

HOUSE BILL 1309

C2

(8lr2061)

ENROLLED BILL

—*Economic Matters / Education, Health, and Environmental Affairs*—

Introduced by **Delegate McHale**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Business Regulation - Mold Remediation Services - Licensing**

3 FOR the purpose of requiring certain persons to be licensed by the Maryland Home
4 Improvement Commission to provide mold remediation services; requiring the
5 ~~Secretary~~ Commission to adopt regulations for the licensure and regulation of
6 mold remediation services; providing that this Act does not limit the rights of
7 certain individuals to engage in certain mold remediation; establishing the
8 purpose of this Act; providing for the powers and duties of the Commission in
9 licensing and regulating mold remediation service providers; requiring all fees
10 collected by the Commission under this Act to be paid into the General Fund;
11 requiring ~~certain~~ licensees to maintain certain ~~general liability~~ insurance;
12 ~~providing that licensees are not required to pay certain assessments; providing~~
13 ~~for the qualifications and applicant requirements of mold remediation~~
14 ~~supervisors and technicians;~~ establishing certain application procedures;
15 authorizing the issuance ~~and renewal~~ of certain licenses; providing for the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 expiration and renewal of certain licenses; authorizing the ~~Secretary~~
 2 Commission to deny a license to an applicant, ~~refuse to renew a license,~~
 3 reprimand a licensee, suspend or revoke a license, or impose certain penalties
 4 under certain circumstances; establishing certain hearing and appeal
 5 procedures ~~for mold remediation technicians and supervisors;~~ prohibiting a
 6 licensee from ~~employing certain individuals or from~~ engaging in certain
 7 practices; providing for certain ~~criminal and~~ civil penalties; requiring certain
 8 ~~persons performing~~ companies or firms providing mold remediation services to
 9 be licensed on or before a certain date; defining certain terms; and generally
 10 relating to the licensure and regulation of mold remediation services.

11 BY renumbering

12 Article – State Government
 13 Section 8–403(b)(39) through (69), respectively
 14 to be Section 8–403(b)(40) through (b)(70), respectively
 15 Annotated Code of Maryland
 16 (2004 Replacement Volume and 2007 Supplement)

17 BY adding to

18 Article – Business Regulation
 19 Section 8–701 through 8–718 to be under the new subtitle “Subtitle 7. Mold
 20 Remediation Services”
 21 Annotated Code of Maryland
 22 (2004 Replacement Volume and 2007 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Business Regulation
 25 Section 8–701 and 8–702 to be under the amended subtitle “Subtitle 8. Short
 26 Title; Termination of Title”
 27 Annotated Code of Maryland
 28 (2004 Replacement Volume and 2007 Supplement)

29 BY repealing and reenacting, without amendments,

30 Article – State Government
 31 Section 8–403(a)
 32 Annotated Code of Maryland
 33 (2004 Replacement Volume and 2007 Supplement)

34 BY adding to

35 Article – State Government
 36 Section 8–403(b)(39)
 37 Annotated Code of Maryland
 38 (2004 Replacement Volume and 2007 Supplement)

39 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 40 MARYLAND, That Section(s) 8–403(b)(39) through (69), respectively, of Article – State

1 Government of the Annotated Code of Maryland be renumbered to be Section(s)
2 8-403(b)(40) through (70), respectively.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
4 read as follows:

5 **Article - Business Regulation**

6 **SUBTITLE 7. MOLD REMEDIATION SERVICES.**

7 **8-701.**

8 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
9 INDICATED.

10 (B) "ACCREDITATION BODY" MEANS THE AMERICAN INDOOR AIR
11 QUALITY COUNCIL OR ANY OTHER NATIONALLY RECOGNIZED ACCREDITATION
12 BODY THAT IS RECOGNIZED BY THE COMMISSION AND THAT OPERATES
13 INDEPENDENTLY OF TRAINING ORGANIZATIONS OR INDUSTRY TRADE
14 ASSOCIATIONS.

15 (C) "COMMISSION" MEANS THE MARYLAND HOME IMPROVEMENT
16 COMMISSION.

