

Buffalo NY Man Fights for Right to Know About Toxic Waste Before Buying Home

May 10, 2024 **by Dan McCue**



Todd Carson outside his home in North Tonawanda, NY.

NORTH TONAWANDA, N.Y. — Todd Carson thought he was living the American dream.

The year was 2006 and with two small kids in elementary school, he and his wife decided to rent out their small apartment in Buffalo, New York, and move the family into an actual home.

Changes in real estate law under the Clinton administration helped.

“We could apply for a no documentation [mortgage] and didn’t need to put 20% down anymore, which made home ownership affordable to people like me, people who worked off the books at a part-time job on top of our regular jobs to make ends meet,” Carson said.

The family soon fell in love with a single-family home in North Tonawanda, the second largest city in Niagara County, New York.

Nestled in the far north end of town, near the border of the Town of Wheatfield, the area — once called “the Lumber Capital of the World” — was defined by ample green space that eventually ended at the Niagara River to the west and Tonawanda Creek to the south.

“There were some power lines in the area, but other than that, it seemed like there was a lot of space for people to use to hike and

bike and motorcycle, go four-wheeling, ride horses, whatever,” Carson said.

“There were trails people had made ... it was just bucolic,” he said.

For the Carsons, with a new home and a rental property mitigating some of their bills, it was a time to savor.

“In addition to simply having more space for the kids, we felt like we could enjoy life a little bit, take vacations and stuff ... things we had only dreamed about before,” he said.

What the family didn’t know was they had moved next door to a nightmare.

Failed Real Estate Project Becomes Toxic Waste Zone

Like many parts of the northeast in the late 19th and early 20th centuries, western New York had been a center of the nation’s industrial might. Railroads extended tracks to the Niagara River and the Great Lakes and large amounts of goods and raw material passed through the region.

In 1892, William T. Love, most often described as a railroad entrepreneur, began purchasing farm land along the Niagara River for an investment project.

The way Love saw it, if manufacturers wanted to continue building factories, they were going to need ample cheap power to do it.

Love’s idea was to connect the upper and lower Niagara River via a newly dug canal that would be six to seven miles wide and about 40 feet deep.

Water pouring in from the upper portion of the river would create a navigable channel, and the terminus at the other end would consist of a 280-foot, man-made waterfall and a facility to harness its power.

If all went well, Love believed, he’d be able to profit even further by overseeing the development of a “model planned community” on both sides of the canal, complete with resident neighborhoods, parks, community centers and a network of interconnected roads.

Things, however, did not go as planned. An economic downturn cut into Love’s wealth and that of his financial backers, and opposition

by environmentalists slowed what remaining progress he was able to make.

By the 1920s, with his model community only partially built, Love threw in the towel and the canal, 60 feet wide and 3,000 feet long, became a dump site for municipal refuse for the city of Niagara Falls.

Then, in the 1940s, the canal was purchased by the Hooker Chemical Company, which over the next decade would dump over 19,800 tons of chemical byproducts into the canal from the manufacturing of dyes, perfumes and solvents for rubber and synthetic resins.

This was completely above board. The Niagara Power and Development Company approved the plan and Hooker drained the canal, lining it with thick clay. Into the newly created trench, it began placing 55-gallon drums full of chemicals.

So secure was the site that it is believed the U.S. Army used it to discard radioactive sludge from the Manhattan Project, which produced America's first atomic bomb. Records from a 1991 federal court case in Buffalo appear to back up that belief.

Over time, and after additional land purchases, Hooker created a 16-acre landfill. The barrels were now buried at a depth of between 20 and 25 feet and the old canal was covered with a thick clay seal to prevent leakage. In no time, the entire area was covered with grass and brush and even a few trees.

Then, in March 1952, the superintendent of the Niagara Falls School Board reached out to Hooker to see if it might be interested in selling the Love Canal property.

