

§ 8-241.04. Indoor mold remediation obligations at residential properties.

(a) A residential property owner who receives written or electronic notice from a tenant that indoor mold or suspected indoor mold exists in the dwelling unit or in a common area of the property shall inspect the property within 7 days and remediate the condition in accordance with subsections (b) and (c) of this section within 30 day of the inspection unless a shorter timeframe is ordered by a court or the Mayor.

(b) Where professional indoor mold remediation is not required under subsection (c) of this section, a residential property owner notified of indoor mold by a tenant in accordance with subsection (a) shall clean and remove the indoor mold from the contaminated surface in accordance with the guidelines established under § 8-241.0 Z(a)(4). Failure of the Director to issue guidelines under § 8-241.0 Z(a)(4) shall not excuse the residential property owner from the obligation to clean and remove visible indoor mold from the contaminated surface.

(c) If a residential property owner knows or has reason to know that indoor mold contamination exists in a tenant's dwelling unit or in a common area of the property, the residential property owner shall cause the mold to be remediated by an indoor mold remediation professional.

(d) The provisions of this section may be enforced pursuant to § 8-241.05.

§ 8-241.01. Definitions.

For the purposes of this chapter, the term:

(1) "Director" means the Director of the District Department of the Environment.

(2) "Dwelling unit" means a building or structure used or designed to be used, in whole or in part, as a living or sleeping place for one or more persons.

(3) "Indoor mold assessment professional" means an indoor mold assessor certified and licensed by the District in accordance with § 8-241.03.

(4) "Indoor mold" means living or dead fungi or related products or parts, including spores hyphae, and mycotoxins, on an interior surface of a building, including common spaces, utility spaces, HVAC, or other systems.

(5) "Indoor mold contamination" means indoor mold at or above the threshold established under § 8-241.02 a)(1).

(6) "Indoor mold remediation professional" means an indoor mold remediat0r certified and licensed by the District in accordance with§ 8-241.03.

(7) "Professional indoor mold assessment" means an indoor mold assessment conducted by an indoor mold assessment professional.

(8) "Professional indoor mold remediation" means an indoor mold remediation conducted by an indoor mold remediation professional.

§ 8-241.02. Indoor mold assessment and remediation standards.

(a) Consistent with applicable U.S. Environmental Protection Agency or U.S. Department of Labor, Occupational Safety and Health Administration guidelines and regulations relating to the assessment and remediation of mold the Director shall:

(1) Set a threshold level of indoor mold contamination that requires professional indoor mold remediation at residential properties.

(2) Establish scientific and objective methods to be used by individuals certified by the District when conducting an indoor mold assessment;

(3) Establish minimum performance standards and work practices for conducting professional indoor mold remediation in the District; and

(4) Establish guidelines for the removal of indoor mold below the threshold set by paragraph (1) of this subsection.

(b) When professional indoor mold remediation is required under§ 8-241.04 because a professional indoor mold assessment found indoor mold contamination at a property, the Director may require the property owner to provide a remediation report from an indoor mold remediation professional to the tenant and to the Department of the Environment.

Title 20, ENVIRONMENT, is amended by adding a new Chapter 2 as follows:

CHAPTER32 MOLD LICENSURE AND CER IFICATION

3200.2 This chapter establishes (1) a licensing program for indoor mold assessment and remediation professionals performing work on all properties in the District of Columbia, (2) a mold contamination threshold for residential properties of ten Square feet 10 ft.² of indoor mold growth in an affected area, and (3) guidelines for residential indoor mold assessment and remediation below the threshold level.