Mold Remediation and Certification Laws

Prepared by the Elizabeth Ann Glass Geltman, JD, LLM

SUMMARY

This map displays mold remediation and certification laws in effect from September 1, 2012 through October 1, 2015. It identifies which states have laws governing mold remediation and what specific tasks each state may require or not require mold remediation workers to undertake before they are certified as specialists or lawfully able to remediate mold in homes and/or businesses.

ABOUT MOLD REMEDIATION AND CERTIFICATION LAWS & THE DATA

Concern about mold in buildings and homes increased in the United States in the aftermath of Hurricane Katrina and Hurricane Sandy. Mold is a known allergen and can cause health issues, including mycotoxin poisoning and a range of respiratory ailments. As a naturally occurring irritant, there is great debate about the best means to safely remove mold. In order to protect the public against dishonest and unskilled contractors, a growing number of states have enacted legislation requiring training, certification and other regulations of those engaged in the business of mold remediation. This dataset explores state mold remediation laws and the training and certification laws for mold remediation workers.

Some findings from the dataset include:

- Ten states currently have statutes establishing a regulatory scheme for mold remediation: Florida, Illinois, Kentucky, Louisiana, Maryland, Maine, New York, Oklahoma, Tennessee and Texas. Two states, Arkansas and Virginia, have mold remediation laws that were repealed. One state, New Hampshire, has a mold remediation law that will take effect on January 1, 2016.
- Four states have laws that establish civil penalties for failure to comply with mold laws: Kentucky, Louisiana, New York and Texas.
- Florida, Louisiana, and New Hampshire are the only three states that have laws or will have laws that establish criminal penalties for failure to comply with mold laws.
- Only Texas requires photographic evidence to prove that the mold remediation was properly conducted.
- Four states require that mold workers receive training in proper procedure for mold remediation: Louisiana, New York, Tennessee and Texas.
- Three states require third party verification that the mold remediation was done properly: New York, Oklahoma, and Texas.
- Eight states have laws or will have laws requiring certification (rather than just training) of individuals and enterprises engaged in mold remediation services: Florida, Illinois,
Louisiana, Maryland, New Hampshire, New York, Tennessee and Texas. Of these, Maryland requires that the certification be conducted by the Indoor Air Quality Association. Two states require or will require that the certification be earned through training offered by the American Council for Accredited Certification: Maryland and New Hampshire.

- Only Texas requires certification of all mold workers.
- Only New York and Texas contain exemptions in the mold remediation regulation for rental properties.

**NAVIGATING THE DATA**

There are two ways to navigate the data by clicking the Filter tab or the Explore tab — for each option, the data can be visualized in a map and table format or in jurisdiction profiles.

**Filter**

The dataset homepage will default to the Filter tab. Here, users may answer a series of questions to learn more about the characteristics of the laws. Answering more than one question will show all the jurisdictions that meet the combined criteria. Criteria selected will be listed above the questions, and can be removed by clicking the white X or by clicking “Reset” above the questions.

**Explore**

Users can access Explore by clicking the Explore tab in the bar above the questions. Using Explore, users will see the answers to one question across all jurisdictions.

The primary questions in this dataset are:

1. Does the state have a law regulating mold remediation?
2. Are there penalties for violating the law?
3. Does the law require photo documentation indicating that the mold remediation is completed?
4. Does the law require third party verification indicating that the mold remediation is completed?
5. Does the law require training of mold remediation workers?
6. Does the law require certification of mold remediation workers?
7. Does the law require certification of businesses offering mold remediation services?
8. Does the law contain any exemptions for rental properties?

**DISPLAYING THE RESULTS**

There are two display modes once criteria have been selected by using either the Filter or Explore tab — **Map** display mode and **Profiles** display mode.

**Map Display**

LawAtlas.org dataset homepages default to the map display mode. When querying the data using the Filter tab, all jurisdictions that meet the criteria selected will display in one tone of yellow. Those jurisdictions that do not meet the criteria selected will be colored gray. When querying the data using the Explore tab, the map will illuminate with colors from yellow to red.
that are associated with the various answer choices (the color-coding is defined by the key to the left of the map).

Below the map, a table will appear. Using the Filter or Explore tab to navigate the questions will change the display:

- Using the Filter tab, you can select an unlimited number of criteria and the applicable jurisdictions that meet the combined criteria will be displayed in the table below.
- Using the Explore tab, you can isolate a single criterion and the applicable jurisdictions will appear in the table below.

**Profiles Display**

The Profiles display presents the results of the criteria selected in a text-based format for each applicable jurisdiction. Using the Filter tab, jurisdictions that meet the criteria selected will display. Using the Explore tab, jurisdictions that meet the criterion selected will display. If no criteria are selected, the full profiles for each state will appear under both Filter and Explore.

**Profile Legend**

Within each Profile box, above the questions and answers, there are additional options and information useful in exploring the law:

<table>
<thead>
<tr>
<th>Symbol</th>
<th>Description</th>
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<tbody>
<tr>
<td>§§</td>
<td><strong>Toggle Legal Text</strong> – Selecting this option will show all the legal text used to answer questions for this jurisdiction.</td>
</tr>
<tr>
<td></td>
<td><strong>Toggle Full Place Profile</strong> – Selecting this option will show all questions and answers for this jurisdiction, regardless of what was selected using the Filter or Explore tabs.</td>
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<tr>
<td></td>
<td><strong>Toggle Size</strong> – Selecting this option will make the profile larger, but will not change the information displayed.</td>
</tr>
</tbody>
</table>

**Legal Text History** – This interactive timeline displays when changes in the law have occurred within a jurisdiction. Using the arrows to the left or right, users may explore how the law has changed over time as new amendments to the law have been enacted. The timeline will change from gray to a shade of yellow when the jurisdiction passed its first relevant law. Each change in the law after that is marked by a break in the timeline.

<table>
<thead>
<tr>
<th>2010</th>
<th>7/1/12</th>
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<table>
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<th>2017</th>
<th>7/1/17</th>
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**Map and Profile Legend**

There are a few symbols to be aware of in both Map and Profiles display modes:
DATASET RESOURCES
Each dataset homepage includes the following resources available for download:

- **Data**: The Data file exports in CSV format and may contain two tabs. The “Statistical Data” tab contains the legal variables coded in the dataset, displayed as values defined in the accompanying Codebook. The “Summary Data” tab contains the legal variables coded in the dataset in text form, as well as the accompanying citations and any caution notes that may be included. Note: if there is only one tab available for download it will be the “Statistical Data” as described above.

- **Codebook**: The Codebook defines all of the coded variables in the dataset. The Codebook lists the question, question type, variable name, variable value and variable label. The Codebook should be used in conjunction with the Statistical Data extract.

- **Research Protocol**: The Research Protocol is a comprehensive document that outlines the entire methodology of the project, including the scope, inclusion and exclusion criteria, data collection methods, definitions, coding scheme decisions, as well as the quality control process.

- **Summary Report**: The Summary Report provides a snapshot of important findings from the dataset.

ADDITIONAL INFORMATION
For more information about mold remediation and certification, see our related resources:


*This collection of laws does not provide legal advice nor does it address enforcement of laws, administrative policies, case law, or any other sources of law. Should you have a specific question about these laws in your state, please contact an attorney in your jurisdiction.*