

REFERENCE TITLE: certified mold assessors and remediators

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HB 2388

Introduced by
Representative Seel

AN ACT

CHANGING THE DESIGNATION OF TITLE 32, CHAPTER 1, ARIZONA REVISED STATUTES, TO "ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, HOME INSPECTORS, LANDSCAPE ARCHITECTS, SURVEYORS AND MOLD ASSESSORS AND REMEDIATORS"; AMENDING SECTION 32-101, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-113; AMENDING TITLE 32, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-132; AMENDING SECTION 32-144, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 1, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 32-153 AND 32-154; RELATING TO THE STATE BOARD OF TECHNICAL REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Heading change

3 The chapter heading of title 32, chapter 1, Arizona Revised Statutes,
4 is changed from "ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, HOME
5 INSPECTORS, LANDSCAPE ARCHITECTS AND SURVEYORS" to "ARCHITECTS, ASSAYERS,
6 ENGINEERS, GEOLOGISTS, HOME INSPECTORS, LANDSCAPE ARCHITECTS, SURVEYORS AND
7 MOLD ASSESSORS AND REMEDIATORS".

8 Sec. 2. Section 32-101, Arizona Revised Statutes, is amended to read:

9 32-101. Purpose; definitions

10 A. The purpose of this chapter is to provide for the safety, health
11 and welfare of the public through the promulgation and enforcement of
12 standards of qualification for those individuals registered or certified and
13 seeking registration or certification pursuant to this chapter.

14 B. In this chapter, unless the context otherwise requires:

15 1. "Advertising" includes business cards, signs or letterhead provided
16 by a person to the public.

17 2. "Architect" means a person who, by reason of knowledge of the
18 mathematical and physical sciences and the principles of architecture and
19 architectural engineering acquired by professional education and practical
20 experience, is qualified to engage in the practice of architecture as
21 attested by registration as an architect.

22 3. "Architect-in-training" means a candidate for registration as a
23 professional architect who is a graduate of a school approved by the board or
24 who has five years or more of education or experience, or both, in
25 architectural work which meets standards specified by the board in its rules.
26 In addition, the candidate shall have passed the architect-in-training
27 examination.

28 4. "Architectural practice" means any professional service or creative
29 work requiring architectural education, training and experience, and the
30 application of the mathematical and physical sciences and the principles of
31 architecture and architectural engineering to such professional services or
32 creative work as consultation, evaluation, design and review of construction
33 for conformance with contract documents and design, in connection with any
34 building, planning or site development. A person shall be deemed to practice
35 or offer to practice architecture who in any manner represents that the
36 person is an architect, or is able to perform any architectural service or
37 other services recognized by educational authorities as architecture.

38 5. "Assayer" means a person who analyzes metals, ores, minerals, or
39 alloys in order to ascertain the quantity of gold or silver or any other
40 substance present in them. A person employed on a full-time basis as an
41 assayer by an employer engaged in the business of developing, mining or
42 treating ores or other minerals shall not be deemed to be engaged in assaying
43 practice for the purposes of this chapter if the person engages in assaying
44 practice exclusively for and as an employee of such employer and does not
45 represent that the person is available and is not represented as being

1 available to perform any assaying services for anyone other than the person's
2 employer.

3 6. "Assayer-in-training" means a candidate for registration as a
4 professional assayer who is a graduate of a school and curriculum approved by
5 the board or who has four years or more of education or experience, or both,
6 in assaying work which meets standards specified by the board in its rules.
7 In addition, the candidate shall have passed the assayer-in-training
8 examination.

9 7. "Assaying practice" means any professional service or work
10 requiring assaying education, training and experience and the application of
11 special knowledge of the mineral sciences to such service or work as
12 consultation and the evaluation of minerals. A person is deemed to practice
13 or offer to practice assaying who in any manner represents that the person is
14 an assayer or is able to perform any assaying service or other services
15 recognized by educational authorities as assaying.

16 8. "Board" means the state board of technical registration.

17 9. "Certified remediation specialist" means a person who has been
18 certified by the board to perform, supervise and review environmental
19 remediations if the use of a certified remediation specialist is specifically
20 authorized by title 49 and rules adopted pursuant to title 49.

