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10 Things Attorneys Should Know About Mold

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Here Are 10 Things Attorneys Should Know About Mold

1. The Nationally Recognized Standard For Mold Remediation Is The IICRC S520

See the ANSI/IICRC S520 here. This standard was created by a group of professional mold consultants and remediation contractors who have used experience, and science-based principles of remediation. This is an ANSII approved standard. It is updated

The industry standard to address mold contamination involves first determining the source(s) of moisture intrusion, repairing all leaks to a verified leak-free condition, and safe removal of all impacted building materials and contents.

Sometimes insurance companies, mold remediation contractors, or other mold consultants, may recommend fogging/chemicals. This is seldom successful. Until the water is stopped/humidity is brought under control mold will continue to grow. Until the building materials/contents are removed/cleaned/replaced mold spore will continue to impact the occupants. other consultants recommend and/or remediation contractors perform mold remediation efforts with use of biocides and fungistats or other chemical cleaning agents. This is not recommended and chemical application can cause chemical exposure to occupants that may be as bad or worse than exposure to molds.

2. What Determines A Safe Level Of Airborne Mold?

There is no set threshold for airborne or surface mold spore levels in the breathing zone; it is interpreted by comparison to an outside baseline air sample. If a mold considered toxic is found on the swab, the base material is considered. For example, if mold is growing on a tile inside a shower, this is usually a cleaning issue; however, if growing is discovered on the grout, there is a chance mold growth is behind a tile wall. In those cases, in lieu of a companion air sample, we recommend cleaning with vinegar and if the mold reoccurs within a 30 day time period, call us. If not, there is probably no mold growth. However, every situation/bath/mold growth is different. It takes years of experience and the correct testing to tell the difference with any certainty.

The nationally recognized standard for mold air testing is that inside air levels of mold spores must be comparable to or less than the outside baseline air levels of mold spores. Both individual mold spore counts and the total spore count is assessed in the interpretation. There are no threshold

limits for mold like other contaminants such as asbestos and lead-based paint.

3. There Are Many Molds. Not All Of Them Will Cause Negative Health Effects

There are three main categorizations of molds: (1) allergenic, (2) pathogenic, and (3) toxigenic.

Allergenic types of molds have the ability to produce upper respiratory symptoms in person(s) who are hypersensitive to a particular genera of mold. Much like how some people have allergies to peanuts, some people may experience allergy-like symptoms when exposed to these molds whereas others may have no reaction at all.

Pathogenic types of molds have the ability to produce negative upper respiratory symptoms in persons with immunocompromised systems. These types would also likely impact infants and elderly persons whereas most of the population may not be affected.

Toxigenic types of molds have the ability to produce something called “mycotoxins”. Exposure to mycotoxins can affect anyone of the general population. These mycotoxins have been correlated to many negative upper respiratory effects. Mycotoxins are not always being produced; much like the life cycle of a flower, molds are not always “in bloom”, so rather than test for mycotoxins specifically, we can test for the genera of molds that have the ability to produce these toxins.

Dose and duration variables also impact the extent to which someone may experience upper respiratory reactions to mold exposure. Blood or urine analysis can be performed to help identify if mold as present in the body. This analysis is normally for the mycotoxin exposure. Testing for the genera of the mold capable of producing this mycotoxin can then be performed to determine the source of exposure.

4. Moisture Is The Catalyst For Mold Growth To Occur

When a building material or contents become saturated, whether from an active leak, elevated humidity, or lack of air flow, this can create a favorable environment for mold growth to develop. Drying out or dehumidifying spaces as well as controlling elevated humidity can be great steps to preventing mold growth to develop. Taking into consideration exterior drainage, installation of insulation in perimeter walls or in crawlspaces, as well as installation of exhaust fans in bathrooms and kitchens are all prudent steps to avoid potential mold problems.

5. Comprehensive Loss Underwriters Exchange (CLUE) Database

The CLUE database is a great resource to see if past mold or water damage along with any related insurance claims (whether accepted or denied) has been disclosed during real estate transactions, as is mandated by law.

C.L.U.E. Database

6. The Age Of The Building Should Be Taken Into Consideration

The longer a building has been in existence, the more likely there may be historical water damage that the current owner has record or knowledge.

