

Date DEC 19 2014
Registrar _____
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MUNY CRAN

FEDERAL COURT

No. T-2030-13
SERVICE OF A TRUE COPY
HEREOF ADMITTED

DEC 19 2014

WILLIAM F. PENTNEY / 
Solicitor for
A.G.C.

BETWEEN:

NEIL ALLARD
TANYA BEEMISH
DAVID HEBERT
SHAWN DAVEY

PLAINTIFFS

AND:

HER MAJESTY THE QUEEN IN RIGHT OF CANADA

DEFENDANTS

AFFIDAVIT OF JASON SCHUT

I, JASON SCHUT, #270-33771 George Ferguson Way, Abbotsford, BC, MAKE OATH AND SAY AS FOLLOWS, THAT:


1. My name is Jason Schut, and I am the Manager of Enviromold, a company that specializes in preventing and controlling mould and remediating premises that have suffered from mould damage, and I make this affidavit of my own personal knowledge, information and belief. Where matters are stated to be on information and belief I so indicate and believe them to be true.
2. Now produced and marked as Exhibit "A" to this my Affidavit is my Rebuttal Expert Report.
3. Now produced and marked as Exhibit "B" to this my Affidavit is my Certificate Concerning Code of Conduct for Expert Witnesses.

4. I swear this Affidavit as an expert rebuttal witness on behalf of the Plaintiffs in this action.

SWORN BEFORE ME at the City)
of Abbotsford, in the Province of)
British Columbia, this 11th day of)
December, 2014.)



_____)
A Commissioner for Taking Affidavits in)
and for the Province of British Columbia)


_____)
JASON SCHUT

EXPERTS REPORTS – JASON SCHUT
MOULD EXPERT REPORT

This is Exhibit "A" referred to in
the affidavit of Jason Schut
sworn before me at Abbotsford, BC
this 11th day of Dec. 2014


A commissioner for taking affidavits
for British Columbia, 3rd

(a) A statement of the issues addressed in the report;

Rebuttal to the report/affidavit of Professor John David Miller of October 3rd, 2014.

(b) A description of the qualifications of the expert on the issues addressed in the report;

See www.enviromold.com with respect to qualifications on the issues and in particular with respect to credentials in relation to mould, inspections and testing, clean up and remediation, prevention, specifically marihuana grow ops in particular – hard copy attached as Schedule "A".

(c) The expert's current *curriculum vitae* attached to the report as a schedule;

Attached hereto as Schedule "B"

(d) The facts and assumptions on which the opinions in the report are based; in that regard, a letter of instructions, if any, may be attached to the report as a schedule;

I am responding to the specific facts and assumptions addressed by Professor John David Miller in his Affidavit and Expert report in these proceedings and to address the issue of mould and its prevention and control in indoor settings used to legally grow marihuana. Attached as Schedule "C".

(e) A summary of the opinions expressed;

I accept that housing construction, including that of multiple unit residential buildings, has deteriorated over the last 30 years, for the reasons given by Prof. Miller. I also agree that if one simply adds plants, of any kind, to such residences without the required equipment to remove or exhaust the moisture, the moisture and humidity levels could be problematic and cause damage and risks to occupants and others. However, my experience with remediating marijuana grow operations, mould contamination in buildings, and investigating and consulting on moisture in indoor environments is that a legal medical production site can easily address these issues to ensure the detection and elimination of any excess moisture. My opinion is that all of the concerns in relation to moisture and mould contamination addressed by Prof. Miller can be prevented and controlled relatively inexpensively by modern equipment and local regulation. All such facilities should be regulated by local government and I remain confident that such facilities can be created and conducted in such a manner that no water/moisture damage occurs to the building, including the residence.

(f) In the case of a report that is provided in response to another expert's report, an indication of the points of agreement and of disagreement with the other expert's opinions;

See Schedule "C" that merges (f) above and (g) below into one document.

(g) The reasons for each opinion expressed;

See above and see Schedule "C".

(h) Any literature or other materials specifically relied on in support of the opinions;

N/A

(i) A summary of the methodology used, including any examinations, tests or other investigations on which the expert has relied, including details of the qualifications of the person who carried them out, and whether a representative of any other party was present;

Not applicable other than see biography for qualifications and website for specific experiences.

(j) Any caveats or qualifications necessary to render the report complete and accurate, including those relating to any insufficiency of data or research and an indication of any matters that fall outside the expert's field of expertise; and

N/A

(k) Particulars of any aspect of the expert's relationship with a party to the proceeding or the subject matter of his or her proposed evidence that might affect his or her duty to the Court.

I have no relationship with any of the parties to the proceedings and my involvement with the subject matter has been in my professional capacity in relation to the remediation and cleaning up of primarily illegal grow operations in the past I haven't inspected or visited properly permitted, licensed and constructed legal marijuana sites. I can only say that the moisture that causes mould colonization in any buildings can be controlled, especially on a small scale ie: 20 plants



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CREDENTIALS

FAQ'S

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Why has Enviromold been voted the #1 mold and asbestos company in BC?