The baby boom was on and the school district needed land to build new schools. Eventually, a deal was reached. Hooker would sell the land to the district for \$1; in return, the district agreed to wording in the deed transfer that absolved the company of any future liability related to the chemical waste buried on the property.

Construction of the first of two new schools got underway in January 1954, and shortly afterward, during an excavation for a foundation, workers discovered several 55 gallon drums containing chemical waste.

In response, the school board agreed to relocate the school some 85 feet from its planned location, and also moved a kindergarten playground that had been planned directly on top of a barrel location.

More than 400 children passed through the 99th Street Elementary School on its opening day in 1955, but the celebratory mood of the day was short-lived. Later that same year, a 25-foot section of earth crumbled, exposing more drums containing toxic chemicals.

When it rained, local residents later said, large puddles formed in the pit, puddles the community's children couldn't resist playing in.

Not long afterward, a second school, the 93rd Street School, opened six blocks away.

Almost unbelievably, this wasn't the only disaster waiting to happen. With its new schools in place, the school district sold the remaining land to private developers.

During the late 1950s, as a variety of low-income and single-family residences were being built on and around the city, the city of Niagara Falls began building sewers to accommodate them.

In doing so, city construction crews broke through the clay seal that had sat atop the canal, a problem exacerbated when contractors supervised by the state Department of Transportation subsequently punched holes in the clay walls of the canal to run water lines and, later, build a new parkway, the LaSalle Expressway.

This allowed the chemical waste to escape when rainwater, no longer kept out by the partially removed clay cap, washed the waste through the gaps in the walls.

The state DOT "solved" it over a six-week period between June 6 and July 15, 1968, by moving 1,600 cubic yards of chemical waste from the Love Canal site to the Niagara Sanitation landfill.

But from this point on, the buried chemicals migrated and seeped from the canal. Because the property had passed through a number of hands over the years, few new residents had any idea about the danger under their feet.

Despite complaints about foul smells, the prevalence of certain illnesses and the weird black and orange fluids that seemed to ooze

from the ground when it rained, by the 1970s, the development of Love Canal was considered a suburban success story.

Census data showed residents of the area had a higher than median income, and a majority of its homes were owned by families with young children.

Then in 1977, it all went to hell. The crisis began after a huge winter storm dumped as much as 45 inches of snow on Love Canal and its surrounding area. As it melted, the excess water dramatically spread contaminants that had already been leaching into the local groundwater.

The situation was made worse by the existence of the LaSalle Expressway, which had been built along the southern edge of the neighborhood in the late 1960s. Because it prevented the flow of groundwater to reach the Niagara River, the chemical soup was trapped and ultimately forced to the surface as the water table rose.

Worse, because building codes didn't require it, none of homes near Love Canal, all of which had basements, had any underground liners to prevent the chemicals from getting inside.

By the mid-spring of 1977, the New York State Department of Health and Environmental Conservation had begun an intensive air, soil and groundwater sampling. Their analysis showed an environmental catastrophe was unfolding.

In all, more than a dozen different harmful chemicals were found in the area, including dioxin and three toxic chlorinated hydrocarbons.

Soon both officials and investigative newspaper reporters were turning up evidence of widespread impacts on the Love Canal community. Women living in the area experienced an abnormal incidence of miscarriages, while children suffered from multiple birth defects.

Newspapers began to refer to Love Canal as a "public health time bomb." New York state declared a state of emergency in the community on Aug. 2, 1978.

Five days later, in an unprecedented move, President Jimmy Carter declared Love Canal a federal health emergency and ordered the

Federal Disaster Assistance Agency to assist the city of Niagara Falls in its response to the situation.

When Congress passed the Comprehensive Environmental Response, Compensation, and Liability Act, better known as the Superfund Act, in 1980, Love Canal was the first entry on the list.

In the end, 950 families were evacuated from the area and almost all of their homes were eventually demolished. The site was finally removed from the federal Superfund list on Sept. 30, 2004.