Another consideration is if a mold hazard is found, and mold remediation is needed, other contaminant testing may also become applicable. **Any structure built prior to 1978 is assumed to contain lead-based paint. Any structure built prior to 1981 is assumed to contain asbestos. Testing for asbestos and lead-based paint may be applicable if removal is needed to address a mold hazard**.

7. Where To Find Certified Consultants For Mold Evaluations

A few online resources for finding certified mold consultants include:

- AIHA
- IAQA
- **ACAC**

8. The General Procedure For A Mold Evaluation

Normally, our process begins with a potential client contacting us with many questions. We take our time to address their specific questions and concerns and begin to gather information about the project.

After the initial conversation, we develop a quote for our services and email a package which includes an agreement for our services, a mold questionnaire, and an introduction letter for them to prepare for our arrival.

While we try to get as much information as possible during the initial conversation. We also ask our clients to complete a mold questionnaire. It may be helpful to ask the tenant to complete this questionnaire. If the tenant's concerns can be identified and addressed, it's a much simpler situation, usually. The questionnaire covers the known history of the building related to water intrusion and physical symptoms that the occupants are experiencing. It also sometimes jogs the occupants' memories of previous water intrusions or events they may not have shared during the initial discussion.

When the client is ready, we schedule an onsite inspection. During the inspection we perform a physical inspection both inside and outside of the building, if accessible. Our focus is to determine potential areas of moisture damage or intrusion. During this investigation we often use a hygrometer to measure humidity as well as moisture meters to detect active moisture. Once our examination has been performed, we are able to develop a sampling strategy. The sampling strategy is based upon 3 main factors:

(1) the specific concerns of the client,

(2) the history of water damage, and

(3) what we find while we are onsite.

This testing strategy is discussed with the client before any samples are collected. The samples are then mailed or hand delivered to the appropriate laboratory that same day.

Once results are received, we share the results with the client outlining what they are, what they mean, and what if any next steps may be needed. If results yield elevated levels of mold found, then a mold remediation protocol is produced by this consultant. The remediation protocol takes into consideration identification and repair of the source(s) of moisture causing the issue, because unless this is addressed, mold growth may return after remediation. This remediation protocol is the instructions necessary for a remediation contractor to return the living space to a safe environment. This protocol includes repair of the source(s) of moisture, where removal shall take place, how much removal is necessary, where the containment shall be set up, and the engineering controls necessary to prevent contamination to other parts of the building.

When the mold remediation efforts are completed, t**he final phase of the project is for the consultant to return to perform mold post remediation verification**. The purpose of this testing is to make sure the project has been completed successfully, the area is safe for worker safety, and that the area is also safe for re-occupancy.

9. Content Contamination

Contents that have been in a known moldy environment have a high probability of being contaminated with mold. Normally, a process called a “dirty pack out” is performed by the remediation contractor prior to setting up containment. The remediation contractor will carefully pack and remove the contents to an off-site facility where cleaning is then performed. Hard, non-porous items can be easily

professionally cleaned. Soft, porous items present more of a challenge and may need to be disposed of as the cleaning efforts may exceed their value. Soft, porous items with high monetary or sentimental value can be assessed on a case-by-case basis as to the best ways to perform professional cleaning.

10. Air Improvement Measures

If possible, open the windows. Increase the air exchange rate on HVAC systems, changer filters in the heating systems annually. Set a date to change filters annually – do it on Halloween – give yourself and your lungs a treat.

Use of a HEPA air purification machine will improve air quality for mold and other particulate airborne contamination. HEPA is a rating, not a brand, and stand for High Efficiency Particulate Air (HEPA) filtration. This filters out 99.97% of all particulate matter in the air 0.3 microns in diameter or greater. Mold spores generally fall within th 5.0-10.0 micron size range. To give you an idea of this sort of size, the human hair is averagely 75.0 microns in diameter. The efficiency of individual units is rated according to the square footage of the area that they can adequately address.

Purchasing a vacuum cleaner with a HEPA filter should also be considered. Without this filter you are recirculating all the mold spores and other organic debris back into the air.