17 (D) "LICENSE" MEANS A LICENSE ISSUED BY THE COMMISSION TO
18 ~~PERFORM OR ASSIST IN PERFORMING A COMPANY OR FIRM TO PROVIDE MOLD~~
19 ~~REMEDIAION SERVICES AND INCLUDES:~~

20 ~~(1) A MOLD REMEDIATION TECHNICIAN LICENSE; AND~~

21 ~~(2) A MOLD REMEDIATION SUPERVISOR LICENSE.~~

22 (E) "MOLD" MEANS AN ORGANISM OF THE CLASS FUNGI THAT CAUSES
23 DISINTEGRATION OF ORGANIC MATTER AND PRODUCES SPORES, AS WELL AS
24 ANY SPORES, HYPHAE, AND MYCOTOXINS THAT ARE PRODUCED BY MOLD.

25 (F) "MOLD ASSESSMENT" MEANS:

26 (1) AN INSPECTION, INVESTIGATION, OR SURVEY OF A DWELLING
27 OR OTHER STRUCTURE TO PROVIDE INFORMATION TO THE OWNER REGARDING
28 THE PRESENCE, IDENTIFICATION, OR EVALUATION OF MOLD;

29 (2) THE DEVELOPMENT OF A MOLD MANAGEMENT PLAN; OR

30 (3) THE COLLECTION OR ANALYSIS OF A MOLD SAMPLE.

1 (G) "MOLD REMEDIATION" MEANS THE REMOVAL, CLEANING,
2 SANITIZING, DEMOLITION, OR OTHER TREATMENT OF MOLD OR
3 MOLD-CONTAMINATED MATTER, LIVE OR DEAD, THAT WAS NOT INTENDED TO
4 BE GROWN AT THAT LOCATION.

5 8-702.

6 (A) THIS SUBTITLE DOES NOT APPLY TO:

7 (1) THE PERFORMANCE OF MOLD REMEDIATION ON
8 NONRESIDENTIAL PROPERTY;

9 ~~(1)~~ (2) THE PERFORMANCE OF MOLD REMEDIATION IN AN
10 AREA LESS THAN 10 SQUARE FEET;

11 ~~(2)~~ (3) THE PERFORMANCE OF MOLD ASSESSMENTS; OR

12 ~~(3)~~ (4) ROUTINE CLEANING THAT IS NOT PERFORMED FOR THE
13 PURPOSE OF MOLD REMEDIATION.

14 (B) THIS SUBTITLE DOES NOT LIMIT THE RIGHT OF:

15 (1) AN INDIVIDUAL RESIDENTIAL PROPERTY OWNER WHO
16 PERFORMS MOLD REMEDIATION ON THE INDIVIDUAL'S PROPERTY;

17 (2) AN EMPLOYEE OF THE UNITED STATES GOVERNMENT, THE
18 STATE GOVERNMENT, A LOCAL GOVERNMENT, OR AN INDEPENDENT AGENCY
19 WHILE THAT EMPLOYEE IS PERFORMING MOLD REMEDIATION SERVICES ON OR
20 WITHIN BUILDINGS OR STRUCTURES OWNED OR SOLELY OCCUPIED BY THE
21 UNITED STATES GOVERNMENT, THE STATE GOVERNMENT, A LOCAL
22 GOVERNMENT, OR AN INDEPENDENT AGENCY;

23 (3) AN INDUSTRIAL HYGIENIST, AS DEFINED BY THE AMERICAN
24 INDUSTRIAL HYGIENE ASSOCIATION, A PROFESSIONAL ENGINEER, OR AN
25 ENVIRONMENTAL SANITARIAN WHO ENGAGES IN MOLD REMEDIATION
26 SERVICES; OR

27 (4) AN INDIVIDUAL REGULARLY EMPLOYED BY THE OWNER OF
28 PROPERTY, OR THE OWNER'S AGENT, TO ENGAGE IN MAINTENANCE AND REPAIR
29 WORK.

30 8-703.

