

SPCD ENFORCEMENT POLICY

WOOD-DESTROYING INSECT INFORMATION REPORT

Background

The WDIR 100 is the only form permitted for use by PCOs in reporting their findings following inspection of a structure for sale. Homebuyers rely on this report in determining whether to purchase a property. As such, it is imperative that the PCO perform a quality inspection and complete the form properly.

Objective

To ensure the performance of quality inspections and the issuance of accurate Wood-Destroying Insect Information Reports and the consistent enforcement of North Carolina Structural Pest Control Rules.

Regulatory Authority for Policy

2 NCAC 34 .0602 WOOD-DESTROYING INSECT AND OTHER ORGANISM REPORTS

(a) Any written statement as to the presence or absence of wood-destroying insects or their damage in buildings or structures for sale shall be on the WDIR 100. An incomplete or inaccurate Wood-Destroying Insect Information Report shall not be acceptable and the issuance of such a report is grounds for disciplinary action by the Committee. No Wood-Destroying Insect Information Report or Wood-Destroying Organism Report shall be issued before an inspection of the building or structure is made. Each Wood-Destroying Insect Information Report issued by a licensee shall be kept in the files of said licensee and made available for inspection upon request of the Division.

(b) If during the inspection of a structure, a licensee or his authorized agent finds live subterranean termites or visible evidence of past or present infestation of subterranean termites (such as tubes, damage, cast wings, infested wood scraps or other cellulose materials, etc.) in the structure and there is no visible evidence that said structure has been treated for subterranean termites, the licensee shall treat said structure for subterranean termites prior to the issuance of a Wood-Destroying Insect Report on the structure which states that the structure is free from subterranean termites.

(c) If a treatment is performed in conjunction with a WDIR, a copy of the contract and warranty, if any, shall be attached to and become part of the WDIR.

(d) A licensee, certified applicator or registered technician shall not remove or destroy, or cause the removal or destruction of, any wood-destroying organism evidence discovered in, on, under or in or on debris under a structure inspected pursuant to this rule except as required by Paragraph (b) of this Rule.

Enforcement Policy

The WDIR 100, as revised effective July 1, 1992, is the only form that may be used to report the presence or absence of wood-destroying insects or their damage in a structure that is for sale. Although the form no longer requires the reporting of damage, if damage is to be reported, it must be reported on this form.

The form may not be altered in any way. This includes the addition of an arbitration clause, the use of the form as a proposal etc. Preprinting the licensee's name and license number, company name and address are permitted. In addition, checklists of inaccessible items and/or of conditions conducive to subterranean termites will be permitted provided the use of such lists does not alter the intent of the form. The PCO must check all items that apply for each structure inspected.

Under Rule .0602(c), a copy of the contract MUST be attached to all Wood-Destroying Insect Information Reports on properties on which a treatment was performed in association with the issuance of the WDIR. This requirement applies regardless of the pest for which treatment is performed or the method of treatment.

Rule .0602(d), prohibits the PCO from removing or destroying any evidence of wood-destroying insects discovered during the inspection.

Each section of the form must be properly completed. Following is a section by section discussion of the form.

1. Complete this section fully. Always indicate which structures on the property were inspected. Though not required, it may be best to complete more than one form if two significant structures are to be inspected.

2. PCOs must list areas that were inaccessible during their inspection. However, permanently installed items (e.g. floor coverings, wall coverings, etc.) need not be listed individually as they are covered in item 2 on the reverse of the form. Movable items (e.g. furniture, appliances, equipment, etc.) or items which may vary from structure to structure (e.g. insulation, attic access, etc.) must be listed individually for each structure inspected.

3. The PCO must report all visible evidence of wood-destroying insects observed, past or present. Activity of the infestation observed is not a prerequisite to reporting evidence found. Evidence of a prior treatment alone is not sufficient evidence to report the presence of an infestation of a wood-destroying insect.

If any of blocks A, B, C or D are checked, the appropriate box within that item must also be checked (i.e. box 1, 2 or 3).

The location of the evidence of wood-destroying insects must be reported adjacent to the box identifying the insect(s) found. While it is not necessary for the PCO to specify the number of joists affected, the location must be specific enough for all parties to the transaction to understand the location and extent of the infestation and for subsequent inspectors to locate the evidence. "In crawl space" is NOT sufficient. Furthermore, the location must be specific as to whether or not the wood-destroying insect has infested wooden members. Phrases such as "in floor joists behind front porch", "in sill along rear wall" etc. are required.

Block 3.A.3. is checked when there is evidence of subterranean termites, with no recent activity, and evidence that the infestation was treated at some time in the past. This must be checked if visible evidence of treatment is directly associated with the evidence of infestation. If the visible evidence of treatment is in an area of the structure completely removed from the evidence of infestation, such that it is unlikely that the treatment would have any effect on the infestation, the PCO may check Block 3.A.2. provided an explanation is given concerning the extent and location of the treatment.

Block 3.D. "Others" includes but is not necessarily limited to, carpenter ants and wood boring beetles or other insects capable of infesting seasoned wood.

4. Checking this block indicates that there is absolutely no evidence of wood-destroying insects in the structure or in or on debris under the structure. This item must not be checked if there is any visible evidence of wood-destroying insects present.

5. All conditions conducive to infestation of subterranean termites noted during the inspection must be reported. At a minimum, wood making direct soil contact, cellulose debris under a structure and excessively wet wood, as determined by a moisture meter, in the crawl space must be reported as conditions conducive to subterranean termites. (Other conditions may be present in a specific structure that may be conducive to termites in light of the overall condition of the structure. PCOs must use their own judgement in reporting these items.)

In determining the accuracy of a WDIR 100, three things must be determined: 1) is there any visible evidence of wood-destroying insects present? 2) If so, was the evidence present during the PCOs inspection? You must take into account the time of year, life cycle of the insect present, treatment status and the presence of active insects; 3) Was the evidence visible at the time of the PCOs inspection and should the PCO have found the evidence during a properly performed inspection? Having answered these three questions, you can then evaluate the accuracy of the WDIR accordingly.

The issuance of an inaccurate WDIR is a secondary deviation and will be written up as such on the inspection report. Inaccuracies should be documented with photographs as necessary.

Revised August, 2003