

## METH LABS AND LIABILITY FOR CLEANUP COSTS

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## PROPERTY OWNERS

- MOST PROPERTY OWNERS ARE VICTIMS
- SOME HAVE KNOWLEDGE
  - COLLECT THE RENT IN CASH ?
- SOME PARTICIPATED
- SOME PROVIDED ASSISTANCE

## PREMISES LIABILITY

- COLORADO STATUTES
- DAMAGES
  - ?? LONG-TERM HEALTH HARM
  - SURFACE CONTAMINATION DOES NOT PROVE HUMAN EXPOSURE
  - LIKELY NO MEDICAL EVALUATION
  - ?? DAMAGES TO PROPERTY

## BUILDING & FIRE CODES

- NO STATE STANDARD
- RARELY SPECIFIC RE METH LABS
- SOME LOCAL HEALTH DEPTS HAVE ADOPTED GUIDELINES
  - ?? ENFORCEABILITY – ARBITRARY
  - UNITS ARE IMPORTANT
- AUTHORITY TO CONDEMN BUILDINGS
  - PROPOSED COLORADO LEGISLATION

## **CLEANUP COSTS**

- PEOPLE IN JAIL RARELY HAVE MONEY
- PROPERTY OWNER LIABLE UNDER CERCLA
- MANAGEMENT COMPANY LIABLE UNDER CERCLA
- COLORADO HAZMAT STATUTE

## **INSURANCE**

- NO
- SOMETIMES FOR AN UNDERLYING LOSS – FIRE
- SERIOUS QUESTION RE ADEQUACY OF CLEANUP

## **HOW CLEAN IS CLEAN?**

- NO HEALTH-BASED STANDARDS FOR EXPOSURE
- SOME NIOSH STANDARDS FOR WORK-PLACE EXPOSURE TO SOME INGREDIENTS
- GUIDELINES BASED ON LIMITS OF DETECTION
- VERY UNCERTAIN

## **WHAT IS A PROPERTY OWNER TO DO ?**

- WHO DO YOU RENT TO ?
- MONITOR OCCUPANTS
- VISIT AND INSPECT
- TALK TO LOCAL LAW AND FIRE AGENCIES
- DON'T IGNORE IT