



Home Tips



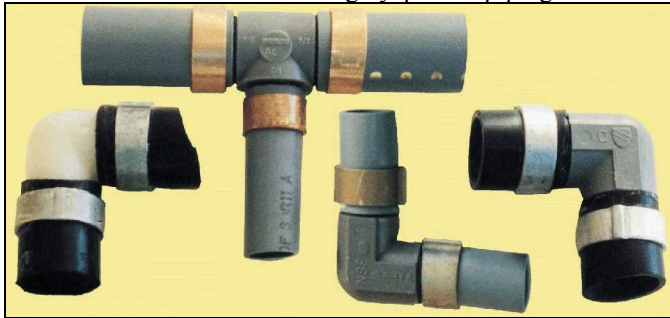
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Polybutylene Pipe Class Action Expired!

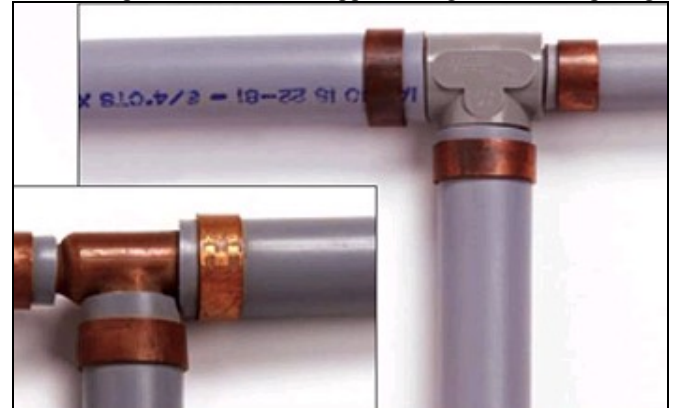
We are buying a house with polybutylene water piping and have heard the piping is part of a class action lawsuit. Is the piping any good, and how do we get information on the class action?

Polybutylene water piping was used in Atlanta homes built between 1978 and 1995. The grey plastic piping first had



plastic or "acetal" fittings which were prone to breaking. The

plastic fittings were eventually replaced with copper fittings. The main problem with the copper fittings is the crimp rings



that hold the pipes to the fittings. The equipment that crimped the rings had to be adjusted properly or the fittings could develop leaks.

There was a nationwide class action lawsuit filed against the largest manufacturer which became known as Cox vs. Shell Oil. **The class action expired on May 1, 2009.** If the piping leaked within a certain period, the piping would be replaced at no cost to the homeowner. The details are as follows:

To be eligible for recovery under the Cox vs. Shell Oil, et al., class action lawsuit:

- You must own or have previously owned a dwelling or other unit plumbed with a Polybutylene (PB) Plumbing System (conducts water to your sinks, showers, etc.), or a PB Yard Service Line (conducts water to your dwelling unit from the water company), or both. Boats and RV's are not eligible. You can also see the definition of Class Member.
- The PB Plumbing System or PB Yard Service Line must have been installed between 1/1/78 and 7/31/95.
- The PB Plumbing System must have been installed using PB pipe and insert fittings. The PB Yard Service line must be PB pipe but may have any type of fittings.
- The PB Plumbing System or PB Yard Service Line must have had at least one "leak" as defined in Cox vs. Shell Oil, et al.

A "Leak" does not include a leak covered by warranty in the first year after the system was installed, a leak resulting from abuse or unrelated to ordinary use, a leak in a valve or riser that can be repaired without opening the wall (such as under sinks) or leaks in ice-maker lines. Please visit the [terms](#) page to see the full definition of a "leak" and other terms used on this page.

Leak eligibility periods and filing deadlines:

Dwelling Type	Leak Must Occur:	And Must be Filed:
Mobile Homes (timed out - the leak deadline for mobile home and yard service claims expired 7/31/2005)	From August 21, 1995 and within 10 years of PB plumbing installation	Within 11 years of PB plumbing installation
Yard Service Lines (timed out - the leak deadline for mobile home and yard service claims expired 7/31/2005)	From August 21, 1995 and within 10 years of PB yard service line installation	Within 11 years of PB yard service line installation
Single Units (single family, modulars, townhomes, condos, duplexes, triplexes, and quads) with Acetal insert fittings	From August 21, 1995 and within 13 years of PB plumbing installation	Within 14 years of PB plumbing installation

Single Units (single family, modulars, townhomes, condos, duplexes, triplexes, and quads) with metal insert fittings	From August 21, 1995 and within 16 years of PB plumbing installation or 1/31/2009, whichever is earlier	Within 17 years of PB plumbing installation or 5/1/2009, whichever is earlier
Apartment Buildings and Commercial or public structures with Acetal or Metal insert fittings	From August 21, 1995 and with 13 years of PB plumbing installation	Within 14 years of PB plumbing installation

There was another class action Spencer et al vs. Shell. Under the terms of the Spencer settlement, DuPont will reimburse you for 10% of the cost of replacing a plumbing system of PB pipe connected with acetal plastic insert fittings and 10% of any unreimbursed past damages caused by leaks, if you have replaced the entire system. DuPont will pay under this settlement if you replace your entire system within 15 years of its installation. This 15-year limitation period does not apply if you acquired your property after August 1, 1999 and you replaced your system by December 31, 2003. Note that the blue polybutylene yard pipe and the newer polybutylene with copper fittings were not covered. **This class action has also expired.**

In order to put things in perspective, you need to be aware of the following statistics:

1. Less than ten percent of the homes equipped with polybutylene piping have experienced leaks.
2. Most polybutylene leaks occur in the yard (usually between the twelfth and fifteenth years).
3. Less frequently, the polybutylene piping inside the house can also develop leaks, but typically this happens in the early life of the home (third to fifth years), and usually at the fittings.

Many homes with polybutylene water piping have not experience any problems whatsoever. Many plumbers think that if you have not had a problem by now, you probably will not have any in the future. If you do experience problems and

need to replace the piping, the average price for replacing all of the piping is estimated to be somewhere between \$4,000.00 and \$8,000.00. There are a couple of companies around town that specialize in this type of repair.

Quote Of The Month

"IT'S NOT THE YEARS IN YOUR LIFE THAT COUNT. IT'S THE LIFE IN YOUR YEARS."

UNKNOWN

A Tip Of The Hat To:

Tim Dempsey
Re/Max Northeast
651 Exchange Place
Lilburn, Georgia 30047



Thank You

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