Prospective Homeowners Left Unaware

The infamy associated with Love Canal, which is located about eight miles northwest of North Tonawanda, was a distant memory as the Carson's proudly carried their belongings into their new home.

Nearly 29 years had passed, an entire generation. Though the couple would eventually learn that the green space they so enjoyed was a portion of the Niagara Sanitation landfill in Wheatfield, they never imagined that about 1,600 cubic yards of contaminated material from Love Canal had been taken there.

"We didn't know; there was no way for us to know," Carson said.

"We bought a house. We were excited about it. Who would have



thought they'd be digging up barrels of chemicals associated with Love Canal a quarter mile from my back porch?" he said.

Carson said the first hint that anything was amiss was when he started having problems in his personal life.

"Things just started getting weird," he said.

"Then one day, a road starts going in one house over from where we lived," he said.

Carson noticed the unpaved road cut into the vacant space next to his neighbor's yard on a day when his son had soccer practice. As it

happened, one of his fellow coaches was Eric Zadzilka, then a North Tonawanda alderman.

“I said, ‘Hey, Eric, what’s going on?’ And he goes, ‘Oh, well, it’s good news. They put the road in to remediate the Love Canal chemicals.’ And I was dumbstruck.

“I said, ‘Are you freaking kidding me?’ And he said, ‘No, no. This is a good thing. They got rid of it. It’s gone.’ But all I could think was, I’ve already lived here for 12 years — and this is the first I’ve heard about these chemicals. It just kind of blew me away,” he said.

For the rest of the practice and for days afterward, Carson’s mind raced.

Could the chemicals be responsible for things in his life that seemed inexplicable? And how could the city store the notorious chemicals on the site without putting fences up around it? Or installing a clay liner? Or a clay cap? Carson asked himself.

Though there were some records related to the dumping of the LaSalle Expressway material — if one knew to look for them — details were scant.

“They didn’t really do anything to protect the public,” he said.
“They just kind of dumped it there, people’s health and property values be damned.”

In fact, the Niagara Sanitation landfill had been officially closed a year before the poison seeping out of the ground at Love Canal made national headlines.

When it closed in 1968, the Niagara County Refuse Disposal District knew the large amounts of municipal and industrial solid and chemical wastes had been buried on the property. To protect the public, all exposed waste was covered with more than 20 inches of soil and clay and the site was graded, much of it allowed to simply go back to nature.

Despite its closure, environmental regulators kept an eye on the site, with wells on the site being periodically tested after 1985. Each time, they concluded the contamination on the site was still contained by the soil and clay put in place decades earlier.

Which is not to say there weren’t concerns about the site and what was buried on it.

In December 1991, Paul Dicky, a public health engineer with the Niagara County Health Department, wrote a memo to his supervisor, cc'd to an official with the state Department of Health in Albany, outlining the gulf that existed when it came to official perceptions and the reality at the old landfill.

When the Love Canal waste was dumped, he wrote, “the record implies that a sufficiently deep pit was dug and adequate cover was then placed over the waste.”

“It is important to note, however, that no documentation of the actual operation is available to review,” he said, adding that then-recent interviews with a waste hauler who had transported the Love Canal waste “revealed a less than perfect operation.”

One reason for this, he said, was that loads of waste arrived at the landfill faster than they could be handled. As a result, chemical wastes were disposed of at a much shallower depth than first believed.”

Dicky then turns to a site inspection conducted by state and Niagara health department officials that found that in certain areas, where, he noted, vegetation would not grow, “a distinctive ‘Hooker plant site odor’ is evident in the top three inches of soil.”

He then mentions that samples taken during the LaSalle Expressway excavation “found extremely high levels of benzoic acid with chlorotoluenes and benzoyl chloride.”

Both chemicals can be extremely hazardous to human health in high doses, with the latter being known to be corrosive to the eyes, skin and respiratory tract.

