

PART 22.

WOOD INFESTATION REPORTS

35:30-17-100. Compliance and violations

- (a) Any wood infestation report (WIR) issued that is not in compliance with these rules shall be inaccurate, misleading, or fraudulent.
- (b) Any person who issues a WIR that fails to comply with the provisions of these rules shall be in violation for failure to perform work according to minimum standards.

35:30-17-101. General requirements for WIRs

- (a) "Wood destroying insect" means any insects, other than termites, which damage or destroy wood or other cellulose materials, including but not limited to carpenter ants, carpenter bees, and powder post beetles. This term shall not include fungi which inhabit or destroy wood or other cellulose materials, health hazard molds, or stain fungi.
- (b) WIRs shall be based on a thorough visual inspection and provide an accurate written disclosure of the presence or absence of termites and other wood destroying insects and the presence or absence of damage caused by termites or other wood destroying insects.
- (c) Each WIR shall be made on a form prescribed by the Board.
- (d) Copies of the WIR shall be provided to each of the following:
 - (1) The person purchasing the WIR.
 - (2) The files of the business responsible for the WIR.

35:30-17-102. Uses of the WIR

- (a) A WIR used as a basis for recommendations for remedial treatment for termites or other wood destroying insects shall disclose the following:
 - (1) Presence of live termites or other wood destroying insects.
 - (2) Evidence of a previous infestation and no visible evidence of a treatment to address it.
 - (b) A WIR used as a basis for recommendation of preventive treatment for termites or other wood destroying insects shall identify the presence of substantial conditions conducive to infestation by termites or other wood destroying insects.
 - (c) The WIR shall include a statement indicating if the report is used as the basis for remedial or preventive treatment.

35:30-17-103. Qualifications

- (a) Any person performing an inspection for a WIR shall be a certified applicator or a certified service technician.
- (b) Any person issuing a WIR shall be a certified applicator, certified in structural pest control.
- (c) The business responsible for the WIR shall have a current license in structural pest control.

35:30-17-104. Minimum information required for a WIR

- (a) A WIR shall include, but not be limited to, the following:
- (1) The address or location of the property inspected.
 - (2) The type of construction as determined by visual inspection, including, but not limited to, the following:
 - (A) Specify the type of stem wall, whether brick, concrete blocks, or any other type.
 - (B) Specify the type of floor, whether wood, concrete slab, or any other type.
 - (C) Specify any areas under the floor, whether a crawl space, basement, or any other area.
 - (D) Specify the type of exterior, whether wood, wood veneer, stucco, fiberboard, brick or stone, concrete block, aluminum or vinyl siding, or any other type, including combinations of types.
 - (E) Specify the type of piers, whether wood, concrete blocks, or any other type.
 - (3) A description of any inaccessible or visually obstructed areas.
 - (4) A description of any visible conditions conducive to termites or other wood destroying insects, including wood to ground contact, remaining form boards, excessive moisture, debris under or around the structure, visible wood flooring over slab, stucco siding, crawl space clearance resulting in insufficient separation between soil and wood, expansion joints or cracks in slabs, decks in contact with the structure, dense foliage in contact with the structure, wood piles in contact with the structure, or any other condition.
 - (5) A description of visible evidence of termite activity, including live termites, termite tubes or frass, evidence of previous infestation or treatment, or winged adults.
 - (6) A description of visible evidence of termite damage.
 - (7) A description of visible evidence of damage or activity by other wood destroying insects.
 - (8) If no visible evidence is present, the WIR shall so state.
- (b) Each page of the WIR shall indicate the address or location of the property and the date of the inspection.

35:30-17-105. WIR inspections

- (a) Areas to be inspected shall include, but not be limited to, the following:
- (1) All structures on the property, unless specifically identified on the WIR.
 - (2) Areas around the plumbing in bathrooms, kitchens, laundry areas, or any other areas with plumbing.
 - (3) Window and door frames and sills.
 - (4) Baseboards, flooring, walls, and ceilings.
 - (5) Floored attics.
 - (6) Entrance steps and porches.

- (7) Exteriors of slabs or foundations walls.
- (8) Exteriors of all structures.
- (9) Crawl spaces, including but not limited to, support piers or stiff legs, floor joists, sub floors, sill plates, or foundation walls.
- (10) Fireplaces.

(b) Inaccessible areas are not required to be inspected for the WIR, and may include, but are not limited to, the following:

- (1) Areas of attics with no flooring.
- (2) Interiors of hollow walls, floors, or ceilings.
- (3) Structural segments that cannot be accessed without defacing or tearing out lumber, masonry, or finished work, such as enclosed bay windows, buttresses, and other similar areas.
- (4) Areas behind or beneath stoves, refrigerators, furniture, built in cabinets, insulation, or floor coverings.
- (5) Areas where storage, locks, or other conditions render an inspection impractical.
- (6) Insufficient clearance for inspection of a crawl space.

(c) Any structures on the property not included in the inspection shall be identified on the WIR as not inspected.

(d) Any subsequent inspections shall be considered a follow up inspection.

(e) An ODAFF-1 Form shall be completed on all property transactions or when contesting a WIR issued on a property. An ODAFF-1 Form is not required for routine termite inspections not involving property transactions.

(f) Any routine report not intended for a property transaction shall contain a disclaimer stating it is not intended for a property transaction.

35:30-17-106. Posting of notice

- (a) Upon completion of an inspection for a WIR, the inspector shall post a durable sign adjacent to the water heater or electric breaker box, beneath the kitchen sink, or in the bath trap that includes the name and address of the inspector, the date of inspection, the purpose of the inspection, and a statement indicating the posted notice shall not be removed under penalty of law.
- (b) Any person removing or defacing a posted inspection notice shall be in violation of this section.
- (c) The sign shall have a minimum size of two (2) inches by four (4) inches and shall be self sticking.

35:30-17-107. Forms

- (a) Form ODAFF-1 [Oklahoma Official Termite and Wood Destroying Insect Report] and Form ODAFF-2 (Official Termite and Wood Destroying Insect Report Follow-up) shall be the official and required forms for WIRs and are available for inspection or copies at the offices of the Plant Industry and Consumer Services Division, Oklahoma Department of Agriculture, Food, and Forestry.
- (b) The official forms may be preprinted by a business, however no alterations or additions to the form shall occur, other than the following:
 - (1) Name of the business.

- (2) Business structural pest control license number.
 - (3) Business address and telephone number.
 - (c) Additional documents or addenda shall be listed and attached to the WIR.
 - (d) Each official form including more than one page, whether printed on the front and back or on separate pages, shall include the total number of pages in the WIR and the page number of each individual page, i.e. "Page One of Three".
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