- 1
- 2
- 3
- 4

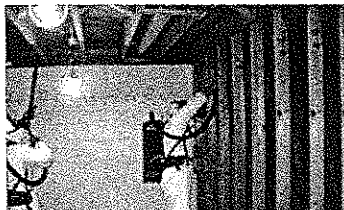
INSPECTION AND TESTING



Visual inspection of the premises critically examining the building searching for any sign of structural defect (past or present), environmental conditions conducive to mold colonization, and other potentially hazardous ..

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CLEAN-UP AND REMEDIATION



Ten reasons why Enviromold is the #1 Mould Remediation (removal) company in British Columbia? (1) There is an onsite project manager who is a Certified Mold Inspector and Certified Mold Remediation (removal) Technician ..

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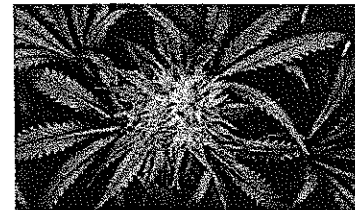
MOULD PREVENTION



In British Columbia we have the unfortunate pleasure of living in a rainforest. This fact is both a blessing and a curse; it's the reason we have beautiful greenery all year round, but is also one of the reasons we have such high ..

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MARIJUANA GROW OP'S



YES, when a house or building has marijuana grow operation, it creates an environment of excessively high levels of humidity. They're literally putting a greenhouse inside a house or building. It's this high humidity that causes ..

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WELCOME TO OUR COMPANY

WE WORK FOR YOUR SATISFACTION AND TAKE A PRIDE IN OUR WORK

WHO ARE OUR CLIENTS ?

Residential Homes

Commercial Buildings

Provincial Government

ABOUT US

Enviromold® is a NAMP and IICRC Certified mold Inspection and Certified mold Remediation (removal) company that specialize in residential and commercial mold problems throughout the province of British

WHAT OTHER SAY

Enviromold was professional, thorough and very knowledgeable! I would recommend their



Non-Profit Societies

Large Corporations

Columbia and Alberta. Our knowledge and experience will provide you with the expertise needed to solve any mold issue.

service to anyone.

Laura S.

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- Credentials
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- Asbestos Abatement
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- Certified Mould Inspections
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[FAQ'S](#)
[CONTACT US](#)

INSPECTIONS AND TESTING

Should you be concerned about your indoor air quality?

Is your home or office making you sick?

The Enviromold Inspection Is the most thorough in the industry and is only performed by a Certified Mold Inspector. The inspection services we provide :

Visual inspection of the premises critically examining the building searching for any sign of structural defect (past or present), environmental conditions conducive to mould colonization, and other potentially hazardous indoor air quality related problems.

We use the AIHA standards for taking Mould samples (air, tape lift, swab, or bulk) that are analyzed by a 3rd party independent laboratory.

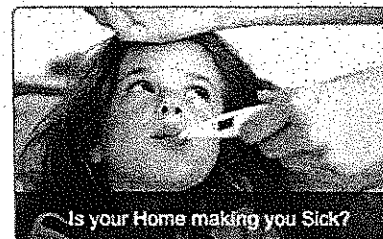
The mould samples are never analyzed on site or by our own employees. We believe our clients want their mould samples analyzed by a non-biased independent laboratory in a controlled environment.

Moisture meter and relative humidity readings.

Borescope into walls to determine potential hidden mould.

Invasive removal of small sections of drywall with containment afterwards.

Written report with digital pictures and recommendations.



Call Enviromold for a free phone consultation

Toll Free at 1-866-645-4500.

*

Our main service area is: The Lower Mainland, Fraser Valley, Whistler, Squamish, and Hope. Arrangements can be made anywhere in British Columbia or Alberta.

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[Credentials](#)
[Faq's](#)
[Contact Us](#)

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[Asbestos Abatement](#)
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[Certified Mould Inspections](#)
[Vermiculite Removal](#)
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[Infrared Scanning](#)
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SERVICES

INDUSTRIES

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CREDENTIALS

FAQ'S

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CLEANUP AND REMEDIATION

Ten reasons why Enviromold is the #1 Mould Remediation (removal) company in British Columbia?

1. There is an onsite project manager who is a Certified Mold Inspector and Certified Mold Remediation (removal) Technician for every project.
2. Every project is 100% confidential.
3. All chemicals used are environmentally friendly, non-toxic, and 100% safe.
4. Demolition is only done when it's 100% necessary and done to the absolute minimum.
5. Every remediation project comes with a professional report with digital pictures of before and after.
6. Every remediation project has a scope of work detailing every step of the remediation project before it begins with verbal progress reports throughout the project.
7. All WCB regulations are strictly followed by all Enviromold employees.
8. Our technicians ensure that contamination does not spread to other areas of your home or building. Negative Air Machines with HEPA filtration ensure mold spores that become airborne remain inside of the polyethylene containment area.
9. All remediation (mould removal) projects include verification air samples taken after every remediation project. This ensures that the remediation process was successful and that the house or buildings air quality is back to safe levels and suitable for occupancy. Without it, there is no proof that the unsafe levels of mould are gone or that the company did what they were hired to do. These verification samples are analyzed by a non-biased independent laboratory and given to the client. What this means is that when Enviromold leaves, the house or buildings air will be "cleaner" than the day it was built and we'll stand behind our work.
10. Lastly, we have exceptional customer service.