21 10. "Drug laboratory site remediation firm" means a firm that is
22 licensed by the registrar of contractors pursuant to chapter 10 of this title
23 and that performs remediation of residual contamination from the manufacture
24 of methamphetamine, ecstasy or LSD or the storage of chemicals or equipment
25 used in manufacturing methamphetamine, ecstasy or LSD. For the purposes of
26 this paragraph:

27 (a) "Ecstasy" has the same meaning prescribed in section 13-3401,
28 paragraph 6 and includes any of the precursor chemicals, regulated chemicals,
29 other substances or equipment used in the unlawful manufacture of the
30 dangerous drug.

31 (b) "LSD" has the same meaning prescribed in section 13-3401,
32 paragraph 6 and includes any of the precursor chemicals, regulated chemicals,
33 other substances or equipment used in the unlawful manufacture of the
34 dangerous drug.

35 (c) "Methamphetamine" has the same meaning prescribed in section
36 13-3401, paragraph 6 and includes any of the precursor chemicals, regulated
37 chemicals, other substances or equipment used in the unlawful manufacture of
38 the dangerous drug.

39 11. "Engineer" means a person who, by reason of special knowledge of
40 the mathematical and physical sciences and the principles and methods of
41 engineering analysis and design acquired by professional education and
42 practical experience, is qualified to practice engineering as attested by
43 registration as a professional engineer.

44 12. "Engineering practice" means any professional service or creative
45 work requiring engineering education, training and experience and the

1 application of special knowledge of the mathematical, physical and
 2 engineering sciences to such professional services or creative work as
 3 consultation, research investigation, evaluation, planning, surveying as
 4 defined in paragraph 22, subdivisions (d) and (e), design, location,
 5 development, and review of construction for conformance with contract
 6 documents and design, in connection with any public or private utility,
 7 structure, building, machine, equipment, process, work or project. Such
 8 services and work include plans and designs relating to the location,
 9 development, mining and treatment of ore and other minerals. A person shall
 10 be deemed to be practicing or offering to practice engineering if the person
 11 practices any branch of the profession of engineering, or by verbal claim,
 12 sign, advertisement, letterhead, card or any other manner represents that the
 13 person is a professional engineer, or is able to perform or does perform any
 14 engineering service or other service recognized by educational authorities as
 15 engineering. A person employed on a full-time basis as an engineer by an
 16 employer engaged in the business of developing, mining and treating ores and
 17 other minerals shall not be deemed to be practicing engineering for the
 18 purposes of this chapter if the person engages in the practice of engineering
 19 exclusively for and as an employee of such employer and does not represent
 20 that the person is available and is not represented as being available to
 21 perform any engineering services for persons other than the person's
 22 employer.

23 13. "Engineer-in-training" means a candidate for registration as a
 24 professional engineer who is a graduate in an approved engineering curriculum
 25 of four years or more of a school approved by the board or who has had four
 26 years or more of education or experience, or both, in engineering work which
 27 meets standards specified by the board in its rules. In addition, the
 28 candidate shall have passed the engineer-in-training examination.

29 14. "Firm" means any individual or partnership, corporation or other
 30 type of association, including the association of a nonregistrant and a
 31 registrant who offers to the public professional services regulated by the
 32 board.

33 15. "Geological practice" means any professional service or work
 34 requiring geological education, training and experience, and the application
 35 of special knowledge of the earth sciences to such professional services as
 36 consultation, evaluation of mining properties, petroleum properties and
 37 groundwater resources, professional supervision of exploration for mineral
 38 natural resources including metallic and nonmetallic ores, petroleum and
 39 groundwater, and the geological phases of engineering investigations.

40 16. "Geologist" means a person, not of necessity an engineer, who by
 41 reason of special knowledge of the earth sciences and the principles and
 42 methods of search for and appraisal of mineral or other natural resources
 43 acquired by professional education and practical experience is qualified to
 44 practice geology as attested by registration as a professional geologist. A
 45 person employed on a full-time basis as a geologist by an employer engaged in

1 the business of developing, mining or treating ores and other minerals shall
2 not be deemed to be engaged in geological practice for the purposes of this
3 chapter if the person engages in geological practice exclusively for and as
4 an employee of such employer and does not represent that the person is
5 available and is not represented as being available to perform any geological
6 services for persons other than the person's employer.

7 17. "Geologist-in-training" means a candidate for registration as a
8 professional geologist who is a graduate of a school approved by the board or
9 who has had four years or more of education or experience, or both, in
10 geological work which meets standards specified by the board in its rules.
11 In addition, the candidate shall have passed the geologist-in-training
12 examination.

