



**“MOLD IS GOLD, LEAD IS LOOT “**  
By Marvin Fleschman, CAPS

As a consultant to apartment owners, I am in a unique position to recognize a new and ominous trend happening to landlords across the Los Angeles area. Recently, I have seen evidence of a new generation of sharks taking advantage of apartment owners; so-called "inspectors" or "representatives" of companies offering to test and/or remove mold and lead from the owner's property.

At best, many of these "specialists/experts" are sincere but incompetent. At worst, they are outright thieves cashing in on an owner's panic by exaggerating the danger from the amount of mold or lead and offering remediation or abatement solutions that are "overkill" for the actual hazard that exists. They know that the owner is feeling threatened and vulnerable since the tenant usually is claiming health problems and may run to an attorney.

Who am I to be blowing this whistle and stirring up landlords? Well, first of all, I own rental housing and I feel a knot in my gut when I see a vendor ripping off a landlord.

Secondly, I have taught a HUD authorized Lead-Safe Work Practices class to hundreds of workers since 2000. I understand what HUD and the EPA consider to be "hazardous conditions" for lead-based paint and how it should be maintained and cleaned up.

Thirdly, I have researched, written, and presented to hundreds of owners, management companies, and maintenance workers a 3-hour Mold Seminar based directly on procedures recommended by the EPA and New York City Health Dept (the only two sources of mold in the United States considered to be authoritative).

Fourthly, my only compensation for consulting comes from my client. I purposely never recommend vendors so that my advice cannot have any bias for a conflict of interest. I offer you the same warning about some mold seminars being advertised around LA. Generally, the presenters are representatives of testing labs or contractors looking for business. I'm the only teacher on the subject that I know of who has nothing more to sell than knowledge.

From public health agencies to people who peddle testing, remediation, books or miracle mold-killers, there's no shortage of sources eager to take your money to solve your mold or lead paint problem. What's ON MY MIND is that the field of environmental hazard advice and remediation is wide open for opportunists to take advantage of landlords who panic because they don't know what to do in response to a tenant's sincere or exaggerated complaints of "mold in my apartment" or "I think my child has lead poisoning."

As mold and lead complaints and lawsuits have grabbed more headlines, businesses that sell testing and remediation services have flourished. But regulation has remained scarce; so for now, I remind you of the old adage: "Let the buyer beware."

The quality of industry-sponsored training programs can vary widely, warns Sandra McNeel, a research scientist with the California Department of Health Services. Some unscrupulous people working as mold remediators have no training at all. "A whole cottage industry has sprung up here," says David Frenznick, an attorney with Wilke, Fleury, Hoffelt, Gould & Birney who handles mold-related claims. "It seems like everybody's getting into the act. We now have home inspectors who are completely unregulated."

Landlords have to become educated consumers. Experts say the key to finding a good remediation specialist is to talk to the "consultant" and find out the depth of their experience. **Also, be on guard if they profit from selling you testing or remediation services OR REFER YOU TO testers and contractors. If their compensation is based on how much money you spend on testing and remediation, the conflict of interest can affect their supposedly unbiased advice.** This is when you should get a SECOND OPINION to either confirm the first person was accurate or discover a better, less expensive option.

## **MOLD REMEDIATION**

Telltale signs of mold include "discolored patches or cottony or speckled growth on walls or furniture" or an "earthy or musty odor," according to the California Dept. of Health Services. If you can see a large amount of mold in the apartment, then you know you've got a serious problem. But what if you've only got a little bit of mold? What if it's mold, but not the toxic kind? As landlords, our concern is very simple; if mold is present it needs to be removed, whether toxic or not. It will generally cost a lot of money (see "TESTING" below) to have a licensed professional come in and do the testing. My point is, if you have mold, your money is better spent to get it properly remediated. In many instances, the mold can be removed safely and permanently at the level of a TRAINED handyman; certainly a lot cheaper than the guys with the space suits. I caution you here that ACCURATE diagnoses require knowledge to establish the CAUSE of the problem and EXTENT of mold development.

## VALUE OF TESTING

The California Department of Health Services recommends against hiring contractors to test for mold in homes and apartments. Testing the air for mold spores is expensive and probably not covered by your insurance. Then, there's the question of what to do with the data the contractor collects, since there are no widely accepted standards for what constitutes a "safe" amount of mold

For example, ten people in a room can be exposed to the same colony of mold. One will come down with a terrible coughing and respiratory reaction, another may have sneezing and watery eyes, but the rest will have no symptoms of any kind. There are so many molds and so many variables on how molds affect different people, no government agency or other authoritative sources have been able to establish an acceptable standard for what amount of mold is dangerous to people's health.

While testing is usually not warranted, there are a couple of situations in which professional testing is meaningful. If mold is suspected but not visible, then it's a good idea to hire a professional to test for the presence of molds rather than rip out walls to see what's there. Also, professional sampling is necessary for apartment owners to have a CLEARANCE REPORT after remediation work is done to document that mold or lead has been properly cleaned and no hazard is present.

## WARNING TO DO-IT-YOURSELFERS

Too many of us feel we have nothing to learn --- mold is not new, we've cleaned it before and we are capable of handling it ourselves. Take it from one who has years of cleaning it with this "know-it-all" philosophy --- I WAS CLEANING IT WRONG! If part of your expertise is to use Clorox, you are one of the people like me who thought I knew how to do it. Over the years, I probably exposed myself to mold spores and spread the contamination beyond the original problem area.

## TESTING

For the tenant who demands that the covering landlord test their apartment, the way to determine what kind of mold you have is to hire an experienced air quality professional to take some samples. Indoor air consultants can test for mold spores in samples of air and settled dust. Where mold is visible, consultants can collect specimens by cutting out samples of the moldy material or by pressing a piece of shiny cellophane tape into it. Each test sample costs about \$50 to \$100 and multiple samples are necessary, cost of testing usually starts around \$500+.

## HOME TEST KITS

The results from mold-testing kits for home use are considered unreliable and certainly not certifiable, since the owner or handyman is not trained in sampling.

## HOME CLEANING PRODUCTS

Many mold remediation experts recommend steering clear of products for detecting and cleaning mold in the home, like air cleaners, chemicals and other home-use products advertised as mold-killers. The state Air Resources Board warns that there's little data on the health benefit of air-cleaning devices, and some can even pollute the air more by emitting ozone, a major component of smog. Even if you have successfully cleaned mold out of the air, you have not addressed the problem of the source of the mold.

Bleach and other "biocides" do kill mold, but usually only at the surface, leaving a layer of resilient, living mold underneath. Even dead mold can cause allergic reactions. Either way the mold problem will still be there and possibly spread the mold spores all over the room or apartment by the untrained worker's attempt to clean it.

## LEAD PAINT

For lead-based paint complaints, Los Angeles, Long Beach, and Sacramento are leading California in requiring ALL pre-78 housing to follow Lead-Safe Work Practices; but even in their cases, they are requiring "abatement" where many times only "interim" LSWP are required. Where a landlord gets caught in the middle of this misuse of terms, is that the inspector or contractor may be misguided into advising a stricter, more expensive method of compliance than is required to repair the hazardous condition.

## SUMMARY

As with any comparison shopping, get SEVERAL opinions and try to separate the sharks from the ethical practitioners; in other words, **you are looking for a "consultant," not a "salesperson."**

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For information about his 3-hour video taped seminars on Mold and Lead for Property Owners, call 818-704-7179 or visit his web site [AptProblemSolver.com](http://AptProblemSolver.com) and click on "Video."