Dicky goes on to say that boring logs from the LaSalle Expressway project mention metal barrels containing chemical waste, but give no indication what became of them. He says “presumably” they too wound up in the landfill.

“The site conditions today show ... wastes exposed on the surface (much of it industrial),” Dicky wrote. “A pond is located adjacent to exposed waste and very near the chemical disposal area.”

The memo goes on to state that “no agency can document the exact location or depth of the chemical disposal,” that “no comprehensive sampling of the chemical wastes is available,” and the condition and

thickness over the waste is unknown (though surface soil odors implies it is not sufficient to contain migration).”

“Most important,” Dicky continued, “the unsuspecting public remains free to roam the site, unaware there is a large file documenting the disposal of chemical wastes in the area and that the agencies can only guess as to the locale and condition of the tire pit that holds them.”

Dicky closes his memo with a recommendation — that the site be reclassified as a hazardous site and then a fence and warning signs be posted around it.

“Your fastest action possible is requested,” he says, noting that a full-scale investigation and remediation of the site could take years, years during which “adjacent neighborhoods are at risk to direct contact exposure to unknown wastes protruding throughout the site.”

Dicky’s memo proved prophetic.

After insisting in public for 25 years that the closed landfill posed no significant health threat, state officials changed their minds in the early 2010s and began to act in earnest on the conditions there.

In a written statement provided to The Well News, a spokesperson for the state Department of Environmental Conservation said, “DEC, in consultation with the New York State Department of Health, evaluated all data and information associated with our comprehensive investigation and scientifically determined that the contaminants in the landfill did not adversely impact off-site properties and did not present a health risk to off-site residents.

“If any data indicated otherwise, DEC would always take action to ensure the public and environment are protected,” the statement said.

State officials said investigations are rigorously developed to ensure the most comprehensive understanding of a site and to develop and undertake any necessary actions to protect public health and the environment.

In the case of Department of Environmental Conservation’s investigation of the Niagara Sanitation landfill included a detailed assessment of groundwater flow potential, the nature, location and

extent of any contamination within the landfill, including lithology, preferential migration pathways, exposure pathways, and other analysis to ensure a full understanding of the landfill area.

As part of the remediation of the Niagara Sanitation landfill site, Occidental Chemical Corp. entered into an Order on Consent with DEC on Oct. 2, 2014. The Consent Order required Occidental to clean-up a 0.25-acre portion of the Niagara Sanitation site and remove the legacy wastes that had been interred at the landfill since the late 1960s.

Excavation of Love Canal waste began in December 2014 and continued through June 2015, state officials said. Carson and other maintain they were unaware this was happening.

State officials, however, said a fact sheet on the project was widely disseminated beforehand and had been the subject of extensive press coverage.

In all, about 80 dump trucks full of Love Canal waste were removed from the Niagara Sanitation landfill site and transported to designated facilities including in Ontario, Canada; Nebraska and Utah where they were properly disposed of or incinerated.



(Photo by Todd Carson)

In 2016, a year after the remedial work had been completed, the New York State Department of Environmental Conservation changed the status of the old Niagara Sanitation Landfill in Wheatfield to that of a Superfund site.

After years of finding the threat posed by the material had been managed, the state agency concluded it presented “a significant threat to public health and the environment.”

Word of the reclassification was a thunderbolt to Carson and his neighbors in and around North Tonawanda.

Then Wheatfield Supervisor Robert Cliffe spoke for many in February 2016 when he mused before local reporters about the incident.

“You get rid of all the Love Canal material and make it worse? It doesn’t make any sense to me,” Cliffe said.

State regulators tried to be reassuring, telling local officials who were directly bearing the brunt of residents’ concerns, that the new classification would unleash new resources for use in cleaning up the site.

State Sen. Robert Ortt secured \$75,000 in state funds to have a fence installed around the landfill, and the Town of Wheatfield approved the transfer of another \$76,000 to the project. However, even then, it took nearly two years for the installation to be completed.