13 18. "Home inspection" means a visual analysis for the purposes of
14 providing a professional opinion of the building, any reasonably accessible
15 installed components and the operation of the building's systems, including
16 the controls normally operated by the owner, for the following components of
17 a residential building of four units or less:

- 18 (a) Heating system.
- 19 (b) Cooling system.
- 20 (c) Plumbing system.
- 21 (d) Electrical system.
- 22 (e) Structural components.
- 23 (f) Foundation.
- 24 (g) Roof covering.
- 25 (h) Exterior and interior components.
- 26 (i) Site aspects as they affect the building.
- 27 (j) Pursuant to rules adopted by the board, swimming pool and spa.

28 19. "Home inspection report" means a written report that is prepared
29 for compensation, that is issued after a home inspection and that clearly
30 describes and identifies the inspected systems, structures and components of
31 a completed dwelling and any visible major defects found to be in need of
32 immediate major repair and any recommendations for additional evaluation by
33 appropriate persons.

34 20. "Home inspector" means an individual who is certified pursuant to
35 this chapter as a home inspector and who engages in the business of
36 performing home inspections and writing home inspection reports.

37 21. "Home inspector-in-training" means a candidate for certification as
38 a home inspector who has completed a course of study approved by the board
39 and who is participating in a training program that complies with standards
40 recommended by the home inspector rules and standards committee and approved
41 by the board.

42 22. "Land surveying practice" means the performance of one or more of
43 the following professional services:

1 (a) Measurement of land to determine the position of any monument or
2 reference point which marks a property line, boundary or corner for the
3 purpose of determining the area or description of the land.

4 (b) Location, relocation, establishment, reestablishment, setting,
5 resetting or replacing of corner monuments or reference points which identify
6 land boundaries, rights-of-way or easements.

7 (c) Platting or plotting of lands for the purpose of subdividing.

8 (d) Measurement by angles, distances and elevations of natural or
9 artificial features in the air, on the surface and immediate subsurface of
10 the earth, within underground workings and on the surface or within bodies of
11 water for the purpose of determining or establishing their location, size,
12 shape, topography, grades, contours or water surface and depths, and the
13 preparation and perpetuation of field note records and maps depicting these
14 features.

15 (e) Setting, resetting or replacing of points to guide the location of
16 new construction.

17 23. "Land surveyor" means a person who by reason of knowledge of the
18 mathematical and physical sciences, principles of land surveying and evidence
19 gathering acquired by professional education or practical experience, or
20 both, is qualified to practice land surveying as attested by registration as
21 a land surveyor. A person employed on a full-time basis as a land surveyor
22 by an employer engaged in the business of developing, mining or treating ores
23 or other minerals shall not be deemed to be engaged in land surveying
24 practice for purposes of this chapter if the person engages in land surveying
25 practice exclusively for and as an employee of such employer and does not
26 represent that the person is available and is not represented as being
27 available to perform any land surveying services for persons other than the
28 person's employer.

29 24. "Land surveyor-in-training" means a candidate for registration as a
30 professional land surveyor who is a graduate of a school and curriculum
31 approved by the board, or who has four years or more of education or
32 experience, or both, in land surveying work which meets standards specified
33 by the board in its rules. In addition, the candidate shall have passed the
34 land surveyor-in-training examination.

35 25. "Landscape architect" means a person who, by reason of professional
36 education or practical experience, or both, is qualified to engage in the
37 practice of landscape architecture as attested by registration as a landscape
38 architect.

39 26. "Landscape architect-in-training" means a candidate for
40 registration as a professional landscape architect who is a graduate of a
41 school approved by the board or who has had four years or more of education
42 or experience, or both, in landscape architectural work which meets standards
43 specified by the board in its rules. In addition, the candidate shall have
44 passed the landscape architect-in-training examination.

1 27. "Landscape architectural practice" means the performance of
2 professional services such as consultations, investigation, reconnaissance,
3 research, planning, design or responsible supervision in connection with the
4 development of land and incidental water areas where, and to the extent that,
5 the dominant purpose of such services is the preservation, enhancement or
6 determination of proper land uses, natural land features, ground cover and
7 planting, naturalistic and aesthetic values, the settings of and approaches
8 to buildings, structures, facilities or other improvements, natural drainage
9 and the consideration and the determination of inherent problems of the land
10 relating to erosion, wear and tear, light or other hazards. This practice
11 shall include the location and arrangement of such tangible objects and
12 features as are incidental and necessary to the purposes outlined in this
13 paragraph but shall not include the making of cadastral surveys or final land
14 plats for official recording or approval, nor mandatorily include planning
15 for governmental subdivisions.

