

Initiative Measure No. 1012

Filed

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SECRETARY OF STATE

AN ACT Relating to requiring wood destroying organism inspectors and home inspectors to report mold; adding a new section to chapter 17.24 RCW; and creating a new section.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The reporting of mold and the amount of mold by both wood destroying organism inspectors and home inspectors is necessary to increase the vigilance and safety of residents. It is also necessary as the differentiation of soft rot fungus from other black molds is a microscopic differentiation. If mold is not reported, then the financial consequences of replacing oriented strand board will fall on the purchasers of homes or apartments. Currently the mold guidance policy of the Washington department of agriculture states that mold and mildew do not rot wood and need not be reported.

Chaetomium, a soft rot fungus, is also a serious neurogenic fungus which has been known to infect both healthy and immunocompromised citizens. There have been at least three prominent cases recently where children and adults have formed brain cysts from mold isolated from their homes. This has been proven by deoxyribonucleic acid polymerase chain reaction studies. These cases have been included. Kaye Kilburn, who has written extensively and tests patients extensively for mycotoxin exposure, has stated that twenty percent of the children he tests have autism syndrome compared to one of one hundred fifty or seven-tenths of one percent of children in the United States. Sensory Intergration Disorder, which is part of the autism diagnosis, was the diagnosis given to children in Oregon in a case in which a court found that the mold in a newly constructed home caused neurological damage. Washington has the highest rate of death from Alzheimer's, another neurological disease. Autism has risen over one thousand percent since the 1980s. When oriented strand board becomes wet and infected with chaetomium, it produces many more times the mold and mycotoxins as surface mold growth because the mold is growing throughout the wood and not just on the surface.

When a family is not informed of mold in attics or crawlspaces that may be affecting them, there is a long expensive search for a health cause by physicians. This often involves magnetic resonance imaging or computerized axial tomography to diagnose symptoms such as headaches, dizziness, and the myriad of other symptoms that may affect a patient. It is both the desire of the governor, as stated in 2002 risk management, to "do no harm" and, more recently, to cut health care costs. The reporting of mold when seen by all inspectors, and the education of physicians as to the cause, nature of, and treatment of environmental illness, is a good place to start. In total, asthma costs more than four million dollars every year in medical expenditures and lost productivity for the state of Washington.

It is apparent that purchasers are not being informed of mold in their attics. This can result in not only health but extreme financial problems. Chaetomium, a soft rot fungus, is not visually distinguishable from other surface black molds, and requires removal of the oriented strand board and roofing for proper remediation.

NEW SECTION. **Sec. 2.** A new section is added to chapter 17.24 RCW to read as follows:

The department shall require wood destroying organism and home inspectors to disclose the presence of mold and the amount of mold on the properties that they inspect.