

ASSEMBLY COMMUNITY DEVELOPMENT AND AFFAIRS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3274**

**STATE OF NEW JERSEY**

DATED: MAY 8, 2023

The Assembly Community Development and Affairs Committee reports favorably Assembly Bill No. 3274.

This bill requires the Department of Community Affairs (DCA) to establish certification programs for persons who wish to conduct mold inspections and mold hazard abatements, respectively, on residential buildings and school facilities. The bill also requires the DCA to establish procedures for the inspection and abatement of mold hazards in residential buildings and school facilities. These procedures would be used to develop the two certification programs and be based on industry standards and guidelines developed by the United States Environmental Protection Agency.

Under the bill, beginning on the first day of the sixth month after the DCA has established the certification programs, any person who conducts a mold inspection or mold hazard abatement on a residential building or school facility is required to possess the applicable certification. Moreover, the bill prohibits any person from presenting himself as an expert in mold inspection or mold hazard abatement unless certified by the DCA in accordance with the bill.

However, the bill provides that an employee of a multiple dwelling or school district, who is engaged in the routine maintenance of a multiple dwelling or school facility, would not be required to possess either certification in order to address the presence of mold in a multiple dwelling or school facility owned and managed by their employer, provided that the multiple dwelling or school district otherwise complies with the procedures established by the DCA concerning the inspection, identification, evaluation, and abatement of mold hazards. In addition, a residential property owner would not be required to complete the certification programs in order to perform mold inspections or mold hazard abatements on his own property.

The bill authorizes the DCA to (1) charge an annual fee for persons possessing the mold inspection and abatement certifications; (2) require the successful completion of a continuing education course for certified inspectors or abatement workers at least once every two years; and (3) conduct examinations to determine an applicant's proficiency with respect to State and federal laws, rules, and regulations and any standards or requirements applicable to the

inspection or abatement of mold hazards. The bill also authorizes DCA to maintain a list of the names and addresses of all persons certified by DCA in accordance with the bill, and annually forward the list to the Division of Consumer Affairs in the Department of Law and Public Safety for inclusion and publication as an additional contractor list pursuant to the “Contractors’ Registration Act,” P.L.2004, c.16 (C.56:8-136 et seq.). In addition, the bill authorizes the DCA to adopt rules and regulations to enforce compliance with the mold inspection and mold hazard abatement certification programs established by the bill.

The bill also authorizes the DCA to grant mold inspection and mold hazard abatement certifications to persons who demonstrate that they have successfully completed an accredited program in mold inspection and mold hazard abatement by a nationally accepted accreditation organization, provided that those persons pay the annual fee charged by the DCA, complete any continuing education course required by the DCA, and comply with any other rules and regulations adopted by the DCA.