In the meantime, local residents began to talk more and more about what seemed to be a concentration of cancer and other illnesses in the neighbors around the idled landfill.

Many also complained the growing amount of publicity about the site and what was buried there made it impossible for them to sell their homes, potentially exposing them to further health risks.

Shortly thereafter, residents near the landfill, which is owned by the town of Wheatfield, began speaking out about a concentration of illness among neighbors on Forbes Street in North Tonawanda. A lawsuit was later filed against the town listing more than 100 plaintiffs.

In March 2017, more than 100 residents who lived on the perimeter of the landfill filed suit against the Town of Wheatfield, claiming

the contaminants on the site had made them sick.

U.S. District Judge Christina Reiss dismissed the lawsuit in June 2019, after finding that the residents had failed to provide enough of a link between their illness and the chemicals that had been dumped in the landfill.

More litigation followed, but Carson said they were stymied by technicalities.

In one case that aimed to hold the Occidental Chemical Corporation, Bell Helicopter Textron, Inc., Crown Beverage Packaging, LLC, Greif, Inc., Republic Services, Inc. and Honeywell International Inc., a dismissal was handed down because the plaintiffs' had failed to sign a promissory note to cover the cost of additional environmental tests at the site.

"In a way that I don't quite understand, it came down to somehow not meeting a requirement of the CERCLA, the Superfund Act," Carson said. "Basically, they insisted we had had an obligation to sign a promissory note that would have stated that if we won, the cost of tests at the site would have come out of our winnings ... and if we lost, we have to pay them back.

"Once the court agreed with them, they got out of our lawsuit really quick and easy," he said.

A Man on a Mission for More Disclosure

By this time, Carson said, he was beginning to feel like a broken man, figuratively and literally.

Discouraged, approaching middle age and in tremendous pain from nine herniated discs, he decided to quit his \$70,000 a year job and become a realtor, which he felt would be easier on his back.

Surgery followed, but Carson still qualified for 80% disability.

"With that, and my veterans benefits, I was able to scrape by without too much pain doing real estate, and then the company I was working for was sold, so I decided to move to another," he said.

"What happened next is the kind of thing that makes you think there's some universal power that put you here," he continued.

Carson recalled waking up the morning of his first day with a new real estate company and being in an emotionally bad place.

“I got up, got dressed, but was really feeling like my life had been a bunch of bad decisions in a row, and I’m feeling pretty bad,” he said. “I was trying to figure out how to make this thing work better ... how to be a better single dad and so forth, and then I let my dog, Casper, out and stepped into the yard behind him.”

Carson said at the time he had a relationship with his next door neighbor that was not unlike the relationship the comedian Tim Allen had with his fictitious neighbor, Wilson, on the television sitcom “Home Improvement.”

“We’d talk over the fence from time to time, and on this particular morning he calls me over and says, ‘Hey, did you hear about the testing?’” Carson remembered. “I said, ‘No, what are you talking about?’”

The neighbor said the results of new environmental tests appeared to bolster the residents’ position that their health had been impaired by toxins in the landfill. But Carson, still in a bad state of mind, latched onto something else the neighbor said — that the new round of testing had been going on for two years by that point.

“All I could think was, ‘This has been going on for two years and no one has mentioned this to me?’” he said. “It was kind of devastating. I thought I had very cool neighbors and now I’m standing in my yard, thinking the sense of community I thought existed wasn’t even real.

“It’s hard to describe, but I felt like there were less people in my life all of a sudden,” he continued. “You know, your wife is gone, your children aren’t happy with you, and now you’re feeling completely isolated from your neighbors.”

Carson willed himself into his car, and made the half-hour drive to Lewiston, New York, where the office of his new employer, Coldwell Banker Integrity Real Estate, was located.

Stepping inside, he put on as brave a face as he could and introduced himself to the woman on desk duty.