16 28. "MOLD" MEANS ANY FUNGUS, INCLUDING SPORES, HYPHAE AND MYCELLIAL
17 FRAGMENTS, NOT GROWN ON-SITE FOR A SPECIFIC PURPOSE.

18 29. "MOLD ASSESSOR" MEANS A PERSON WHO, FOR A FEE, PERFORMS THE SERVICE
19 OF EXAMINING RESIDENTIAL OR COMMERCIAL BUILDINGS TO CONFIRM OR REFUTE THE
20 PRESENCE OF A PROLIFERATIVE SOURCE OF MOLD IN A RESIDENTIAL OR COMMERCIAL
21 BUILDING.

22 30. "MOLD REMEDIATOR" MEANS A PERSON WHO, FOR A FEE, PERFORMS MOLD
23 REMEDIATION PROJECTS ON RESIDENTIAL OR COMMERCIAL BUILDINGS FOR THE PURPOSE
24 OF REMOVING MOLD IN EXCESS OF TEN SQUARE FEET.

25 ~~28-~~ 31. "On-site supervisor" means the employee of a drug laboratory
26 site remediation firm who is authorized to oversee on-site workers in the
27 performance of their duties.

28 ~~29-~~ 32. "On-site worker" means an employee of a drug laboratory site
29 remediation firm who has on-site duties or who handles contaminated
30 materials, chemicals or contaminated equipment.

31 ~~30-~~ 33. "Person" means any individual, firm, partnership, corporation,
32 association or other organization.

33 ~~31-~~ 34. "Principal" means an individual who is an officer of the
34 corporation or is designated by a firm as having full authority and
35 responsible charge of the services offered by the firm.

36 ~~32-~~ 35. "Registrant" means a person registered or certified by the
37 board.

38 ~~33-~~ 36. "Registration" means a registration or certification issued by
39 the board.

40 Sec. 3. Title 32, chapter 1, article 1, Arizona Revised Statutes, is
41 amended by adding section 32-113, to read:

42 ~~32-113.~~ Mold assessment and remediation rules and standards
43 committee

44 A. A MOLD ASSESSMENT AND REMEDIATION RULES AND STANDARDS COMMITTEE OF
45 THE BOARD IS ESTABLISHED AND CONSISTS OF:

1 1. ONE INDUSTRIAL HYGIENIST OR TOXICOLOGIST WHO IS EXPERIENCED IN
2 SAMPLING AND MONITORING AND INDOOR AIR QUALITY ISSUES AND WHO IS APPOINTED BY
3 THE BOARD.

4 2. ONE PERSON WHO IS EXPERIENCED IN MOLD ASSESSMENT AND REMEDIATION
5 AND WHO IS APPOINTED BY THE BOARD.

6 3. ONE REPRESENTATIVE FROM THE DEPARTMENT OF HEALTH SERVICES WHO IS
7 EXPERIENCED IN INDOOR AIR QUALITY AND WHO IS APPOINTED BY THE DIRECTOR OF THE
8 DEPARTMENT OF HEALTH SERVICES.

9 4. ONE REGISTERED ENGINEER OR GEOLOGIST WHO IS EXPERIENCED IN MOLD
10 ASSESSMENT AND REMEDIATION AND WHO IS APPOINTED BY THE BOARD.

11 5. ONE MEMBER OF THE BOARD WHO IS AN ENGINEER OR A GEOLOGIST.

12 B. THE INITIAL MEMBERS SHALL ASSIGN THEMSELVES BY LOT TO TERMS OF ONE,
13 TWO AND THREE YEARS IN OFFICE. ALL SUBSEQUENT MEMBERS SERVE THREE YEAR TERMS
14 OF OFFICE. THE BOARD BY A MAJORITY VOTE MAY REMOVE ANY MEMBER FOR
15 MISCONDUCT, INCAPACITY OR NEGLECT OF DUTY.

16 C. THE COMMITTEE MAY PARTICIPATE IN THE INVESTIGATION AND REVIEW OF
17 MOLD ASSESSMENT AND REMEDIATION COMPLAINTS AS AUTHORIZED BY THE BOARD.

18 D. THE COMMITTEE IS RESPONSIBLE FOR DRAFTING AND RECOMMENDING TO THE
19 BOARD BEST PRACTICES AND STANDARDS FOR ASSESSMENT AND REMEDIATION OF MOLD
20 FOUND ON REAL PROPERTY.

