

Structural Pest Control Section · Division of Plant Industry Georgia Department of Agriculture

Compliance Fact Sheet Wood Destroying Organisms Contracts

This fact sheet is for structural pest control operators and technicians. It provides guidance on how to comply with the Wood Destroying Organisms (WDO) contract regulations in the Rules of the *Georgia Structural Pest Control Act*. These rules were amended September 1, 2017.

What does the regulation require?

Every licensee must issue a written contract to the property owner or owner's agent covering each job of WDO protection or control. WDOs include termites, wood boring beetles and wood decay fungi and any other wood destroying organism in structure and/or adjacent areas.

What information must be included on the contract?

The following information is **required**:

- The specific **type of control** measure to be performed. (comprehensive, defined or alternate application technique soil treatment, baiting system, wood treatment and noting if pre-construction)
- The **effective date** and the **contract period**.
- A **diagram** consisting of a reasonable depiction of the structure indicating the location of any active or previous infestation.
- The **price** to be charged indicating all charges such as cost for repairs, replacements or excavation when related to the control of the WDO.
- The specific **terms** of any guaranty or warranty and whether they apply to retreatment or repair of damages. For these contracts one of the following statements must be placed at the top of the first page in at least 1/8 inch

letters and blocked in with a heavy black line:

This contract provides for retreatment of a structure but does not provide for the repair of damages caused by wood destroying organisms.

This contract provides for retreatment of a structure and the repair of damages caused by wood destroying organisms within the limits stated in this contract.

- Specific **conditions for renewal**:
 - the renewal fee amount
 - the number of years over which the renewal fee will remain fixed
 - a statement of whether or not re-inspections of the structure(s) are to be made and the interval (annual, periodic, quarterly, etc.)
- Any provision for a limitation of liability based upon any modification or addition to the structure as depicted in the diagram shall be set forth in the contract so that the homeowner understands the responsibility for notifying the licensee.
- Property owner **signature**.
- The **three day right of contract cancellation**.

Termite baiting system contracts must contain the following **statement** in at least 1/8 inch letters and blocked in with a heavy black line:

The removal of the bait or baiting system may result in a lack of termite protection.

- The **insurance statement** must be in the same size type as other terms and conditions, stating the following:

The Georgia Structural Pest Control Act requires all pest control companies to maintain insurance coverage. Information about this coverage is available from this pest control company.

Warranty only contracts

These contracts can be issued when there is no initial treatment. Warranty only contracts for subterranean termite control are limited to one and two family homes and may not be issued for structures with active subterranean termite infestations nor in place of a pre-construction treatment. The contracts require the following additional information:

- An **initial inspection** of the structure
- A **diagram** consisting of a reasonable depiction of the structure to include the locations of any:
 - previous infestations
 - date of inspection
- The **type of treatment** that will be performed at the first occurrence of termites (comprehensive or defined soil treatment or baiting system).
- An **annual inspection** of the structure.
- The following inspection and repair **statement**, in at least 1/8 inch letters

and blocked in with a heavy black line, that states:

This contract provides for the inspection of the structure, future treatment of the structure and for the repair of damages caused by wood destroying organisms within the limits stated in this contract.

Can contracts limit the treatment?

Non-residential structure contracts may limit the area to be treated. Contracts for residential structures, not exceeding two units, may not limit the area to be treated.

How long must records be maintained?

The licensee is required to retain copies of the contract and supporting documentation (pesticide use records, diagrams, waiver form) during the contract period and for two years following the expiration date of the contract.

Online Resources

[Laws & Regulations](#)

[Georgia Structural Pest Control Commission](#)

Also listed at www.agr.georgia.gov/structural

If further assistance is needed, contact the Structural Pest Control Office or an inspector at (404) 656-3641 or inspection@agr.georgia.gov

The Georgia Structural Pest Control Commission and Georgia Department of Agriculture have issued this guidance document to help pest management professionals comply with the Rules of the Georgia Structural Pest Control Act. This document does not include all regulatory requirements. Refer to the complete Rules of the Georgia Structural Pest Control Act for all rules and regulations.

SPCS: 14-04

Issued 06-10-14

Revised 12-12-17