Can't I hire a general contractor or even remove the mold myself?

Yes, but it's not recommended and here's why :

The average person or general contractor has no training or expertise in understanding how to safely remove mold from a structure. Some general contractors (not all) will tell you, "I've been a contractor for years and I've taken tons of mold out of houses—it's no big deal". Sadly this is the case for many general contractors and the truth is they've never taken it out correctly. It takes an expert to remove mold to industry standards and to leave a structure "clean" and safe to be inhabited.

Some of the problems with removing mold yourself or hiring a general contractor with no mold training or expertise :

1. **No air samples or other mould samples (tape lift, swab, or bulk) taken inside the structure.** Enviromold takes air, tape lift, swab, and bulk samples, when necessary, to potentially determine the type of mold growing inside a building and in what concentrations. This will determine if further safety precautions will be required and are always analyzed by an independent 3rd party laboratory.
2. **No adequate containment barriers erected around contaminated areas with Negative Air Machines with HEPA filtration.** Enviromold technicians are trained in the latest containment procedures, ensuring that contamination does not spread to other areas of your home or building. Negative Air Machines with HEPA filtration insure mould spores are neutralized and remain inside of the polyethylene containment area.
3. **Improper chemicals used to kill and disinfect the mould.** Enviromold uses only commercial grade, EPA and Health Canada approved antimicrobials in the remediation process. All of our chemicals we use are environmentally friendly, non-toxic, and 100% safe for even children and the elderly. Often people use bleach to try and disinfect mold. This is an inadequate and ineffective mold killer. It should never be used as it will not kill all the mold and the mold will simply grow back.
4. **Improper equipment to prevent the toxic mould spores from being reintroduced back into the house or building.** Enviromold uses specialty equipment like Certified HEPA vacuums and vacuum assisted power tools to prevent the toxic mold spores there removing from re-entering the house or building and causing greater contamination.
5. **No Personal Protection Equipment (PPE)** Enviromold technicians always use the required personal protection equipment that is required by WCB to remove mold.

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[Home](#)
[About Us](#)
[Industries](#)
[Credentials](#)
[Faq's](#)
[Contact Us](#)

[Asbestos Abatement](#)
[Mould Remediation](#)
[Certified Mould Inspections](#)
[Vermiculite Removal](#)
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MOULD PREVENTION

In British Columbia we have the unfortunate pleasure of living in a rainforest. This fact is both a blessing and a curse; it's the reason we have beautiful greenery all year round, but is also one of the reasons we have such high occurrences of mould growth inside our houses. One of the reasons for this is when our houses are being built in the rainy season (Sep-May), the moisture content in the wood framing and OSB is often too high before putting up the drywall. Moisture content needs to be checked before closing drywall and should never be higher than 19%. If this doesn't happen, mould has the potential to grow inside the walls.

So what can be done?

Enviromold uses a product called "Enviroshield"

, which is an environmentally friendly anti-microbial sealant that comes with a manufacturer limited lifetime warranty. It can be used on new construction to help prevent potential mold growth in the future or after the mold remediation process. Please call us for more information.

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[Home](#)
[About Us](#)
[Industries](#)
[Credentials](#)
[Faq's](#)
[Contact Us](#)

OUR SERVICES

[Asbestos Abatement](#)
[Mould Remediation](#)
[Certified Mould Inspections](#)
[Vermiculite Removal](#)
[Marijuana Grow-Op Clean-Up](#)

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[FAQ'S](#)
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MARIJUANA GROW OPS

My house had a Grow-Op in it, should I be worried about toxic mould?

YES, when a house or building has marijuana grow operation, it creates an environment of excessively high levels of humidity. They're literally putting a greenhouse inside a house or building. It's this high humidity that causes most grow houses to have excessive amounts of mould growing inside the structure. Mould needs very little to grow: a food source (wood, paper, drywall, or dust), mould spores, an amiable temperature, and moisture. What this means is that practically every house and building in the known world has the ability to grow mould if you add moisture. A marijuana grow-op is a disaster waiting to happen. Why? It only takes 24- 48 hours for mould to start growing after being exposed to a moisture source like high humidity. Many of these grow-op's are in operation for years! The first thing a person needs to do is bring in an expert to do a Certified Mould Inspection of the structure and assess the situation.

This will allow the inspector to determine some very important questions :

Is there mould present?

How extensive and concentrated the colonies are?

What type of mould is present?

Should air or other mould samples be taken?

What will the scope of work be to repair the potential mould problem?

Can the house safely be inhabited?