1 THE PURPOSE OF THIS SUBTITLE IS TO ESTABLISH A LICENSING
2 PROGRAM FOR ~~INDIVIDUALS WHO PERFORM OR ASSIST IN PERFORMING~~
3 COMPANIES AND FIRMS THAT PROVIDE MOLD REMEDIATION SERVICES TO:

- 4 (1) PROTECT THE PUBLIC;
- 5 (2) IMPROVE INDOOR AIR QUALITY; AND
- 6 (3) PROMOTE HIGH PROFESSIONAL STANDARDS.

7 **8-704.**

8 IN ADDITION TO ANY OTHER POWERS AND DUTIES SET FORTH
9 ELSEWHERE, THE COMMISSION SHALL:

- 10 (1) ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE;
- 11 (2) ISSUE LICENSES;
- 12 (3) KEEP A LIST OF ALL LICENSEES; AND
- 13 (4) KEEP A RECORD OF ITS PROCEEDINGS.

14 **8-705.**

15 (A) SUBJECT TO ~~SUBSECTIONS (B) AND (C)~~ SUBSECTION (B) OF THIS
16 SECTION, THE COMMISSION MAY SET REASONABLE FEES FOR ITS SERVICES.

17 (B) ~~EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,~~
18 ~~REVENUES~~ REVENUES GENERATED BY THE COMMISSION SHALL BE AT LEAST
19 EQUAL TO EXPENSES INCURRED BY THE COMMISSION.

20 (C) THE COMMISSION SHALL PAY ALL MONEY COLLECTED UNDER THIS
21 SUBTITLE INTO THE GENERAL FUND OF THE STATE.

22 **8-706.**

23 (A) (1) ~~EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A~~
24 A PERSON LICENSED UNDER THIS SUBTITLE MAY NOT CONTRACT OR SOLICIT TO
25 ~~ENGAGE IN THE BUSINESS OF~~ PROVIDE MOLD REMEDIATION SERVICES UNLESS
26 THE WORK OF THE LICENSEE IS COVERED BY ~~GENERAL LIABILITY~~ INSURANCE
27 IN THE AMOUNT OF AT LEAST \$1,000,000.

1 (2) A LICENSEE SHALL GIVE THE COMMISSION NOTICE OF THE
2 CANCELLATION OF INSURANCE AT LEAST 10 DAYS BEFORE THE EFFECTIVE
3 DATE OF THE CANCELLATION.

4 (B) ~~A LICENSED MOLD REMEDIATION TECHNICIAN OR SUPERVISOR~~
5 ~~NEED NOT OBTAIN SEPARATE INSURANCE WHILE PERFORMING OR ASSISTING IN~~
6 ~~PERFORMING MOLD REMEDIATION SERVICES UNDER THE CONTROL AND~~
7 ~~SUPERVISION OF A LICENSED FIRM~~ A PERSON LICENSED TO PROVIDE MOLD
8 REMEDICATION SERVICES UNDER THIS SUBTITLE IS NOT REQUIRED TO PAY
9 ASSESSMENTS TO THE FUND UNDER SUBTITLE 4 OF THIS TITLE.

10 **8-707.**

11 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, ~~AN~~
12 ~~INDIVIDUAL~~ A COMPANY OR FIRM SHALL BE LICENSED BY THE COMMISSION
13 BEFORE THE ~~INDIVIDUAL PERFORMS OR ASSISTS IN PERFORMING~~ COMPANY OR
14 FIRM PROVIDES MOLD REMEDIATION SERVICES IN THE STATE.

15 (B) (1) TO QUALIFY FOR A LICENSE, AN APPLICANT SHALL MEET THE
16 REQUIREMENTS OF THIS SECTION.

17 (2) IF THE APPLICANT IS A COMPANY OR FIRM, THE COMPANY OR
18 FIRM SHALL APPOINT A COMPANY OR FIRM MEMBER AS A REPRESENTATIVE
19 MEMBER TO MAKE THE APPLICATION ON BEHALF OF THE COMPANY OR FIRM.

