijuana grow operations

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Staff Writer

You walk in and the overwhelming stench of fertilizer fills the air. The walls are decaying from mould and moisture damage and unexplained holes are found throughout the basement. The electrical panels are exposed and the makeshift wiring looks like a fire waiting to happen.

This home used to be a marijuana grow operation.

Long after growers have picked up and moved on or the police have ripped out the plants and removed the high-tech lighting and hydroponic equipment used to produce pot, the evidence a house was once a clandestine drug lab remains.

In most cases, marijuana growers rent the homes they use, leaving the owner on the hook for "tens of thousands of dollars" in damages, driving resale prices down and making the home tough to move, according to York Regional Police Det. Sgt. Karen Noakes of the drugs and vice squad.

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However, real estate lawyer Lou Radomsky, who teaches a course for the Ontario Real Estate Association on how agents should handle grow home resales, said the level of immediately visible damage inside a former grow home varies.

Mould can go undetected because spores begin to form inside the walls first, often only revealing itself months after a grow operation has been removed, he said.

In a booming real estate market such as York Region's, that means unscrupulous homeowners looking to dump the problem can sell quickly before the full extent of the damage is revealed.

To avoid being stuck with a home suffering the after effects of a grow operation, Mr. Radomsky says potential homebuyers should always have an inspection done.

"You want to be as careful as possible here," he explained. "People will try and cover it up. Initial appearances of mould can be hidden by paint or it is behind the walls and won't come to the surface for a while. The use of a qualified home inspector is always a good idea."

Mr. Radomsky says laws are unclear and untested in the courts regarding owners' and real estate

agents' responsibility in reporting a home's pot-growing past.

But rather than help hide the truth and saddle buyers with a former grow home's problems, York Region Real Estate Board president Al Orlando said agents are encouraged to fulfill an "ethical responsibility" to divulge the information.

Once they do, Mr. Orlando said, the seller is likely to take a loss on the property.

"(Former grow houses) are a little tougher to sell and we definitely have to adjust the cost to reflect any necessary repairs," he said. "It can be a major issue."

Bob McLean, director of communication for the Ontario Real Estate Association, says as far as the law is concerned, any damage known to a homeowner and agent, whether its from a grow operation or not, should always be declared to potential buyers.

"Any latent defects must be disclosed. If a realtor knows there's excessive moisture or mould behind the walls, they must disclose that. But when it comes to disclosing whether it was a marijuana grow house, it's not that black and white," he said.

"If a buyer asks the question and the realtor has that information, they have to disclose it. But the problem is, what is a grow house? If my wife has indoor plants is that a grow house? Is it five plants, 10 plants, 100 plants? Where do we draw the line? The important factor is the effect, if any, it had on the house itself."

"And whether it's from a grow op or not, that has to be reported."

The provincial property information statements, which are completed by home sellers, ask if a house has been used to grow or manufacture any illegal substance.