Enviromold Technicians are Certified Mould Inspectors and Certified Mould Remediators (removal). We have years of experience and knowledge with grow-op mould issues.

Call Enviromold at

1-866-645-4500

Grow-Op's in the Press

Edmonton Sun, 2004- The Canadian Association of Chiefs of Police is particularly worried about toxic mould often found in damp, poorly ventilated illegal grow-ops. "Large amounts of moisture in MGO confined spaces create and encourage the growth of many micro-organisms and indoor species of mould," said the resolution, passed last week at the CACP's annual conference in Vancouver.

April 28, 2006 (Bloomberg)-- Holes in ceilings and attics are often made to route electricity and to vent excess moisture from the homes. What is of the most concern is the mould, often toxic, which affects ceilings, drywall, paneling, and insulation. This mould can be a serious health risk to anyone living in the home, as it may cause respiratory damage.

QUICK LINKS

[Home](#)
[About Us](#)
[Industries](#)
[Credentials](#)
[Faq's](#)
[Contact Us](#)

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[Asbestos Abatement](#)
[Mould Remediation](#)
[Certified Mould Inspections](#)
[Vermiculite Removal](#)
[Marijuana Grow-Op Clean-Up](#)
[Indoor Air Quality Testing](#)
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INDUSTRY FRAUD

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FAQ'S

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ABOUT ENVIROMOLD

"Enviromold has been presented with the 2012 "Consumer Choice Award" for the #1 Mold Remediation and Mold Inspection Company in the Province of BC."

Enviromold Technicians are mold and asbestos experts! We've been helping customers throughout the Province of BC with their mold and asbestos problems for over 8 years now. We've come a long way from our modest beginning of operating out of our founder's basement to our present (4) offices throughout the Province of BC.

Enviromold® is a NAMP and IICRC Certified mold Inspection and Certified mold Remediation (removal) company that specialize in residential and commercial mold problems throughout the province of British Columbia and Alberta. Our knowledge and experience will provide you with the expertise needed to solve any mold issue.

The NAMP is the National Association of mold Professionals. It's the largest, oldest, and most respected non-profit mold Association in North America. NAMP has developed a training and Certification Program to provide education and authoritative credentials for mold Professionals.

"Our knowledge experience and customer service are the reason why our clients call Enviromold® the #1 mold company in BC"

- Jason Schut, Manager



We are Mold and Asbestos Specialists!

Enviromold was started approximately 8 years ago and has grown into the "The #1 Mold and Asbestos Abatement Company in BC". This is one of the reasons we were featured in the "Mike Holmes Magazine" on Mold (April 2010) and why we were awarded the "Consumer Choice Award 2012" for Mold Inspections and Mold Remediation. Our business philosophy of, "We would rather fail with integrity than to succeed without it", has built our reputation into what it is today. We've set ourselves apart by offering the same exceptional customer service no matter what size the project. It's one of the reasons why we have an "A" rating with the BBB. In the 8 years we've been in business. Our reputation in the industry and Province is something we've worked really hard to accomplish and something we are very proud of. We perform projects on a daily basis for: residential homes, insurance companies, strata's, Provincial Government, large corporations, non-profit societies, and more. Whether it's a small mould problem in a bathroom or a multi-million dollar attic mould project, we always complete the job on time, on budget, and it's done right the first time.

We presently have (4) offices across BC. Our newest office, which just opened up in Prince George, has given us the ability to offer our services to the entire Province. Enviromold employs approximately (25) Technicians and office staff. We are fully bonded and insured for mold and asbestos abatement. All of our staff are highly trained and Certified for mold and asbestos removal. Unlike a lot of other companies doing business in the Province, we don't have one Certified Technician who goes to the job site to oversee the non-Certified workers. ALL of our employees are certified and trained. This gives our customers the peace of mind that the work will always be done properly and safely.

QUICK LINKS

Home
About Us
Industries
Credentials
Faq's
Contact Us

OUR SERVICES

Asbestos Abatement
Mould Remediation
Certified Mould Inspections
Vermiculite Removal
Marijuana Grow-Op Clean-Up

Indoor Air Quality Testing
Asbestos Testing
Infrared Scanning
Crime and Trauma Clean Up

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[INDUSTRIES](#)
[INDUSTRY FRAUD](#)
[CREDENTIALS](#)
[FAQ'S](#)
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OUR SERVICES

Asbestos Abatement

Enviromold is an industry leader in Asbestos Abatement throughout the Province of British Columbia. We offer professional environmental solutions at competitive prices. Because of our years of experience and the size of our company, we're able to streamline and finish projects with a higher efficiency. This means our quotes are usually 10-15% lower than our competitors!

Certified Mould Inspections

"Mould is the Symptom. Water is the Problem"

Due to the fact that there are no provincial or federal regulations regarding mold inspections, not all mold inspections are equal. For that matter, not all Mold Companies are equal either. Enviromold Technicians are IEP's, which are Indoor Environmental Professionals not just "Mold Inspectors". Our Technicians have years of training and experience far exceeding any of our competitors.