20 (C) ~~AN APPLICANT FOR A MOLD REMEDIATION SUPERVISOR LICENSE~~
21 ~~SHALL:~~

22 (1) ~~BE AT LEAST 18 YEARS OLD;~~

23 (2) ~~BE OF GOOD MORAL CHARACTER; AND~~

24 (3) ~~BE ACTIVELY CERTIFIED BY AN ACCREDITATION BODY AS A~~
25 ~~MICROBIAL REMEDIATION SUPERVISOR.~~

26 (D) ~~AN APPLICANT FOR A MOLD REMEDIATION TECHNICIAN LICENSE~~
27 ~~SHALL:~~

28 (1) ~~BE AT LEAST 18 YEARS OLD;~~

29 (2) ~~BE OF GOOD MORAL CHARACTER; AND~~

30 (3) ~~BE ACTIVELY CERTIFIED BY AN ACCREDITATION BODY AS A~~
31 ~~MICROBIAL REMEDIATOR.~~

1 ~~(E) AN APPLICANT FOR A MOLD REMEDIATION FIRM LICENSE SHALL:~~

2 ~~(1) BE AT LEAST 18 YEARS OLD;~~

3 ~~(2) BE OF GOOD MORAL CHARACTER; AND~~

4 ~~(3) BE ACTIVELY CERTIFIED BY AN ACCREDITATION BODY AS A~~
5 ~~MICROBIAL REMEDIATION SUPERVISOR.~~

6 **8-708.**

7 ~~(A)~~ AN APPLICANT FOR A LICENSE SHALL:

8 (1) SUBMIT AN APPLICATION TO THE COMMISSION IN THE FORM
9 THAT THE COMMISSION PROVIDES;

10 (2) PAY A NONREFUNDABLE APPLICATION FEE ESTABLISHED
11 THROUGH REGULATION;

12 (3) ~~SUBMIT PROOF OF CERTIFICATION BY AN ACCREDITATION~~
13 ~~BODY AS A MOLD REMEDIATION SUPERVISOR OR REMEDIATOR~~ THAT EACH OF
14 ITS EMPLOYEES WHO PROVIDES MOLD REMEDIATION SERVICES IS CERTIFIED
15 BY AN ACCREDITATION BODY AS A MICROBIAL REMEDIATION SUPERVISOR OR
16 MICROBIAL REMEDIATION TECHNICIAN, WHICHEVER IS APPLICABLE;

17 (4) ~~IF APPLYING FOR A FIRM LICENSE,~~ SUBMIT PROOF OF
18 ~~GENERAL LIABILITY~~ INSURANCE AS REQUIRED BY § 8-706 OF THIS SUBTITLE;
19 AND

20 (5) PROVIDE ANY OTHER INFORMATION THE COMMISSION MAY
21 REQUIRE.

22 ~~(B) THE APPLICATION FORM PROVIDED BY THE COMMISSION SHALL~~
23 ~~REQUIRE AN APPLICANT TO PROVIDE:~~

24 ~~(1) THE APPLICANT'S NAME;~~

25 ~~(2) THE APPLICANT'S BUSINESS ADDRESS, TELEPHONE NUMBER,~~
26 ~~AND, IF APPLICABLE, ELECTRONIC MAIL ADDRESS;~~

27 ~~(3) THE APPLICANT'S SOCIAL SECURITY NUMBER; AND~~

1 ~~(4) ANY OTHER INFORMATION THAT THE COMMISSION DEEMS~~
2 ~~NECESSARY.~~

3 **8-709.**

4 (A) THE COMMISSION MAY GRANT A WAIVER TO THE REQUIREMENT
5 FOR A LICENSE ONLY IF THE APPLICANT:

6 (1) PAYS THE APPROPRIATE APPLICATION FEE; AND

7 (2) PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT:

8 (I) MEETS THE QUALIFICATIONS OTHERWISE REQUIRED BY
9 THIS SUBTITLE; AND

10 (II) HAS AN ACTIVE LICENSE FROM ANOTHER STATE WITH
11 LICENSING REQUIREMENTS THAT ARE AT LEAST EQUIVALENT TO THE
12 LICENSING REQUIREMENTS OF THIS STATE.