“I’m Todd Carson, the new realtor,” he said.

“What’s wrong?” she asked.

“What do you mean, what’s wrong? Nothing’s wrong,” he said.

“Don’t lie to me,” she responded. “I’m a mother. I can see it in your face.”

With that, Carson unburdened himself about his failed marriage, his difficulties as a single father, and the fact that he’d been rehabbing his home, but had just gotten word that maybe he should just forget about it, because there’d been this new testing and now there was proof he lived in a toxic zone.

“So I’m in the middle of all this, and she turns away, picks up the phone and starts dialing ... without a word of explanation,” Carson said. “And I’m thinking, what the hell is the matter with people today? Here I am, pouring my heart out to a complete stranger, and she just turns away from me.”



(Photo by Todd Carson)

But then, the woman turned back to Carson and handed him the phone.

On the other end of the call was the woman’s daughter, Christen Civileto, who happened to be the attorney who’d spread word of the new round of testing.

“All I could think was, ‘This is pretty miraculous,’” Carson said. “I learn this news out of the blue, and a half hour later, by chance, I’m on the phone talking to the attorney about the case.

“I suddenly went from feeling miserable to feeling like I got put in this situation for a reason. I was meant to help fight this thing and the people who made it happen,” he said.

Carson and the attorney talked for another 20 minutes, and finally, he asked what he could do.

“Go take pictures,” she said. “Get some shots of what you find and send them to me.”

Setting out with his camera over the next several days, Carson shot pictures of exposed wells, a stainless steel Master Lock rusted solid and other signs of possible pollution and absence of care on the site.

“They were supposed to be out there testing these wells at least annually, and clearly that hadn’t been done,” he said.

Soon, the attorney was having a grid laid out on the site and even more comprehensive testing conducted, with samples being sent to a Canadian lab because no one involved in the case trusted a U.S. lab to handle them.

Carson, meanwhile, began to review the Love Canal case, looking at it with his newly trained realtor’s eyes.

“As a realtor, of course, you’re subject to all kinds of disclosures and laws, but for some reason, none of them seemed to apply in 1976, 1977, when Love Canal happened,” he said. “President Nixon may have started the EPA, but it wasn’t properly funded until President Carter closed the circle and Love Canal brought things to a head.

“Even then, it seems like the people who were impacted really didn’t get a good response from the government. Some people were moved to new homes, some people got paid, but a heck of a lot of them had cancer and birth defects and ultimately died,” he said. “One of the women involved in our new lawsuit lived in Love Canal with her family.

“They got a bit of money, got relocated, but ultimately, the home they moved into was right here, where this remediation took place. In a way, they moved out of the frying pan and into the fire,” he said. “Or at least, from exposure to exposure.”

Carson’s new purpose in life is to fight for passage of the kind of real estate **disclosure law** that would have protected people like himself, who unwittingly moved his family into a toxic waste zone, or his co-plaintiff, whose family thought they’d escaped exposure to deadly toxins, only to move right next door to them.

The new lawsuit Carson referred to was actually filed six years ago and is only now in the discovery phases.

Still he's hopeful that this time, "We're going to win.

"The bottom line is the state knew about this and the federal government probably knew about this — as far back as the 1960s. If anybody had simply told people what the risks of living in this area were, I'm sure a lot of different decisions would have been made," he said.

Drawing a deep breath, Carson allows, "That's a lot, man.

"I get angry. I get frustrated. And I don't understand why our government doesn't protect us like they're supposed to," he said. "I don't understand why, if somebody did propose a real estate disclosure law like I'm now advocating for, why it didn't get enacted.

"I mean, I can't believe I'm the first person to think of the kind of disclosure requirements I'm talking about," he said.

Carson frames his argument in favor of a real estate disclosure law regarding historically dumped toxins as a human rights and civil rights issue.