Our Technicians qualifications include:

- Certified Industrial Hygienist
- Applied Microbial Remediation Technician
- Water Restoration Technician
- Crime scene and Trauma Decontamination Technician
- Certified Home Inspector, etc...

...and of course they're also

- Certified Mold Inspectors (CMI)
- Certified for Mold Remediation (CMR).

We take pride in the fact that we are the best at what we do, and all we do is mold and asbestos!

Vermiculite Removal

Enviromold Technicians are experts at removing vermiculite in attics. We use specialized equipment to remove the asbestos containing vermiculite. The specialized equipment and our years of experience makes the process safer for the client and much more efficient for us. This saves us time, which saves our customers money. Give us a call and find out why we're the #1 choice for vermiculite removal in BC!

Marijuana Grow-Up Clean-Up

Are you considering purchasing a home that you suspect, or know, was used as a marijuana grow-op? Let Enviromold give you the piece of mind of knowing that it's safe to live in for you and your family. Enviromold Technicians are trained to identify the many potential hidden dangers that may be hiding behind the drywall or in your furnace room.

Indoor Air Quality Testing

Mold testing allows you to scientifically know for certain what the state of their air quality is. This will identify the mold types and in what concentrations that might be present in your living space. From this data we will have the ability to identify potentially harmful mold types and attain a clear understanding of what is required to remediate the living space. It's costs effective and worth the piece of mind.

Asbestos Testing

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[Industries](#)
[Credentials](#)
[Faqs](#)
[Contact Us](#)

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[Asbestos Abatement](#)
[Mould Remediation](#)
[Certified Mould Inspections](#)
[Vermiculite Removal](#)
[Marijuana Grow-Op Clean-Up](#)
[Indoor Air Quality Testing](#)
[Asbestos Testing](#)
[Infrared Scanning](#)
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INDUSTRIES

Home Owners

There's nothing more important than the health of your family. Many families are living with unsafe indoor air quality and don't even know it. Because mould can start growing 24-48 hours after being exposed to a moisture source, the longer a person waits the worse the problem will get. Enviromold technicians are trained to investigate, identify potential problems, and make recommendations on any possible steps to repair the situation. Our technicians are very friendly, helpful, and informative.

Corporations

Do your employees seem to be calling in sick more often than they used too? Are they complaining of fatigue, nagging cough, headaches, or runny noses? Your building may be making them sick. The indoor air quality of the workplace can affect your employee's health, performance, and moral. Enviromold technicians can inspect the building and take air samples to identify any potential indoor air quality issues.

Home Buyer

Most people in the market for a house wouldn't imagine purchasing it without having a home inspection done before purchasing it. It gives you a detailed analysis of the house and what problems and deficiencies it may have. So what about the indoor air quality of the house? If the house was showing signs of mould growth and the seller simply painted over it, would a home inspector find it? Unlikely, but an EnviroMold inspector would. That's because all EnviroMold Certified Mould Inspectors are also Certified Home Inspectors.

Our technicians can give you a Certified Home Inspection, Certified Mould Inspection, Indoor air quality testing (air, tape lift, swab, or bulk mould samples), borescope behind walls, moisture and relative humidity reading, gas leak detection, and carbon monoxide testing all in the same inspection.

Retailors

Why recommend a home inspector, when you can recommend a Certified Home Inspector who's also a Certified Mould Inspector? Your clients will appreciate your knowledge of potential hidden dangers that might affect there families health. Recommend an inspection company that has the expertise and training in all aspects of house design and function, but is also certified to perform indoor air quality testing.

Builders and Contractors

Mould related lawsuits for new home construction have sky rocketed in the last 5 years. Did you know builders are finding themselves liable for mould related issues at epidemic rates in North America? So why is it happening in new home construction? One of the reasons is the fact that the moisture content of the lumber being used is too high. Moisture content must be no higher than 19% according to Building Code. There's a simple reason for this, if the moisture content is higher than 19% after the drywall is installed, mould can grow. With the legal community saying that mould is the new "asbestos" of the 21st century, builders are searching for a solution.

What's the answer? Enviromold has developed a cost effective three step process that is a safe, environmentally friendly, pre-treatment for new home construction to control mould, decay fungi, and insects. The process is backed by a 20 year manufacturer warranty against mould growth* and is exclusive to Enviromold. It costs a fraction the cost of fixing a mould problem after the house is finished and can be sprayed on while the wood is wet. The product allows the moisture inside the wood to escape but no moisture to absorb in. Be proactive and differentiate yourself from your competition. Recoup the cost by implementing antimicrobial coatings into your current marketing strategy or offer it as an upgrade at your buyer expense. The antimicrobial sealant will give you legal piece of mind in the absence of adequate mould coverage in your liability insurance policy.

