



September 15th, 2019

Texas Department of Licensing and Regulation
920 Colorado St.
Austin, Texas 78701

To: Texas Department of Licensing and Regulation,

The Texas Mold Assessors and Remediators Association (TMARA) is opposed to allowing an unlicensed person or company to become an assessor or remediator during a declared emergency. Our mission is to continue industry licensure, not only to ensure the professionalism of our industry, but also to ensure the health and safety of consumers.

Allowing unlicensed persons or companies to become an assessor or remediator, especially in times of disaster, will undoubtedly expose consumers to individuals and companies who lack the experience and expertise to deal with mold issues properly. We feel that these persons or companies should be required to go through an emergency registration and processing protocol that would include training on the Texas Mold Assessment and Remediation Regulations. We also do not feel that the state reporting requirements should be lifted on projects that are required to report.

TMARA reached out to its members for feedback on this proposed rule change and below are comments from two of our members:

*“Many people called us after Hurricane Harvey flooding for inspections to obtain the CMDR immediately after they had their demo and "dry down" work performed. Our inspectors would go to their homes and find high moisture content in the wood framing after the Client paid their **unlicensed, out of state contractors thousands of dollars to dry the structure.** When they tried to contact their contractor, they were unable to reach them so they had to hire new contractors or wait weeks or months hoping the wood framing would dry while mold was growing in their house due to high humidity. The best protection for the consumer is Texas licensed mold assessment consultants and mold remediation contractors. More accountability is needed, not less.” – Linda Lauver, AQ Testing Services LLC*

“While TMARA understands the intent behind these proposed rules, we know first-hand that it is during times of disaster that Texas consumers are most vulnerable. In the wake of Hurricane

Harvey, we witnessed these fly-by-night contractors take advantage of suffering Texans, leaving them susceptible to mold and structural damage, and providing no source of accountability. TMARA believes that continued regulation is imperative to maintaining the health and safety of all Texans.” – Mike Marshall, Mold Inspection Sciences

TMARA was created during the 86th session advocate for the continued regulation of the industry. The Association represents industry stakeholders from all aspects of the industry, including assessment, remediation, laboratories, training facilities, etc.

We would be happy to discuss our concerns further with the agency, as well as work to resolve any issues surrounding current regulations. The Association can be reached at mike.marshall@tmara.org or (737) 241-9222. Thank you very much for your time.

Sincerely,



Michael Bains, Chairman



Mike Marshall, President