

# Virginia to License Mold Remediators and Inspectors

by Tom Scarlett

Virginia has passed another new law to regulate the mold remediation industry in the state. This time, the state has changed its regulatory body for home inspections to reflect the increasing importance of mold remediation.

The Virginia Board for Asbestos, Lead, and Home Inspectors will now be known as the Virginia Board for Asbestos, Lead, Mold and Home Inspectors. Instead of having 10 members as in the past, it will have 11, one of whom

will be a licensed mold inspector or a licensed mold remediator.

The licensing board was created by the General Assembly in 1993 to oversee asbestos licensing regulations. It was expanded in 1994 to include lead-based paint activities licensing, and again in 2001 to include home inspector certification.

Now the issue of mold has become sufficiently prominent that key state lawmakers and Gov. Tim Kaine (D) decided to expand

the panel's reach again.

The board will make any necessary revisions concerning the licensing of mold remediation professionals in the state. It may issue a license to perform mold inspections or mold remediation to any applicant who is certified by a national or state professional mold inspectors or mold remediators association approved by the board, provided that the requirements for the applicant's class of membership in such association are equal to or exceed the

requirements established for all applicants.

Other members of the board represent asbestos contractors, lead abatement specialists, risk assessors, certified general home inspectors and citizen members.

The mold inspector or mold remediator member appointed to the board will have practiced as a mold inspector or mold remediator for at least three consecutive years immediately prior to appointment. The mold inspector or mold remediator member will not vote on any matters before the Board except matters related to mold inspection or remediation until July 1, 2010.

The board will meet at least four times a year and will "promulgate regulations for licensing of mold inspectors and mold remediators consistent with this chapter regarding the professional qualifications of such applicants, the requirements necessary for passing applicable examinations in whole or in part, the proper conduct of its examinations, the proper conduct of the mold inspectors and mold remediators licensed by the board, the implementation of exemptions from licensure requirements, and the proper discharge of its duties."

Additionally, the board will have the discretion to impose different requirements for licensure for the performance of mold inspections and mold remediation.

For the purposes of the new law, mold analysis means the examination of a sample collected during a mold inspection for the purpose of determining the amount or presence of or identifying the genus, species, or functional grouping of any living or dead mold present in the sample or identifying or determining the amount or presence of any fungal products including, but not limited to, mycotoxins and fungal volatile organic compounds present in the sample.

"Mold inspection" includes an inspection, investigation, or survey of a dwelling or other structure to determine the presence of mold; the development of a mold management plan or mold remediation protocol; or the collection or analysis of a mold sample.

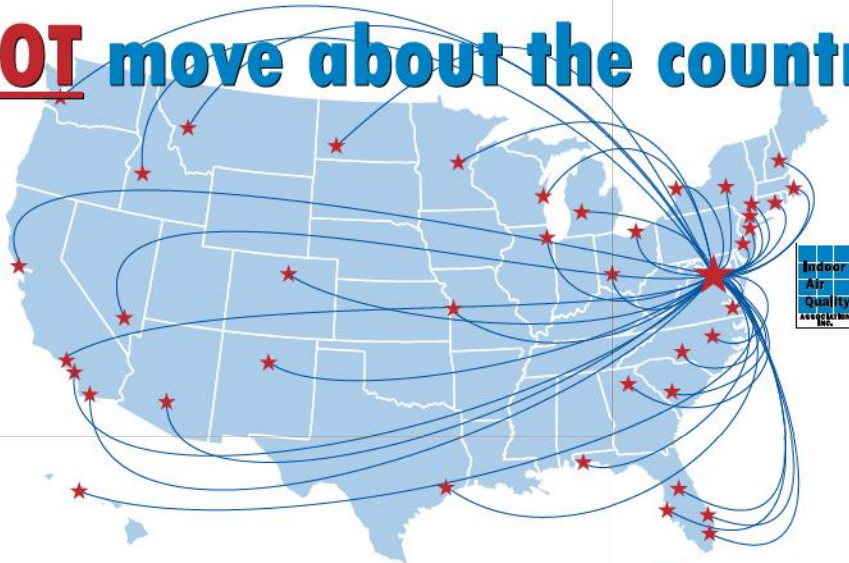
The two home inspector members appointed to the board will have practiced as home inspectors for at least five consecutive years immediately prior to appointment. Each home inspector appointment to the Board may be made from nominations submitted by the National Association of Home Inspectors and the American Society of Home Inspectors, who may each nominate no more than three persons for each home inspector vacancy.

As *IE Connections* reported last month, another new Virginia law, which was signed by Gov. Kaine on March 11, requires landlords to certify that the premises they are renting are mold-free, and to pay for the expenses of their tenants if that certification turns out to be erroneous.

The old housing code merely required landlords to "comply with the requirements of applicable building and housing codes materially affecting health and safety."

The new law adds a specific requirement that landlords "maintain the premises in such a condition as to prevent the accumulation of moisture and the growth of mold, and to promptly respond to any notices" of mold contamination.

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