



**FOR IMMEDIATE RELEASE – May 13, 2020**

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**MEDIA RELEASE**

## **COVID Lawsuit: Builders Association Argue Gov. Wolf Coronavirus Rule Disadvantages Residential Construction**

**PITTSBURGH, PA** – Builders from across the Pittsburgh region went to court this week in an effort to urge Governor Tom Wolf to revise rules for construction that make it harder to build homes than to build offices. Current guidelines impose a cap on the number of workers on residential projects but not commercial projects.

The Builders Association of Metropolitan Pittsburgh (BAMP) filed an emergency petition with the state Commonwealth Court in the Western District. It challenges Gov. Wolf and Department of Health Secretary Dr. Rachel Levine’s Guidance for Businesses in the Construction Industry. Currently, the guidelines limit all indoor construction projects to four workers per 2,000 square feet. **However, commercial projects are permitted to add one worker for every additional 500 square feet. BAMP is asking the Governor to provide the same permission for residential projects.** Projects under this revised guideline would continue to follow safety and social distancing directives from CDC, OSHA and the Pa. Department of Health.

**“Housing is essential. But the current rule needlessly prevents homebuilders from providing it. We are committed to perform our jobs safely. We only ask to follow the same safety standards as our colleagues in commercial construction,”** said BAMP Executive Director James Eichenlaub. **“We all recognize the Governor is dealing with an unprecedented crisis and we regret that we were unable to resolve this issue through other channels. Our greatest hope is that the administration will revise its guidance as soon as possible so we can drop this lawsuit and get back to work.”**

The rule in question applies to both red and yellow phases of county-specific guidance from the Department of Health. It is important to seek this revision now because the timeline of reopening is unknown, and may even reverse depending on the status of the pandemic. BAMP represents builders in Allegheny, Beaver, Butler, Greene, Washington and Westmoreland counties.

The complaint asserts that the Governor and Secretary of Health have violated the equal protections of member businesses provided under both the Commonwealth and United States Constitutions. BAMP is represented in the lawsuit by Kristen Moritz with Gest Moritz LLC in

Carnegie. Getz Moritz specializes in the representation of construction industry professionals, including residential builders and developers.

A copy of the filing is available on request.

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**ABOUT BUILDERS ASSOCIATION OF METRO PITTSBURGH (BAMP)**

Serving the metropolitan Pittsburgh region, the Builders Association of Metropolitan Pittsburgh (BAMP) is one of the oldest builders' associations in the country. Founded in 1938, BAMP currently serves 600 member companies located in southwestern Pennsylvania in the promotion of home ownership and the improvement of the residential building industry. A non-profit trade association, BAMP is comprised of home builders, light commercial contractors, land developers, remodelers and associated businesses, including suppliers, trade contractors, lenders, manufactures, utilities, real estate professionals, engineers, architects and designers. For additional information about BAMP, visit [www.pghhomebuilders.com](http://www.pghhomebuilders.com).