Government and Non-Profit Societies

For many commercial buildings, indoor air quality issues can go undetected for much longer periods of time. People inhabit these buildings for shorter periods of time and health effects seem to take longer to surface. Another issue in commercial buildings is when mould is found, maintenance personnel often try and remove the mould themselves, unaware of the detrimental effects it may cause. This can lead to huge consequences in regards to the size of the contamination and the raised levels of mould spores in the air. One inch of mould can have as many as one billion mould spores. If that one inch of mould is toxic, gets disturbed by a maintenance person trying to cut it out, those toxic mould spores will go airborne. Once there airborne, they can get into the heating and cooling systems and contaminate the entire building.

A very useful tool that Enviromold offers is our "Self Monitoring Service" for Government and Non-Profit Societies where we perform mould and air quality inspections every 6-12 months. We recommend a walk through inspection every 6 months and air samples annually. This allows you to be proactive and prevent possible mould issues before they happen. Enviromold has the experience and expertise to identify, minimize, and prevent mould problems before they happen.

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Do you want a second opinion on your home or buildings mould problem?

Did you have a company remediate your home or building and want verification testing performed to prove that the remediation process was successful and the mould is gone?

Do you want a non-biased second opinion?

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Attach your price quote to an email and send it to secondopinion@enviromold.ca and we'll give you a second opinion based on years of experience and fair industry standards.

Sadly, we live in a world where companies will take advantage of a person under the veil of helping them and Enviromold is trying to put a stop to it. There are companies out there that:

Tell you, you have a mould problem when you don't.

Have absolutely no training with mould and end up making a mould problem worse.

Overcharge you because they know when they mention your family's safety, you'll pay anything.

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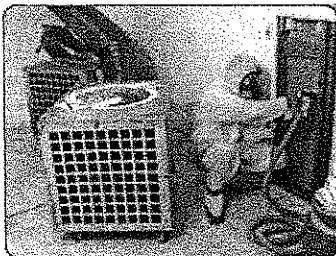
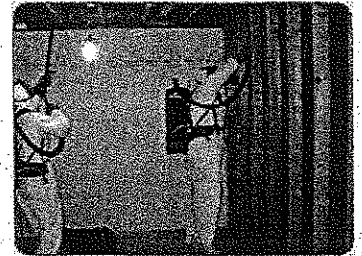
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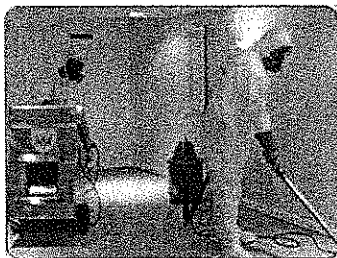
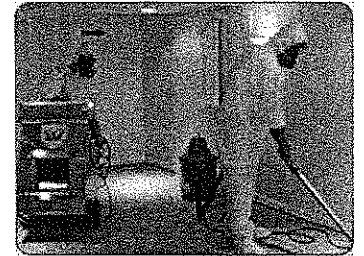
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FREQUENTLY ASKED QUESTIONS

What is mold?

Molds are simple microscopic organisms that have existed for millions of years, they can be found everywhere in our environment. There are 20,000 different types of mold. mold is neither apart of the animal or the plant family, but apart of the Fungi family. There are approximately 1.5 million species of fungi. Certain types of fungi exist naturally in soils, plants, fruits, textiles and even leather products. mold reproduce by making spores, which is very similar to the way a plant reproduces by making seeds.

Some facts about mold and fungi :

- Molds are a sub-group of fungi.
- They make up 25% of earths biomass and are always in the air we breathe.
- They are the #1 cellulose degraders on the planet.
- Differ from plants as they have no chlorophyll to produce food from sunlight.
- Different kinds of fungi are staining fungi, decaying fungi, and surface molds.
- Exposure to mold is associated with increased rates of respiratory disease.

What are some of the health effects associated with mold?

(Published by Health Canada) It is well established that fungi cause several diseases, such as systemic infections and asthma. However, cases of these diseases associated with fungal exposure in public buildings are rarely, if ever, reported. On the other hand, fungi have been raised as one of the possible causes of SBS, which is frequently reported.

Symptoms of SBS (sick building syndrome) typically include :

- Asthma or shortness in breath
- Bronchitis
- Chronic colds
- Prolonged fatigue, drowsiness, and lethargy
- Reduced mental capacity, mental fatigue
- Intense and chronic body aches and pains
- Eye irritation (itching and watering eyes)
- Nasal irritation, nasal congestion
- Throat irritation
- Acute or chronic cough, wheeze
- Infant pulmonary haemorrhage
- Hoarseness, changed voice
- Skin irritation (stinging sensation, itching, dry skin)
- Headaches
- Nausea
- Changed sensation of odour or taste

Who's most at risk with mold exposure?

That would include :

- Infants

The elderly
The chronically ill
Immune-compromised individuals
People that have a genetic predisposition

How does mold get into my house?

Through doorways and windows
Through ventilation and air conditioning systems
On people, clothing, shoes, and bags
On construction material
On any house hold item that's brought into the house

Fact: Every house has mold spores in it.

Fact: Every house does not have mold growing in it.