"It's a human right in that we all deserve to know," he said. "And I also believe that we all personally have a duty to tell other people if there's a danger present. I don't know if everybody believes that, but I do.

"I think if there's a known danger, I have a duty to tell ... and I have a right to know," he said. "I mean, if I knew you were about to drive into a deep trench, I should tell you, right? And you should do the same for me."

In practice, Carson said, what he wants to see enacted is a law requiring that if a house gets tested and is found positive for the presence of industrial toxic waste, the results must be filed at the local county courthouse, along with the title.

"And then, when it's been remediated properly, the law would require that another testing agency come in and test and verify that the property is clean of contaminants and place that in the file in the county courthouse as well," he said.

“To me, that seems like a disclosure requirement that is as effective as it is quiet and low key to carry out. And it’s a permanent record, attached to that property forever,” he said.

Carson’s proposal has a second component that requires disclosure if a given property is within a certain distance from a known Superfund or otherwise designated toxic waste site.



(Photo by Todd Carson)

“The lawmakers and regulators would have to choose the distance incorporated into any law, but the way I discuss it is by saying, ‘If a buyer or renter is buying or renting a place within, say, five miles of a known site, they would get a disclosure, just like you do for lead paint, mold or whatever disclosures are already on the books.

“As far as the paperwork goes, realtors already use disclosure forms in their work; all you’d have to do is add another line or another check box, no big deal,” he said. “It’s not like moving buildings. It’s simple. It’s really easy. And I don’t understand why we can’t do it. I think it just might make the world a little better place.”

Carson admitted, not everyone he’s spoken with has embraced his idea.

“One guy said, ‘F**k ‘em, let the buyer beware,’” he said. “And you know, if I were a 70-year-old, single guy, buying or renting a place, I

might not give a sh*t if it's across the street from Love Canal if it's \$350 a month.

“But if I’m 21 and married and my wife is pregnant with triplets, I would like to know, and if I didn’t know and for some reason couldn’t find out, I’d probably choose another place,” he said.

Carson has also failed to make headway with his elected representatives.

After contacting the office of Republican Rep. Nicholas Langworthy, he received a **letter** dated April 11, 2024, in which the first-term congressman said in part, “As you may know, there are already several federal and state laws that cover the disclosure of certain chemicals when a property is purchased, such as New York’s Property Content Disclosure Act of 2002.

“Since enactment, this legislation has allowed a property buyer to receive a \$500 credit against the purchase price if the seller fails to provide a completed disclosure form. Additionally, the Residential Lead-Based Paint Hazard Reduction Act of 1992 requires the disclosure of lead and lead paint in property and rental sales,” he said.

Langworthy went on to say, “I have concerns about the burden that additional regulations could have on both existing and future landowners. Rising interest and inflation rates due to reckless federal spending have made it difficult for Americans to choose to buy instead of rent, as U.S. homeownership has flatlined at 66%.

“More red tape that requires third parties and additional government involvement could only lead to increased costs being passed down to homebuyers, and therefore resulting in progressively less property owners over time,” he added.

The Well News reached out to Langworthy’s office, as well as those of Reps. Joseph Morelle, a Democrat, and Claudia Tenney, a Republican, whose district’s are adjacent to Langworthy’s, and those of Democratic Sens. Charles Schumer and Kirsten Gillibrand, all seeking comment.

None have so far responded to a request for comment.

Carson said it blows his mind to think that he could possibly be the first person to suggest such a solution, but allows that he also has

no idea how to find out if such a disclosure has ever been discussed and “shut down” for one reason or another.

“Probably, nobody would ever admit that that had happened, but you never know. Until then, I’ll claim it as my own idea and keep working, hoping a lawmaker or regulator will take up the cause,” he said.

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What changes in real estate law helped Todd Carson and his family afford home ownership in 2006?

- ☐ No need for a down payment
- ☐ Lower interest rates
- ☐ No documentation required for mortgages

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