

Urea Formaldehyde Foam Insulation (UFFI) ● ● ●

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UFFI Legislation Changes Disclosure / Liability Issues

The UFFI legislation signed into law on August 10, 2002 removed the requirement for anyone selling a residence in Massachusetts to disclose affirmatively the presence or absence of UFFI. On January 1, 2003 Governor Swift signed into law a clarification providing that no claims may arise or be maintained against a seller, landlord, real estate agent or lender with regard to failure to disclose that the property was insulated with UFFI, to be effective 90 days after her signature.

Consequently after April 1, 2003 UFFI disclosure is unnecessary because the two facets are now addressed by state law (1) the seller doesn't have a legal obligation to disclose or determine the presence of UFFI and (2) sellers, landlords, agents or lenders can not be sued or held liable for failure to disclose. This amendment removed the "safe harbor" protections found in related statutes and regulations.



**Thank to MAR
for working with
legislators for this
change! Your dues &
RPAC dollars at
work!!**

What is UFFI?

Urea Formaldehyde Foam Insulation (UFFI) is a home insulation made of urea formaldehyde resin and a foaming agent, blown or pumped into the walls and ceiling. Formaldehyde in the insulation, even if properly installed, reacts with heat and humidity in the air. This allows formaldehyde gas to be released into the air of a UFFI-insulated building. This type of insulation, popular during the energy crunch of the 1970's, was banned by Massachusetts in November, 1979.

Is Formaldehyde gas harmful?

Formaldehyde gas can cause health problems in sensitive individuals including infants, the elderly, people with respiratory diseases (such as asthma), and people who have allergies. Undesirable health effects may include sore throat or nose, difficulty breathing, nosebleeds, headaches, laryngitis, nausea, skin or eye irritation, fatigue, or dizziness. Formaldehyde gas can be released into homes by pressed wood, fabrics, and cosmetics as well as by UFFI.

How can I tell if a home has UFFI insulation?

You can look for UFFI in your home by removing the cover from an electrical outlet or switch on an exterior wall and looking for insulation inside the wall. UFFI looks like dry shaving cream, is yellow or white, and has a brittle (not spongy) consistency. You should look in several walls and in the attic, basement, or crawlspaces of your home. If insulation was installed while you owned the home, you should check your records to see what kind it was.

What should I do if I find UFFI?

If you have UFFI you should contact the Department of Health for free air testing. The air testing will measure how much formaldehyde is in the air of your house. The Environmental Protection Agency has determined that average formaldehyde levels are 0.073ppm (parts per million) in UFFI homes, 0.03ppm in non-UFFI homes, and 0.005ppm in urban outdoor air.

Is my home devalued because it contains UFFI?

Massachusetts law prohibits realtors, banks, and mortgage companies from discriminating against homes that contain UFFI if the formaldehyde air level is less than 0.10 parts per million.

Is any other help available for homeowners who have UFFI?

In addition to providing free air testing, the Department will pay for removal of UFFI under some circumstances. To be eligible for UFFI removal funding you must have one of the following:

- Written proof of a valid formaldehyde air test result greater than 0.10 parts per million;
- Written proof of adverse health effects due to UFFI; or
- Written proof of UFFI removal before 7/1/86 because of medical need or economic hardship, such as inability to obtain a mortgage or sell the home at a fair market value.

Where can I get further information?

Massachusetts Department of Public Health
UFFI Program 1-800-222-UFFI (toll-free hotline)
(617) 727-2660 (Boston area)