Mold becomes a problem when it starts to colonize and grow inside a house or building. This raises the concentrations of the mold spores inside the living space to high or extreme levels, causing potentially serious health risks. mold will start growing in as little as 24-48 hours after being exposed to water or a moisture source. This means that if a house or building has had any of the following and hasn't been dried out in 24-48 hours,

it may have a mold problem :

Roof leak
Plumbing leak
Sink or bathtub overflow
Moist or leaking basement
Grow-Op
Building envelope flaws
Basement flood
Blown hot water tank
Musty smelling areas
Water staining
High relative humidity
Saturated lumber used during construction

Why do some people get sick from mold and others do not?

It is because of genetic and physiological differences. Sensitivity to mold in about 20 % of the human population is believed to be hereditary. Other factors that influence individual's resistance to mold include age and general health status. For example, infants, the elderly and those recovering from diseases may be at risk of mold exposure even at levels that would otherwise be considered "normal".

Susceptibility differences among individuals and the variability of molds in their ability to cause health problems make it difficult to determine and set permissible exposure levels for indoor molds.

What types of materials does mold grow on?

Just about anything :

Drywall
Glass
Metal
Concrete block
Plastic
Ceiling tiles
Drapes

Carpet

What does Health Canada and the Canadian government say about mold?

Just about anything :

Physical and chemical properties

The word "mold" is a common term referring to fungi that can grow on building materials in homes or other buildings. mold growth can influence air quality because both spores and mycelial fragments are dispersed into the air and can be inhaled. Their penetration into the bronchial tree depends on their size. The smaller particles penetrate deeper into the lungs.

Three features of mold biochemistry are of special interest in terms of human health :

- Mold cell walls contain (1->3)-β-D-glucan, a compound with inflammatory
- Mold spores and mycelial fragments contain allergens; and
- The spores of some species contain low molecular weight chemicals that are cytotoxic or have other toxic properties (e.g. satratoxins and atranones produced by *Stachybotrys chartarum*).

Causes of mold growth

mold growth in a house requires the presence of nutrients, an adequate temperature, and a sufficient amount of water. The first two requirements being usually met in indoor environments, fungal growth usually results from a moisture problem (CMHC 2003).

Major causes of mold growth are :

- Excess humidity resulting in condensation on surfaces;
- Water leakage, e.g. from a broken pipe;
- Infiltration of water from the outside, e.g. from a leaking roof or a cracked basement; and a flood.

Health effects

Health Canada has carried out two reviews of the scientific literature pertaining to the health effects of indoor molds (Health Canada 1995; 2004). The Institute national de santé publique du Québec also published a review on this subject (d'Halewyn et al. 2003).

The following conclusions were drawn :

- Exposure to indoor mold is associated with an increased prevalence of asthma-related symptoms such as chronic wheezing, irritative, and non-specific symptoms; and
- In laboratory animal studies, inhalation of fungal allergens (*Penicillium* sp. and *Aspergillus* sp.) and fungal cell components [(1->3)-β-D-glucan] resulted in an inflammatory response in the lungs of rodents, while instillation of *Stachybotrys chartarum* spores resulted in severe biochemical and ultrastructural changes.

These conclusions have been supported by more recent findings. In two cohort studies (Wickman et al. 2003; Jaakkola et al. 2005), significant associations were found between home dampness and the risk of developing asthma. In experimental studies, asthma-like responses were observed in mice following exposure to a typical building-associated fungus, *Penicillium chrysogenum* (Chung et al. 2005), and inflammatory responses were seen in rats exposed to low doses of toxins from the same species (Rand et al. 2005).

Residential Indoor Air Quality Guideline

Health Canada considers that mold growth in residential buildings may pose a health hazard. Health risks depend on exposure and, for asthma symptoms, on allergic sensitization.

Therefore, Health Canada recommends :

- to control humidity and diligently repair any water damage in residences to prevent mold growth; and
- to clean thoroughly any mold growing in residential buildings

These recommendations apply regardless of the mold species found to be growing in the building.

Fungal Contamination in Public Buildings: Health Canada

Introduction

The health implications of the fungal contamination of indoor air have become an issue of increasing concern in recent years. At the request of the Government of Prince Edward Island, and with the support of the Federal-Provincial Committee on Environmental and Occupational Health, a working group was established to develop an interim guide to assist public health, occupational health, and building maintenance

officials in the interpretation of fungal contamination data from public buildings with respect to health.

The Working Group has reviewed the health effects associated with fungal contamination of indoor air, reviewed existing indoor air quality guidelines, and provided guidance on procedures for the investigation and interpretation of indoor fungal contamination and for remediation and preventive maintenance of buildings.

Identifying problems in the building environment

Fungal proliferation is most often found in buildings in which there is excess moisture, often in the presence of water-damaged material. Investigators should look for areas in buildings where moisture and substrates may encourage fungal growth—for example, areas containing cellulose materials, air filters, heat exchangers, humidifiers, water sumps, perimeter heating and cooling units, wetted carpet, porous duct lining materials, etc. An attempt should be made to correlate these conditions with high-symptom areas and to designate possible hot spots of contamination.

