



Dannel P. Malloy

GOVERNOR
STATE OF CONNECTICUT

August 6, 2015

Attorney General George Jepsen
Office of the Attorney General
55 Elm Street
Hartford, CT 06106

Dear Attorney General Jepsen:

As you may know, there has been a recent news investigation concerning a mineral called pyrrhotite, one that, when found in the concrete foundations of homes, has been known to oxidize, expand, and cause structural cracking over time, leading to disintegration. News reports show that Connecticut homes have been potentially deleteriously impacted by this mineral. Unfortunately, foundation deterioration, which can occur subtly over decades, is often not covered by homeowner insurance policies.

Since this issue has come to light, my staff has worked diligently with State agencies. In particular, I have asked CTDOT to search for any instances of pyrrhotite oxidation. The agency has assured my office that testing and inspections are rigorous – and we can find no traces of pyrrhotite oxidation on any of our state-owned bridges in the relevant region in eastern Connecticut. The DOT has re-reviewed all of its bridge inspection reports – an elaborate process undertaken every two years in which every portion of a project is examined extremely closely – and has found no evidence of similar oxidation on any of its structures.

However, I remain very concerned for homeowners potentially affected by faulty concrete. Due to the potential deleterious effect on homes and the potential financial impact on homeowners, I believe this warrants further inquiry. As such, I am requesting that the Department of Consumer Protection initiate the Civil Investigative Demand process – or CID – with your office with the aim of determining whether consumer protection rules were violated, whether faulty concrete was knowingly poured and supplied to contractors, and whether there was any breach of a duty and consequent failure to notify homeowners and the State.

It is my belief that homeowners deserve answers. Undertaking this process as expeditiously as possible will help deliver those answers and enable the State to further understand the scope of the potential problem and, hopefully, pinpoint possible solutions.

In the interim, Commissioner Harris has assured me that his agency stands ready to field consumer complaints from those who believe they are impacted by this potentially faulty concrete. Further, Commissioner Wade at the Insurance Department has told me her staff will help any homeowners interpret their insurance policies to determine if there is recourse or action that can be taken. The people potentially affected deserve responsiveness from their government – and that’s what, together, we seek to deliver.

We look forward to the outcome of the CID process so the state can examine policy possibilities to prevent similar situations from ever occurring again and determine whether residents have any recourse.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dannel P. Malloy". The signature is fluid and cursive, with a large initial "D" and "M".

Dannel P. Malloy
Governor
State of Connecticut

Cc: Jonathan Harris, Commissioner of the Department of Consumer Protection