21 Sec. 4. Title 32, chapter 1, article 2, Arizona Revised Statutes, is
22 amended by adding section 32-132, to read:

23 32-132. Mold assessor and mold remediator certification

24 A. AN APPLICANT FOR CERTIFICATION AS A MOLD ASSESSOR OR A MOLD
25 REMEDIATOR SHALL DEMONSTRATE THAT THE APPLICANT COMPLIES WITH ANY OF THE
26 FOLLOWING:

27 1. HAS A CERTIFICATION AS A CERTIFIED INDUSTRIAL HYGIENIST BY THE
28 AMERICAN BOARD OF INDUSTRIAL HYGIENE.

29 2. HAS A CERTIFICATION AS A CERTIFIED MOLD ASSESSOR BY THE NATIONAL
30 ORGANIZATION OF REMEDIATORS OR MOLD INSPECTORS.

31 3. HAS A CERTIFICATION AS A CERTIFIED MICROBIAL CONSULTANT BY THE
32 AMERICAN INDOOR AIR QUALITY COUNCIL.

33 4. HAS A CERTIFICATION AS A CERTIFIED MOLD REMEDIATOR BY THE NATIONAL
34 ORGANIZATION OF REMEDIATORS OR MOLD INSPECTORS.

35 5. HAS SUCCESSFULLY COMPLETED AT LEAST THIRTY HOURS OF TRAINING GIVEN
36 BY A BOARD APPROVED TRAINING PROVIDER WHO SPECIALIZES IN MOLD, MOISTURE AND
37 PERSONAL PROTECTION EQUIPMENT TRAINING FOR MOLD PROFESSIONALS.

38 B. EACH APPLICANT FOR CERTIFICATION SHALL PAY A FEE AS DETERMINED BY
39 THE BOARD.

40 Sec. 5. Section 32-144, Arizona Revised Statutes, is amended to read:

41 32-144. Exemptions and limitations

42 A. Professions and occupations regulated by the board may be practiced
43 without compliance with the requirements of this chapter by:

44 1. An officer or employee of the United States, practicing as such.

1 2. An employee of a registrant or of a person exempt from
2 registration, if such employment does not involve direct responsibility for
3 design, inspection or supervision.

4 3. A nonregistrant who designs, alters or adds to a detached single
5 family dwelling.

6 4. A nonregistrant who designs a one or two story building or
7 structure in which the square footage of the floor area measured to the
8 outside surface of the exterior walls does not exceed three thousand square
9 feet, that is not intended for occupancy by more than twenty persons on a
10 continuous basis and in which the maximum span of any structural member does
11 not exceed twenty feet unless a greater span is achieved by the use of wood
12 or steel roof or floor trusses or lintels approved by an engineer registered
13 by the board.

14 5. A nonregistrant who designs additions or alterations to a one or
15 two story building or structure subject to the limitations set forth in
16 paragraph 4 of this subsection. A nonregistrant may exceed the maximum three
17 thousand square foot limitation set forth in paragraph 4 of this subsection
18 for a one-time single addition not exceeding one thousand five hundred square
19 feet as measured to the outside surface of the exterior walls and designed
20 for the purpose of storage of chattels.

21 6. A nonregistrant who designs a water or wastewater treatment plant,
22 or extensions, additions, modifications or revisions, or extensions to water
23 distribution or collection systems, if the total cost of such construction
24 does not exceed twelve thousand five hundred dollars.

25 7. A nonregistrant who designs buildings or structures to be erected
26 on property owned or leased by the nonregistrant or by a person, firm or
27 corporation, including a utility, telephone, mining or railroad company,
28 which employs the nonregistrant on a full-time basis, if the buildings or
29 structures are intended solely for the use of the owner or lessee of the
30 property, are not ordinarily occupied by more than twenty people, are not for
31 sale to, rental to or use by the public and conform to the building code
32 adopted by the city, town or county in which the building is to be erected or
33 altered.

34 8. A nonregistrant who provides horticultural consultations or
35 prepares planting plans for plant installations.

36 B. A registrant who performs any of the activities described in
37 subsection A, paragraphs 3 through 8 is subject to the requirements of this
38 chapter.

39 C. The requirements of this chapter shall not apply to work done by
40 any communications common carrier or its affiliates or any public service
41 corporation or manufacturing industry or by full-time employees of any of
42 them, provided such work is in connection with or incidental to the products,
43 systems or nonengineering services of such communications common carrier or
44 its affiliates or public service corporation or manufacturing industry, and
45 provided that the engineering service is not offered directly to the public.

