

AGENCY MOLD GUIDELINES

Mold is a fungus that commonly occurs and is found both indoors and outdoors. In order for mold to survive it requires only a source of food, warmth, and moisture. Its food sources are many including materials such as wood, carpet, ceiling tiles, drywall /sheetrock, upholstery, and wallpaper. Warmth and moisture are plentiful, especially in humid climates. The United States Environmental Protection Agency (EPA) estimates that more than 20,000 species of mold exist, **many of which are harmless**. Nevertheless, molds such as stachbotrys, aspergillus, cladosporim, and penicillium may be potentially harmful to your health especially when present in high dosages. When occupying leased space these recommendations may be of help to you when resolving a mold issue.

STEP 1 ~ COLLECT THE FACTS

- A. What area of the space is affected by mold?
- B. Are there multiple areas affected *for example*: walls, carpet, ceiling tiles, furniture, window seals, etc. (remember these are sources of food for mold).
- C. Where is the moisture coming from and can you visually identify the source of the problem?
- D. Have photos been taken of the affected area? If so, forward them to the Department of General Services (DGS), Lease Management Unit (LM).
- E. Has the Lessor or property manager been contacted? (This communication should be written or emailed and followed up with telephone call or verbal contact.
- F. Have any employees or State Property been affected? (How many / How much) If yes document the items that have been affected and how they have been damaged.

STEP 2 ~ COMMUNICATION WITH DGS

Notify/Alert the DGS, LM Unit that there is a problem. Remember that you are the tenant under the (DGS) lease. For that reason all information pertaining to any mold problem must be relayed to the DGS LM Unit for placement into the DGS leasing file. See Notice (Paragraph 5 of the lease) for proper notice information. Any communication with the lessor or property manager, etc., must be documented and sent via fax or email to the DGS LM Unit. There may be legal or monetary issues that arise requiring documented notice. For example: rent abatement, notice of repair, etc., that may need to be relied upon at a later date.

STEP 3 ~ TAKE ACTION

PREVENTIVE ACTION / AGENCY RESPONSE

- A. Help the process by **ACTING IMMEDIATELY AND DECISIVELY**. The key to mold control is moisture control. It is imperative that the lessor or property manager take the necessary steps to eliminate the moisture problem and to dry out all affected areas within 24-48 hours to prevent mold growth. **This is not the agencies responsibility.**

MAKE CONTACT

- B. Contact the lessor or property manager and provide them with all points of contact who will be working with the subject location.

PROTECT STAFF AND OTHERS

- C. Protecting the Health and Safety of staff and others is critical. Mold spores can be spread with improper cleaning techniques. Do not aggravate the problem by undue exposure, or employee cleaning and spreading the mold. **(This is the responsibility of the lessor or property manager).**

VACATING PREMISES

- D. If you think that mold is present **DO NOT** under any circumstances allow employees to remain exposed especially during any remediation phase. The Agency may consider moving or relocating employees at their discretion. **The DGS will not make the determination for you to vacate the premises, although will assist your efforts.**

Document that the space is unusable for your business operations and inform the lessor or property manager and DGS of your intent. If the decision to vacate premises occurs, forward dates and times the agency vacated space to DGS LM Unit.

- As per lease agreements formal documentation to vacate the space may be required. DGS LM Unit will provide necessary documentation to the lessor or property manager as required under the lease contract.

FIRST NOTICE OF REPAIR – This notice reminds the lessor of his/her obligation to provide premises in good repair and tenantable condition and informs him/her that should he failed to correct the problem by the specified date that the State will arrange to have the work done and will deduct the cost for the repair from the rental.

SECOND NOTICE OF REPAIR – This notice is sent when the lessor failed to make the repairs by the specified due date. It gives the lessor one last opportunity to complete the repairs before we move forward with authorizing the agency to complete the work themselves and deduct the cost of repairs from the rental.

STEP 4 ~ ELIMINATE MOISTURE

- E. Eliminate any moisture that may be feeding the mold spores **which is under your control**. Humid environments may be easily corrected if doors and windows can be opened to air out affected areas until proper remediation can be accomplished. (If temperature is more humid outside than inside this may not be a viable solution).
- F. In extreme mold situations it may be necessary to request that the lessor or property manager provide the services of a professional Certified Industrial Hygienist (CIH) even if the Lease Exhibit “B” does not dictate it.
- G. Prior to January 2007 the Exhibit “B” did not directly address Mold issues. Check your lease Exhibit B to determine to what extent Mold is addressed. If the current Exhibit “B” instructs the Lessor to hire a (CIH) they should conduct an evaluation, develop a scope of work and conduct air quality testing if needed. The Exhibit “B” prior to January 2007 is less onerous to the lessor regarding mold issues.

AIR QUALITY TESTING

- A. When the lessor or property manager decides to have air samples taken this does not have to be done by a (CIH). However, before the space can be re-occupied the formal sign-off that the space is clean must come from a CIH. This sign-off can be in the form of an email.
- B. Request that the lessor provide you with a copy of the report for your reference.
- C. Read the report – What does the report tell you? Are there elevated levels of mold?
- D. A decision must be made regarding continuing occupancy. DGS will not make suggestions on methods of abatement nor will they interpret the report given by lessor.

STEP 5 ~ MOLD REMEDIATION

- A. Insure that the repairs were made based on the findings in the report.
- B. After the repairs are made have the lessor retest the affected area(s) to determine if the air quality is acceptable for re-occupancy.

PROJECT CLOSEOUT

- A. Document when the work was completed.
- B. Document when the remediation was completed and when the space was re-occupied.