13 (B) THE COMMISSION ~~WILL~~ SHALL ISSUE THE LICENSE TO EACH
14 APPLICANT WHO MEETS THE REQUIREMENTS OF THIS SUBTITLE AND THE
15 REGULATIONS ADOPTED UNDER IT.

16 **8-710.**

17 (A) UNLESS THE LICENSE IS RENEWED AS PROVIDED IN THIS SECTION,
18 A LICENSE EXPIRES 2 YEARS AFTER THE DATE OF ISSUANCE.

19 (B) BEFORE THE LICENSE EXPIRES, THE LICENSEE MAY RENEW IT FOR
20 AN ADDITIONAL 2-YEAR TERM, IF THE LICENSEE:

21 (1) OTHERWISE IS ENTITLED TO BE GRANTED A LICENSE;

22 (2) PAYS TO THE COMMISSION A RENEWAL FEE ESTABLISHED BY
23 THE COMMISSION; AND

24 (3) SUBMITS:

25 (I) PROOF OF INSURANCE, ~~IF APPLICABLE;~~

26 (II) A RENEWAL APPLICATION IN THE FORM THAT THE
27 COMMISSION PROVIDES; AND

1 (III) ~~PROOF OF THE LICENSEE'S ACTIVE CERTIFICATION OR~~
2 ~~RECERTIFICATION AS A MICROBIAL REMEDIATION SUPERVISOR OR MICROBIAL~~
3 ~~REMIATOR~~ THAT EACH OF THE LICENSEE'S CURRENT EMPLOYEES WHO
4 PROVIDES MOLD REMEDIATION SERVICES HOLDS AN ACTIVE CERTIFICATION
5 FROM AN ACCREDITATION BODY AS A MICROBIAL REMEDIATION SUPERVISOR
6 OR MICROBIAL REMEDIATION TECHNICIAN.

7 (C) THE COMMISSION SHALL RENEW THE LICENSE OF EACH LICENSEE
8 WHO MEETS THE REQUIREMENTS OF THIS SECTION.

9 (D) (1) IF APPLICATION FOR RESTORATION IS MADE WITHIN 90 DAYS
10 OF EXPIRATION OF A LICENSE, THE LICENSE MAY BE RESTORED ONLY ON
11 PAYMENT OF A RENEWAL FEE.

12 (2) IF APPLICATION FOR RESTORATION IS NOT MADE WITHIN THE
13 90-DAY PERIOD, THE COMMISSION MAY REQUIRE COMPLIANCE WITH THE
14 PROCESS FOR INITIAL APPLICATIONS AS IF THE APPLICANT HAD NEVER BEEN
15 LICENSED.

16 **8-711.**

17 (A) ~~THE~~ SUBJECT TO THE HEARING PROVISIONS OF § 8-712 OF THIS
18 SUBTITLE, THE COMMISSION MAY DENY A LICENSE TO ANY APPLICANT,
19 REPRIMAND ANY LICENSEE, OR SUSPEND OR REVOKE A LICENSE AFTER A
20 PUBLIC HEARING CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF §
21 8-712 OF THIS TITLE, IF THE COMMISSION FINDS THAT THE ~~INDIVIDUAL~~
22 APPLICANT OR LICENSEE:

23 (1) OBTAINED A LICENSE BY FALSE OR FRAUDULENT
24 REPRESENTATION;

25 (2) TRANSFERRED THE AUTHORITY GRANTED BY THE LICENSE TO
26 ANOTHER PERSON;

27 (3) WILLFULLY OR DELIBERATELY DISREGARDED AND VIOLATED
28 ANY REGULATIONS ESTABLISHED BY THE COMMISSION UNDER THIS SUBTITLE;

29 (4) WILLFULLY OR DELIBERATELY DISREGARDED AND VIOLATED
30 LAWS OF THE STATE OR OF ANY MUNICIPALITY, CITY, OR COUNTY OF THE
31 STATE;

32 (5) IS CONVICTED OF:

33 (I) A FELONY; OR

1 (II) A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE
2 FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PROVIDE
3 MOLD REMEDIATION SERVICES;

4 (6) AIDED OR ABETTED A PERSON TO EVADE A PROVISION OF
5 THIS SUBTITLE BY ALLOWING A LICENSE TO BE USED BY AN UNLICENSED
6 PERSON, FIRM, OR CORPORATION;

7 (7) PERFORMED WORK UNDER A MOLD REMEDIATION SERVICES
8 CONTRACT OR PROJECT THAT IS INADEQUATE OR INCOMPLETE;

9 (8) MADE ANY MATERIAL MISREPRESENTATION IN THE
10 PROCUREMENT OF A MOLD REMEDIATION SERVICES CONTRACT OR PROJECT;
11 OR

12 (9) ~~VIOLATES~~ VIOLATED THIS SUBTITLE.

13 (B) SUBJECT TO THE HEARING PROVISIONS OF § 8-712 OF THIS ~~TITLE~~
14 SUBTITLE, THE COMMISSION MAY REPRIMAND A LICENSEE OR SUSPEND OR
15 REVOKE A LICENSE OF A LICENSEE FOR A VIOLATION OF THIS TITLE BY AN
16 AGENT, DIRECTOR, EMPLOYEE, MANAGER, OFFICER, PARTNER, OR
17 SALESPERSON OF THE LICENSEE, UNLESS THE COMMISSION FINDS THAT THE
18 LICENSEE:

19 (1) HAD NO KNOWLEDGE OF THE WRONGFUL CONDUCT; OR

20 (2) COULD NOT PREVENT THE VIOLATION.

21 (C) INSTEAD OF OR IN ADDITION TO REPRIMANDING A LICENSEE OR
22 SUSPENDING OR REVOKING A LICENSE, THE COMMISSION MAY IMPOSE A CIVIL
23 PENALTY UNDER § 8-620 OF THIS TITLE.

24 (D) THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTS IN THE
25 GRANTING, DENIAL, RENEWAL, SUSPENSION, OR REVOCATION OF A LICENSE OR
26 THE REPRIMAND OF A LICENSEE WHEN AN APPLICANT OR LICENSEE IS
27 CONVICTED OF A FELONY OR MISDEMEANOR:

28 (1) THE NATURE OF THE CRIME;

29 (2) THE RELATIONSHIP OF THE CRIME TO THE ACTIVITIES
30 AUTHORIZED BY THE LICENSE;

1 (3) WITH RESPECT TO A FELONY, THE RELEVANCE OF THE
2 CONVICTION TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR
3 LICENSEE TO ~~PERFORM~~ PROVIDE MOLD REMEDIATION SERVICES;

4 (4) THE LENGTH OF TIME SINCE THE CONVICTION; AND

5 (5) THE BEHAVIOR AND ACTIVITIES OF THE APPLICANT OR
6 LICENSEE BEFORE AND AFTER THE CONVICTION.

7 (E) THE COMMISSION SHALL PAY ANY PENALTY COLLECTED UNDER
8 THIS ~~SUBSECTION~~ SECTION INTO THE GENERAL FUND OF THE STATE.

9 **8-712.**

10 (A) EXCEPT AS OTHERWISE PROVIDED IN TITLE 10, SUBTITLE 2 OF THE
11 STATE GOVERNMENT ARTICLE, BEFORE THE COMMISSION TAKES ANY FINAL
12 ACTION UNDER THIS SUBTITLE, THE COMMISSION SHALL GIVE THE ~~INDIVIDUAL~~
13 PERSON AGAINST WHOM THE ACTION IS CONTEMPLATED AN OPPORTUNITY FOR
14 A HEARING BEFORE THE COMMISSION.

15 (B) THE COMMISSION SHALL GIVE NOTICE AND HOLD THE HEARING IN
16 ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT
17 ARTICLE.

18 (C) THE COMMISSION MAY ADMINISTER OATHS IN CONNECTION WITH
19 ANY PROCEEDING UNDER THIS SECTION.

