

Board for Asbestos, Lead and Home Inspectors VIRGINIA ASBESTOS LICENSING CONSUMER INFORMATION SHEET

Pursuant to 18VAC15-20-453 of the *Virginia Asbestos Licensing Regulations* the following situations and relationships between license categories are considered a conflict of interest and are prohibited:

- ◆ It is a conflict of interest for an *asbestos contractor* to have an employee/employer relationship with, or financial interest, in a *laboratory* utilized by the contractor for asbestos sample analysis. Laboratories owned by a building owner performing analysis on suspect asbestos samples taken from the building owners' property are exempt from this section.
- ◆ It is a conflict of interest for an *asbestos contractor* to have an employee/employer relationship with an *asbestos project monitor* working on an asbestos project performed by that asbestos contractor. An asbestos contractor shall not have any financial interests in the firm of which a project monitor is an employee and provides project monitoring services for that contractor. The regulation does not relieve a contractor of the OSHA personal monitoring requirements set forth in 29 CFR Part 1926.1101.
- ◆ It is a conflict of interest for an *asbestos contractor* to enter into a contract to perform an asbestos project if the *asbestos inspection* or *project design* was performed by individuals with an employer/employee relationship with, or financial interest in, the asbestos contractor, unless the asbestos contractor provides the building owner with the Virginia Asbestos Licensing Consumer Information Sheet and the Virginia Asbestos Licensing **Inspector/Project Designer/Contractor Disclosure Form**. The asbestos contractor's relationship with the asbestos inspector or project designer on the project shall be disclosed. The disclosure form shall be signed and dated by the building owner or his agent and the contracting entity and submitted as part of the bid. The contractor shall provide the disclosure form to all parties involved in the asbestos project. The disclosure form shall be kept on the asbestos project site and available for review.

Before signing any contract, you should ask to see the Virginia Asbestos Contractor, Inspector, Project Designer, Management Planner, Project Monitor, Worker, or Supervisor license to verify that it has not expired and that the licensee is working within the limits of his license and training requirements. **No individual or company may work with an expired license! There is no grace period on an expired license.**

The Board for Asbestos, Lead and Home Inspectors does not have the authority to order a licensee to make restitution to you for losses you may incur due to poor performance by the licensee. Efforts to recover such funds must be litigated in the civil courts. You should carefully review the contract before signing it to ensure that the terms of agreement are clear and acceptable to you. As the building owner and originator of the asbestos containing material, you can be found liable if the licensee does not adhere to all federal, state, and local laws and regulations.

Should you have a reason to believe that an asbestos licensee may not have complied with all federal, state, and local laws and regulations, you should notify the Department of Professional and Occupational Regulation by calling (804) 367-8595 or writing to the *Executive Director, Virginia Board for Asbestos, Lead and Home Inspectors, Department of Professional and Occupational Regulation, 9960 Mayland Drive, Suite 400, Richmond, Virginia 23233-1485.*