

This is an excerpt taken from the website of Air Quality Assessors (AQA) in connection with the suit filed by Southern Preferred, et. al. against UWG, UWR, AQA and others.

The suit alleges collusion between the entities to defraud the insurer and prejudice its ability to adjust losses. This is provided because AQA is alleged to be inspecting/certifying residences while being affiliated with UWG or UWR which performed remediation work on the premises.

Under the paragraph below titled “Independence” AQA states that the IEP should be independent of the remediator and that, in some “jurisdictions” the law may require:

“that the inspection or assessment function be performed by an individual or entity independent of the remediator.”

About Air Quality Assessors

COMPANY HISTORY

Air Quality Assessors of Florida (AQA), is a statewide indoor air quality testing and consultation service provider. Founded in 2010, with over 18 years' experience in the field of mold and moisture assessing as well as pest control, lawn care, termite, and WDO (wood destroying organism) inspections through working in a successful family business. AQA continuously grows with a developing industry and strives to influence other professionals to follow industry guidelines and regulations.

WORKING WITH AN INDOOR ENVIRONMENTAL PROFESSIONAL

A remediator's relationship with an IEP (Indoor Environmental Professional) can sometimes be quite complex depending on why, when and by whom the IEP was hired. If there are complexities, complications or conflicts, a remediator may need to request additional input or guidance from an IEP. (See Chapter 9, Limitations, Complexities, Complications and Conflicts)

Other relationship issues may include, but are not limited to:

INDEPENDENCE - It is preferable that the IEP be an unbiased resource. An IEP engaged to perform pre-remediation assessment or post-remediation verification should be independent of the remediator. In some jurisdictions, the law may require that the inspection and assessment function be performed by an individual or entity independent of the remediator.

CONFIDENTIALITY - A company owes a duty to its client, which can include confidentiality. Where an IEP is retained by someone other than the remediator, there may be a limit to the information that the IEP can provide to the remediator. Ideally, an IEP will be authorized by the client to share all information with all parties. The EPA's Mold Remediation in Schools and Commercial Buildings, for example, encourages communication with occupants to help alleviate concerns and suspicions. However, in cases involving litigation, it may be difficult to share or obtain information.

RELIANCE - Mold remediators often rely on an IEP to determine the scope of work and other essential tasks. However, reliance on the training, experience, reputation and credentials of an IEP might not absolve the remediator of legal risk or other responsibilities.

OVERLAP - There may be circumstances when a remediator's normal activities overlap or conflict with those of an IEP. In those cases, a remediator can reach the point where a decision is necessary to continue an inspection or to transfer the responsibility for further inspection and preliminary determination to an IEP. Factors that influence the decision of whether and when to involve an IEP are addressed in Chapter 8, Inspection and Preliminary Determination, the Preface, and Sections 9 and 15 of this Standard.