1 D. An individual shall not perform home inspections unless the
2 individual is certified as a home inspector pursuant to this chapter, except
3 that nothing in this chapter prevents:

4 1. A person who is licensed, certified or registered pursuant to this
5 chapter or another chapter in this title from acting within the scope of the
6 person's license, certification or registration.

7 2. A person who is employed by a governmental entity from inspecting
8 residential structures if the inspection is within official duties and
9 responsibilities.

10 3. A person from performing a home inspection if the inspection will
11 be used solely by a bank, savings and loan association or credit union to
12 monitor progress on the construction of a residential structure, unless
13 otherwise required by federal law or regulation.

14 4. A person who is employed as a property manager for a residential
15 structure and whose official duties and responsibilities include inspecting
16 the residential structure from performing a home inspection on the structure
17 if the person does not receive separate compensation for the inspection work.

18 E. No person including a person described in subsection D may use any
19 letterhead, advertisement, communication or other device to represent that
20 the person is a home inspector unless the person is certified as a home
21 inspector pursuant to this chapter.

22 F. THIS CHAPTER, AS IT RELATES TO MOLD ASSESSORS AND MOLD REMEDIATORS,
23 DOES NOT APPLY TO EITHER OF THE FOLLOWING:

24 1. AN EMPLOYEE OF THIS STATE WHO IS WORKING WITHIN THE SCOPE OF THE
25 EMPLOYEE'S OFFICIAL DUTIES.

26 2. AN EMPLOYEE OF AN INSURANCE COMPANY OR AN ADJUSTER WHEN THE
27 EMPLOYEE OR ADJUSTER IS ADJUSTING A CLAIM UNDER AN INSURANCE POLICY.

28 G. THIS CHAPTER, AS IT RELATES TO MOLD ASSESSORS, DOES NOT APPLY TO A
29 PERSON WHO IS LICENSED IN THE FUNGI CATEGORY BY THE OFFICE OF PEST MANAGEMENT
30 PURSUANT TO CHAPTER 22 OF THIS TITLE.

31 Sec. 6. Title 32, chapter 1, article 3, Arizona Revised Statutes, is
32 amended by adding sections 32-153 and 32-154, to read:

33 32-153. Mold assessor or mold remediator; practice requirements

34 A. A CERTIFIED MOLD ASSESSOR OR MOLD REMEDIATOR SHALL NOT CONFIRM OR
35 REFUTE THE PRESENCE OF MOLD IN A RESIDENTIAL OR COMMERCIAL BUILDING WITHOUT
36 DOING EITHER OF THE FOLLOWING:

37 1. PERFORMING AN ON-SITE ASSESSMENT OF THE PREMISES THAT IS CONDUCTED
38 UNDER THE GENERALLY ACCEPTED PRACTICES SET FORTH IN THE GUIDELINES
39 ESTABLISHED BY NATIONALLY RECOGNIZED ORGANIZATIONS AS THEY EXISTED ON JANUARY
40 1, 2010.

41 2. IF AIR SAMPLES OR BULK SAMPLES OF ANY KIND ARE TAKEN FROM A
42 RESIDENCE OR COMMERCIAL BUILDING FOR CULTURE OR APPROPRIATE EXAMINATION BY A
43 COMMERCIAL LABORATORY, HAVING THE ANALYSIS PERFORMED BY A LABORATORY THAT IS
44 EITHER LICENSED PURSUANT TO TITLE 36, CHAPTER 4.3 OR CERTIFIED BY THE
45 AMERICAN INDUSTRIAL HYGIENE ASSOCIATION.

1 B. A WRITTEN COPY OF AN ANALYSIS FROM THE LABORATORY UNDER THIS
2 SECTION SHALL BE PROVIDED TO THE ENTITY THAT RETAINED THE SERVICES OF THE
3 MOLD ASSESSOR OR MOLD REMEDIATOR.

4 C. A CERTIFIED MOLD ASSESSOR SHALL NOT PERFORM SERVICES TO REMEDIATE
5 MOLD.

6 32-154. Mold assessor or mold remediator services

7 THE SERVICE OF A MOLD ASSESSOR OR A MOLD REMEDIATOR MAY BE OFFERED AS A
8 SINGULAR SERVICE OR COMBINED WITH ANY OTHER SERVICE.