

BURDMAN & WARD

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Law in Hand

CHINESE DRYWALL IN CALIFORNIA

It is estimated that between 2003 and 2008 nearly 100,000 homes in the United States were constructed using toxic Chinese drywall. According to some insurance estimates, replacing the drywall and repairing the resulting damages could eventually cost over \$20 billion. The cost to replace drywall and repair damage to the plumbing and electrical systems in individual homes, let alone the potential health risks, is enough for individual homeowners to abandon their property with no way of recovering the loss. Consequently, if you suspect Chinese drywall was installed in your home, condominium, or commercial property, contact the attorneys at Burdman & Ward for a free consultation.

In the United States, drywall (also known as wallboard, sheetrock, or plasterboard) is typically made from gypsum which is composed of, among other things, calcium sulfate and is usually manufactured from gypsum obtained from domestic mines and quarries. However, due to the housing boom and the resulting drywall shortage between 2003 and 2008, domestic suppliers imported drywall from China. While the exact source of the Chinese gypsum is unknown, many speculate the material imported from China was manufactured using a variety of filler materials such as fly ash. Fly ash is a byproduct of the industrial burning of high content sulfur coal (i.e. coal generated power plants) and volatile sulfur compounds can be retained in the fly ash. The sulfur compounds retained in the fly ash become part of the drywall and when exposed to heat, moisture and/or humidity, the drywall can emit sulfur-based gases such as hydrogen sulfide, carbon disulfide, and carbonyl sulfide.

This "off-gassing" of Chinese drywall has been linked to a sulfur, rotten egg or spent firecracker smell. More damaging, however, is the impact on metal objects in the home. Metal wiring, piping, and fixtures rust or corrode, air conditioner coils, smoke detectors,

and television sets stop working due to the corrosive impact on solder joints and wiring, and kitchen utensils and other stainless steel items become rusted or blacken in appearance. Additionally, some homeowners complain of headaches, sore throats, or respiratory problems due to the alleged Chinese drywall emissions.

The scope of the problem is immense and the cost of repair staggering. Since late 2008, the Consumer Product Safety Commission has received nearly 4,000 reports of defective Chinese drywall from numerous states, the District of Columbia, American Samoa, and Puerto Rico. Particularly heavy hit by the crisis were Alabama, Florida, Georgia, Louisiana, and Virginia where heat and moisture levels are higher and use of Chinese drywall appears to have been more prevalent.

Chinese drywall, however, is not absent from the west coast. Burdman & Ward currently represent plaintiff homeowners in one of the first documented cases of Chinese drywall in Southern California.

The Consumer Product Safety Commission and the Department of Housing and Urban Development have instructed homeowners who had drywall installed between 2001 and 2008 to look for blackened air conditioner coils or copper electrical piping. Additionally, before cutting holes in your drywall, it is important to know what to look for. If your home or condominium is exhibiting the above noted symptoms, you may need to look at the labels on the reverse side of the drywall. This can be accomplished using special cameras and photographic equipment. The best place to start your search is in the attic. Look for stamps that indicate the drywall was "made in China" or "made in the P.R.C." Additionally, try to locate the manufacturer stamps identifying the name of the company which manufactured the drywall.

Homeowners who discover Chinese drywall often have to continue to make mortgage payments on top of having to pay for rental homes. Further, the damage has forced the value of some homes well below market value leaving homeowners with no choice but to walk away from their mortgages.

If your preliminary investigations reveal the possible presence of Chinese drywall, call our office for a free consultation.

Burdman & Ward has offices in California, Nevada, and Arizona and its attorneys have investigated and litigated Chinese drywall cases. Please contact our office if you believe your home, condominium, or office contains Chinese drywall.

Pieter M. O'Leary, Esq.