20 (D) IF, AFTER DUE NOTICE, THE ~~INDIVIDUAL~~ PERSON AGAINST WHOM
21 THE ACTION IS CONTEMPLATED FAILS OR REFUSES TO APPEAR, NEVERTHELESS
22 THE COMMISSION MAY HEAR AND DETERMINE THE MATTER.

23 **8-713.**

24 ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE COMMISSION MAY
25 TAKE AN APPEAL AS ALLOWED IN §§ 10-222 AND 10-223 OF THE STATE
26 GOVERNMENT ARTICLE.

27 **8-714.**

28 (A) ~~EACH LICENSED MOLD REMEDIATION SUPERVISOR OR TECHNICIAN~~
29 LICENSEE SHALL DISPLAY:

30 (1) THE LICENSE AND THE LICENSE NUMBER CONSPICUOUSLY IN
31 THE PRINCIPAL PLACE OF BUSINESS OF THE LICENSEE; AND

1 (2) THE LICENSE NUMBER OF THE LICENSEE ON EACH VEHICLE
2 USED ON THE JOB FOR ~~PERFORMING~~ PROVIDING MOLD REMEDIATION
3 SERVICES.

4 (B) EACH LICENSEE SHALL GIVE THE COMMISSION NOTICE OF ANY
5 CHANGE OF NAME, ADDRESS, OR EMPLOYMENT FROM THAT WHICH APPEARS ON
6 THE CURRENT LICENSE, AT LEAST 10 WORKING DAYS BEFORE THE CHANGE IS
7 TO TAKE EFFECT.

8 **8-715.**

9 (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A ~~HOLDER OF~~
10 ~~A MOLD REMEDIATION LICENSE MAY NOT EMPLOY AN INDIVIDUAL TO PERFORM~~
11 ~~OR ASSIST IN PERFORMING~~ PERSON MAY NOT PROVIDE MOLD REMEDIATION
12 SERVICES UNLESS THE ~~INDIVIDUAL~~ PERSON IS LICENSED BY THE COMMISSION.

13 (B) A ~~LICENSED MOLD REMEDIATION TECHNICIAN OR LICENSED MOLD~~
14 ~~REMEDiation SUPERVISOR~~ LICENSEE MAY NOT:

15 (1) ~~PERFORM~~ PROVIDE OR OFFER TO ~~PERFORM~~ PROVIDE ANY
16 MOLD REMEDIATION TO A STRUCTURE ON WHICH THE FIRM ~~THAT EMPLOYS THE~~
17 ~~LICENSED TECHNICIAN OR LICENSED SUPERVISOR~~ OR COMPANY OR ITS
18 EMPLOYEES HAS PROVIDED A MOLD ASSESSMENT WITHIN THE LAST 12
19 MONTHS; OR

20 (2) PAY ANY COMPENSATION, INDUCEMENT, OR REWARD TO A
21 MOLD ASSESSOR OR A MOLD ASSESSOR'S FIRM IN ORDER TO GENERATE THE
22 REFERRAL OF ANY BUSINESS TO THE ~~LICENSED TECHNICIAN, LICENSED~~
23 ~~SUPERVISOR, OR FIRM THAT EMPLOYS THE LICENSED TECHNICIAN OR~~
24 ~~LICENSED SUPERVISOR~~ LICENSEE'S FIRM OR COMPANY OR ITS EMPLOYEES.

25 **8-716.**

26 UNLESS LICENSED TO PROVIDE MOLD REMEDIATION SERVICES UNDER
27 THIS SUBTITLE, A PERSON MAY NOT REPRESENT TO THE PUBLIC BY USE OF THE
28 TITLES "MOLD REMEDIATION LICENSE HOLDER", "REGISTERED MOLD
29 REMEDIATION CONTRACTOR", BY OTHER TITLE, OR BY DESCRIPTION OF
30 SERVICES, METHODS, OR PROCEDURES, OR OTHERWISE, THAT THE PERSON IS
31 LICENSED TO ~~PERFORM OR TO ASSIST IN PERFORMING~~ PROVIDE MOLD
32 REMEDIATION SERVICES.

33 **8-717.**

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.