



MOLD NOTICE AND WAIVER

The following is provided by Contractor ("we" and "us") to Owner ("you") and forms a part of the construction Agreement between Contractor and Owner:

NOTICE

Mold is a type of fungus. It naturally occurs in the environment and is necessary for the decomposition of plants and organic material. Building materials and building construction cannot be designed to exclude mold spores. Mold can grow in your home if mold growing conditions exist and there is a source of moisture. Most people know that mold grows on foods and can grow on bathroom tiles and walls. Mold can also grow on heating, ventilation and air conditioning systems, plumbing systems, walls, support beams and other building components. Mold requires a food source to grow. This source might be supplied by items found in the home such as fabric, carpet or even wallpaper, or by building materials such as drywall, wood and insulation. In addition, mold growth requires a temperate climate. The best growth occurs at temperatures between 40 and 100 degrees Fahrenheit. Finally, mold growth requires moisture. By minimizing moisture, you should be able to reduce or eliminate mold growth. Home moisture arises from many sources. Spills, leaks, condensation and high humidity are common causes. Normal human activities such as breathing, bathing and cooking produce substantial amounts of moisture. Good housekeeping, ventilation and home maintenance are essential to reduce mold growth likelihood. If moisture is allowed to remain in an area, mold growth can develop within 24 hours.

Not all molds are harmful, but certain strains of mold have been shown to have adverse health effects in susceptible persons. The most common effects are allergic reactions, including skin irritation, watery eyes, runny nose, coughing, sneezing, congestion, sore throat and headache. People with suppressed immune systems may risk infection. Experts disagree about whether certain types of mold at certain concentrations can cause serious or life threatening health problems. To date, the Center for Disease Control has not identified a link between the presence of toxic mold and serious health conditions.

We cannot eliminate the possibility that mold or other fungi may grow in your home. The responsibility of a builder is limited to those things that can be controlled during construction. It is up to you to properly manage and maintain your home to prevent mold development and growth.

You can take measures to protect against mold development and growth. Regularly vacuum and clean your home. Common household disinfectants such as a mild bleach solution or tile cleaner are effective in eliminating or preventing mold. Keep the humidity in your home low. Use vents and exhaust fans in areas of high humidity such as kitchens and bathrooms to reduce humidity. Do not allow floors and woodwork to remain wet for any prolonged period of time. Promptly clean up spills and other sources of moisture. Replace materials that cannot be effectively dried or have sustained prolonged water exposure. Inspect for leaks regularly and look for signs of discoloration or wet spots. Take notice of any musty odors. Visible signs of mold should be thoroughly cleaned with a mild solution of bleach; however, first determine if the affected material or surface is color safe by testing a small area with the bleach solution. Porous materials such as fabric, upholstery or carpet damaged by mold should be discarded. Should mold growth be severe - hire a qualified professional cleaner.

WAIVER

We make no representation or warranty, express, implied or otherwise, regarding mold, fungus, bacteria, or other biological materials or organisms. We have no duty, obligation or liability to you, and you expressly waive these, for any damage or claim whatsoever and to any extent arising from any investigation, testing, analysis, monitoring, cleaning, removal, disposal, abatement, remediation, decontamination, repair, replacement, relocation, loss of use, personal injury or property damage in any way associated with mold, fungus, bacteria, or other biological material or organisms. This waiver applies to implied warranties as well, including without limitation, the implied warranty of workmanlike construction, the implied warranty of habitability and the implied warranty of fitness for a particular use. This waiver is provided by you in part consideration for our performance of construction work for you.