

## UPDATE

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### Termites Found Adjacent to the Structures During Inspections

Frequently when inspectors are called to examine a property for a real estate transaction or just for an inspection requested by a homeowner, termites are found on the property but not in the structure. NPCA is often asked how to report this termite activity and whether a treatment is necessary. Also, lenders, used for a "clearance" procedure for property transfer rely on the PCO to determine if a treatment is necessary. Conflicting opinions by wood destroying organism inspectors lead to confusion as to what is infested and when must a property be treated. Currently, thirty-eight states use the NPCA-1 to report findings of inspections. PCOs should use the Suggested Guidelines issued with each pack of forms distributed by NPCA for use in those states. These comments apply to those states as well as states that have their own forms. As always, PCOs must understand and comply with state regulations regarding inspections and findings. While many wood destroying organisms may be reported on a WDO report, this Update will address termites only.

#### What is "Infested?"

The inspector must list the structures inspected. This information is provided to the PCO by the person ordering the inspection. Since the report addresses the conditions of the *structure* listed on the report, only infestation of that structure may be reported. Termites found in areas outside of the structure should not be considered as infesting the structure. Further, the inspector does not have to see live insects to call a structure infested based upon visible evidence. Based upon the education and experience of an inspector, evidence of termite activity goes beyond seeing live insects. Shelter tubes that are undisturbed and wings without any sign of treatment are just two of the signs which may lead an inspector to consider a structure infested.

#### Termites in Mulch

There is no question that termites in mulch are a common occurrence. Mulch is a product of wood and the cellulose is excellent food for termites. Hardwood bark seems to be less attractive than softer woods such as pine nuggets. The moisture, food source, and protection of the mulch make ideal conditions for the survival of termites. Inspectors finding termites in mulch will be faced with the dilemma of properly reporting the findings to the homeowner. If the termites are



not reported in any fashion, there is a clear danger that the structure may become infested shortly. If the termites are reported, there is a chance that the realtor will take exception to the report in that the structure is not infested and the PCO appears to be overselling termite control work. If termites are found in mulch, the structure cannot be called infested and requiring treatment. As a reporting practice, PCOs can report such conditions in the comments section as a service to the homeowner. The homeowner might ask for more information and certainly the PCO can explain the advantages of treating the structure to prevent infestation if the PCO is concerned about the proximity. However, the PCO cannot call the structure infested unless there is evidence of infestation in or on the structure. PCOs commonly suggest that the homeowner should remove mulch adjacent to the structure, but that suggestion is generally not embraced by the homeowner.

There is no distance as a standard or practice of the industry which dictates treatment. Termites found even six inches from the foundation will not result in a treatment being “required” by industry standards or practices.

Mulches will soon be available to homeowners which have borates in the mulch to reduce termite activity. NPCA is aware of only one manufacturer, Termarid. Their website can be accessed at [www.termarid.com](http://www.termarid.com). NPCA has not been provided manufacturer’s data and cannot comment on the efficacy at this time.

### **Termites Found in Other Areas**

Termites may be found in areas other than mulch. These include outbuildings, fenceposts, and other areas. If termites are found in these areas, the “structures inspected” area should be reviewed to see if the infested area is covered. If so, the area should be reported as infested. If not, the inspector is free to note infestation in the comment section. Some HUD field offices had historically requested treatment of all structures on the property if termites were found within thirty feet of any structure. HUD is revising the policy in those few offices to reflect current practices.

### **Summary**

PCOs have a difficult job in properly inspecting and reporting infestation especially when termites are found not in the structure but adjacent to the structure. Termites found adjacent to the structure should be reported in the comment section of reports and should not be called active in the structure. PCOs are free to discuss treatment but should not imply that termites found adjacent to the structure will require a treatment.