

# What homeowners should know about Kitec

NOVA SCOTIA ASSOCIATION OF REALTORS®

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## **In Nova Scotia, Kitec piping is primarily used as part of in-floor or hot water baseboard heating systems**

Between 1995 and 2007, Kitec piping was a popular choice for new home plumbing. While some PEX piping performs fine, one type (branded under the Kitec name) had a design flaw with the fittings that homeowners should know about.

In Nova Scotia, Kitec piping is primarily used as part of in-floor or hot water baseboard heating systems. There are fewer fittings in play in these systems, so the potential damage is likely to be much less, and quicker to spot if fittings fail, as the fittings are more visible. In addition to problems with fittings, there have also been problems with the actual pipe disintegrating. Some believe this is caused by running the hot water system at too high of a temperature.

Three things sellers should expect if selling a home with Kitec:

- 1) Expect the buyers' home inspector to point it out. The majority of home inspectors will let the homeowner, or potential buyers, know if Kitec is in the home, as it could be a costly repair and affect the enjoyment of the home. Most will make the recommendation to have a plumber check out the system. A plumber can give a better idea of the potential problems with the piping, and arm potential buyers with the information they can use to make an informed decision on the home.
- 2) Expect your real estate agent to suggest that you disclose this information to potential buyers prior to the home inspection, should the home not be inspected or the inspector fails to see it. Your real estate agent will want to protect you and themselves from potential court cases down the road when the buyer eventually discovers its existence. While you might feel that it is the buyer's responsibility to determine the existence of Kitec, it does not mean the buyer will still not attempt legal action and cause you undue stress and expense at a later date.

Your real estate agent may also encourage you to get a quote on replacing the Kitec piping in case it comes up later in negotiations. This will arm you with the necessary information to continue negotiations for a quicker sale.

- 3) Expect that some buyers may run away, but some may still want to proceed with the sale, either with or without replacing the piping. It is difficult to determine how much of an impact it will have on a buyer's decision to purchase, but that decision may be made for the buyer, depending on their insurance company, as some may not insure a home with Kitec piping.

Is there a potential insurance issue?

Some insurance companies are not willing to write insurance policies on a home with Kitec. Currently, there are more companies writing policies on it than denying them. It appears there is not any consistency across the board. Some purchasers who get wind that there may be an insurance issue are being scared away.

Insurance companies assess risks based on their own claims experience, and some larger companies have not had enough bad experiences with Kitec to deny insurance. Some companies are denying insurance, however, most likely because they are not relying solely on their own claims experience, but avoiding all possible risks.

What do I do if I have Kitec piping?

There was a class action suit launched and approved by the courts on November 29, 2011 in Canada. IPEX and their insurance company settled out of court, setting up a \$125 million fund that could give those that have had a Kitec failure some relief. Because this matter was settled out of court, the science of why Kitec fails was never presented.

If you have a property with Kitec piping, you should register in case you have a failure in the future. You have until 2020 to register. If you have a failure, document it and send the bill for repairs. You will get some relief, although you will not likely receive full reimbursement for the costs.

If you don't have a failure, but have to take the Kitec piping out as a result of an inspection or insurance, you may still receive some funds if you are registered with the class action suit. IPEX will wait until 2020 and if there is any money left in the fund, it will be divided among those who had to remove the system due to insurance or inspection issues. Visit [www.kitecsettlement.com](http://www.kitecsettlement.com) for more information.

How do I know if I have Kitec Piping?

If your home is built between 1995 and 2007, it MAY have Kitec piping.

The piping is made of plastic (cross-lined polyethylene or PEX) on the outside and aluminium on the inside.

95 per cent of Kitec PEX pipe is orange (inspectors have also seen it as white, blue and grey) and has "Kitec" prominently stamped on it. It may say made in Canada by IPEX.

In Nova Scotia, the most common terms on the piping are: PEX-AL-PEX, PE-AL-PE. You may also see Kitec XPA and/or KERR Controls

ASTM F1281 may mean it is Kitec piping

CSA B137.9 and ASTM F1974 does not mean it is Kitec piping, but have a plumber check it out.