

NYS Housing Trust Fund Corporation
REHABILITATION STANDARDS
FOR ONE-TO-FOUR UNIT STRUCTURES

Rev. 1/2016 Mold Requirements

The section below is added to Section VIII, Interior Standards:

HAZARDOUS MATERIALS -Mold containing components

Repair Standard: Minimum Life: NA

The New York State Department of Labor released new Mold licensing requirements effective January 1, 2016. The licensing requirement affects mold projects (remediation, assessment, or abatement) of areas greater than ten square feet undertaken for the purpose of mold remediation or abatement. The requirement does not include routine cleaning or construction, maintenance, repair or demolition of buildings, structures or fixtures undertaken for purposes other than mold remediation, assessment or abatement.

Mold, when identified by a Local Program Administrator (LPA), should be assessed by a licensed Mold Professional. Although home inspectors can reference the appearance of mold in a home inspection report, they cannot assess mold presence, abate, or remove mold.

Exemptions

The following persons/entities are not required to obtain a license in order to perform mold assessment, remediation, or abatement:

- A residential property owner who performs mold inspection, assessment, remediation, or abatement on his or her own property;
- A non-residential property owner, or the employee of such owner, who performs mold assessment, remediation, or abatement on an apartment building owned by that person where the property has four or less dwelling units;
- An owner or a managing agent or a full-time employee of an owner or managing agent who performs mold assessment, remediation, or abatement on commercial property or a residential apartment building of more than four dwelling units owned by the owner. This exemption will not apply if the managing agent or employee engages in the business of performing mold assessment, remediation, or abatement for the public; and

- A federal, state or local governmental unit or public authority and employees thereof that perform mold assessment, remediation, or abatement on any property owned, managed or remediated by such governmental unit or authority.

➤ ***Consultants and/or contractors of a governmental unit or public authority are NOT exempt from the licensing requirement.***

The New York State Department of Labor provides information on Mold Compliance, Training, Licensing, Minimum work standards, a search tool to find a licensed mold contractor and a link to the copy of Chapter 551 of the Laws of New York, which references the original legislation. Information is available at the following link:

<https://labor.ny.gov/workerprotection/safetyhealth/mold/mold-program.shtm>

Senate legislation provides more detail regarding the necessity of licensing and minimum work standards. Information is available at the following link:

<https://www.nysenate.gov/legislation/bills/2013/s3667d>