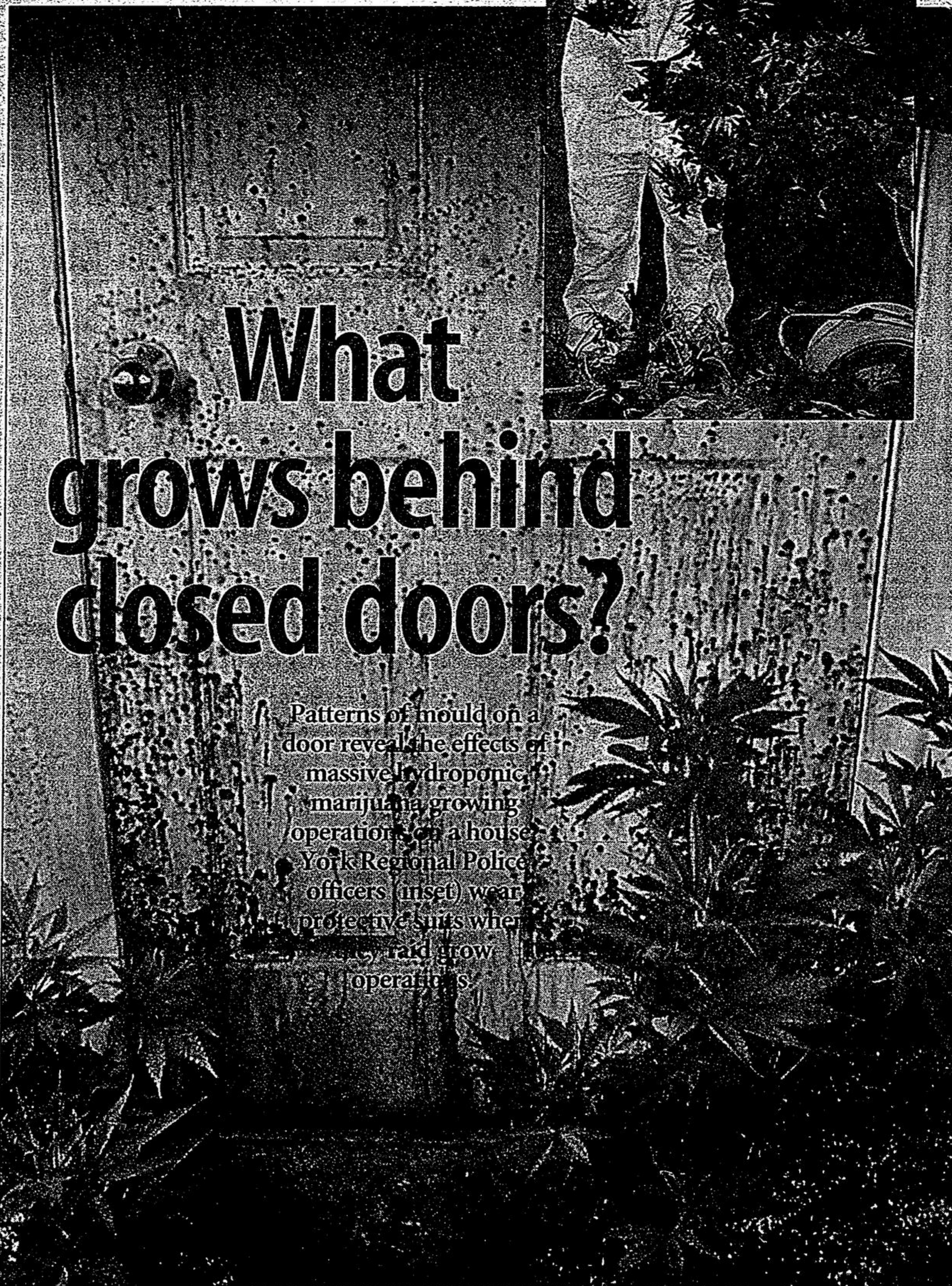
But, with the stigma attached to grow ops and the potential of losing thousands of dollars in a sale, damaged or not, Mr. McLean can only hope sellers are completely honest.

Last year, 173 grow labs were found in York Region and police estimate there are 10,000 across the Greater Toronto Area.

But the increasing number of grow homes has yet to have a detrimental effect on the local real estate market, according to Mr. Orlando.

"Does it have a negative effect on the ability to sell a house? Absolutely, but values across the entire market are not an issue right now," he said.

To avoid a negative effect on housing prices in their neck-of-the-woods, several suburbs surrounding Vancouver, where the grow home problem first sprouted in Canada, have partnered with police in attacking the grow house issue.



What grows behind closed doors?

Patterns of mould on a door reveal the effects of massive hydroponic marijuana growing operations on a house. York Regional Police officers (inset) wear protective suits when they raid grow operations.

Municipalities including Abbotsford, Surrey, Langley, and Coquitlam have either passed or are considering bylaws that force homeowners to either clean up or have the cost of cleaning up grow operations added to the property tax bill. The cost of police or fire services can also be included.

Politicians in those municipalities say the bylaws force landlords to keep a closer eye on what renters are up to and, at the same time,

ensure a large number of former grow homes aren't hitting the market and driving prices down.

Det. Sgt. Noakes said she believes a similar bylaws across York Region would help police stamp out grow ops, much like local body rub bylaws have helped stem the tide of those illegal businesses.

Vaughan Mayor Michael Di Biase, Markham Mayor Don Cousens, and Richmond Hill Regional Councillor David Barrow,

a member of the police services board, all said although it was the first they'd heard of such bylaws, they are interested in bringing similar ones to their municipalities, which have seen the most growth in grow homes recently.

"I think we're going to look at it very seriously," said Mr. Cousens. "Anything we can do to help stop the proliferation of grow operations in our community, we will do because it's become endemic here."

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