



Homebuyers beware

by Jeff Wahl

When buying a home in the country, water should be one of the most critical considerations. Buyers will often trust the seller or realtor when a water sample is submitted to the local health unit. In some cases, the buyer will simply receive the test results through their lawyer. The goal of this column is to raise awareness that tampering with a water sample may occur and there is potential for illness. When it comes to water, safety is of paramount concern. Too often, buyers purchase a home with a good water sample and never consider testing the water again. Unfortunately, the practice can lead to illness and sometimes be costly.

Real estate transactions that include a lending institution, that is, a mortgage, require a water sample for coliform and E. coli be taken to prove the potability of the water. Currently, there are no requirements spelling out who is qualified to take the sample. Often it is the real estate agent or the seller who will test the water and provide the results to the potential buyer. This does not present any problem when all parties act in good faith when taking the samples. However, this is not always the case when selling the property takes precedence.

For example, a young couple purchased a home on Manitoulin Island and requested the water be potable as part of the realty agreement. The seller of the home provided a water sample to the realtor and the results were o/o. The deal was completed. After moving in, the couple noticed a strong odour to the water and had the water retested at the local health unit. The results were >80 for coliform and 58 for E. coli, which is a very high bacteria count. How was this possible with the water showing o/o just weeks before? The couple hired an independent company to test the water and the test results were no different. The realtor indicated that the seller had provided the results and that doing so was not the responsibility of the realtor as part of the contract. The young couple were left to fix the problem despite having requested potable water in the original agreement. In the end, they were left

with no choice but to hire a company to fix the water as it was not safe to drink, cook with, shower with or bathe in.

When you send your sample to the local public health unit, are you aware that most test for two things only: coliform and E. coli? These are very important but are not the only contaminants that exist in water supplies. The average person judges the health unit test as a gauge of overall water quality and safety, yet it is only an indication of bacterial contamination. No one is disputing that bacteria can make you sick, but what happens if you have something else in the water that the health unit does not test for? Each test is one snapshot for a single day. What about the other 364 days in the year?

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The water sample conducted during a real estate transaction rarely tests for more than bacterial contamination. Yet most homeowners believe the water is safe if a zero for coliform and zero for E. coli is shown on the sample report. Bacterial contamination is the only benchmark for water quality in most transactions. The potential for altering a water sample using bleach or simply by taking it from another location exists and there is no regulation to stop this from occurring. Buyers have the right to request independent testing and should not accept the water sample provided by the seller or realtor. Realtors can benefit from using independent testing companies to have complete transparency. Using a company that specializes in water testing provides buyers with an accurate picture of bacterial quality and hiring a third-party testing company that is independent of the buyer, seller or real estate agent is a good practice to ensure a water sample has been conducted in good faith with no tampering.

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