Identification of indoor fungal amplifiers

Thorough visual inspection of a problem building, combined with some surface samples for microscopic analysis of apparent mold colonies and of deposits in HVAC systems, may obviate the need for air sampling. Where such inspections yield negative results, air sampling should be considered.

Destructive testing is necessary when certain structures of the building have to be taken apart in an attempt to locate the source of suspected contamination. During this phase, the contamination status of the building is expected to be altered by the actions taken by the investigative team, possibly through exposure of previously cryptic contaminants and redistribution of such contaminants via the HVAC system or by other means. All individuals within the building should be protected from exposure.

A key element of the report is a detailed step-wise protocol to assist professionals who may be asked to investigate a building with a potential fungal amplification problem. This protocol covers investigation of building history, visual inspection, sampling and culturing of airborne propagules and examination and culturing of materials.

Remediation Actions

Strategies for the remediation of indoor air quality problems caused by fungi are based on the elimination of conditions that promote the amplification of these potentially hazardous organisms. Remediation of fungal hazards may involve cleaning affected areas, decontaminating the HVAC systems, removing contaminated materials, repairing or replacing damaged materials or structures, and modifying the environmental conditions in the affected area. During this phase, the contamination status of the building is expected to be altered by the actions taken by the investigative team, possibly through disturbance of newly exposed heavy concentrations of contaminants and redistribution of such contaminants via the HVAC system.

The design, construction, and maintenance of public buildings should minimize conditions that allow the accumulation, amplification, and dissemination of micro-organisms in indoor air. Building maintenance personnel and building managers should be aware of the potential health problems associated with contaminated indoor air, including the importance of the proper design, installation, operation, and maintenance of HVAC systems to minimize accumulation, amplification, and dissemination of micro-organisms. Prevention of fungal contamination is one of the most desirable strategies for risk management.

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JASON SCHUT, ENVIROMOLD BIO

Jason Schut started Enviromold approximately 10 years ago to fill a market need for professional indoor environmental services in the Lower Mainland. Enviromold has since grown into what customers say is, "The Top Mold Company in BC". He's one of the leading industry authorities on mold and Marijuana Grow operation clean ups and has a passion for teaching and spreading his industry knowledge. Jason gets asked regularly to speak at conferences and teach organizations about Mold and marijuana grow-op's and has always held strong to the same business philosophy of, "He would rather fail with integrity than to succeed without it", and this has built his reputation into what it is today... an honest professional who sincerely enjoys helping people. It's one of the reasons why he's been recognized by:

- Being featured in the "Mike Holmes Magazine" for their special feature on Mold (April 2010).
- Winning the "Consumer Choice Award" for Mold Inspections and Mold Remediation in the Province two years running (2012 & 2013)
- Winning the "Talk of the Town Award" two years running (2012 & 2013)
- CAHPI (Canadian Association for Home and Property Inspectors) keynote speaker on Mold issues in BC (2013)

Jason holds Professional Credentials and Accreditations in the following:

- Applied Microbial Remediation Technician, (AMRT)
- Certified Home Inspector, (CHI)
- Water Restoration Technician, (WRT)
- Crime and Trauma Scene Decontamination Technician, (CTSDT)
- Certified Mold Inspector (CMI)
- Certified for Mold Remediation (CMR)
- Restorative Media Blasting (dry-ice & soda) Technician, (RMB)
- Mold Remediation in Buildings: Mold Assessment and Clean-up Essentials

MARIJUANA GROW-OP'S

Jason has inspected and been in charge of cleaning up and remediating over (50) marijuana Grow Operations in his 10 year career. Jason's years of experience gives him a unique knowledge of the equipment and components growers use and how this effects where (if any) mold will be colonizing within a home or building. Because of his years of experience and the amount of grow-op's he's been in charge of cleaning up, he's considered by many to be an expert in dismantling and re-certifying them for:

- Many of the Cities in the Lower Mainland and BC
- All the major Financial Institutions
- CMHC
- Residential and Commercial owners

MOLD INSPECTIONS

Jason has personally performed close to a thousand mold inspections over his 10 years for: residential homes, insurance companies, strata's, Provincial Government, large corporations, non-profit societies, and more. Whether it's a multi-million dollar corporate client or an elderly person with a small bathroom mold problem... Jason always treats every client with the same professionalism and importance.

Jason Schut, IEP (Indoor Environmental Professional)

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**Jason Schut Rebuttal to
Defendant Expert Professor John Miller**

Page 2, lines 14-19. Professor Miller addresses his experience while at Health Canada on the issue of marihuana cultivation in the "built environment" as one of the files that he addressed with respect to both the "residential built environment" and occupational exposures of various people.

His experience does not appear to address greenhouses, outbuildings or specially constructed rooms or buildings, including detached garages nor does he address modern equipment such as tents and bloombox type devices.

With respect to the occupational health issues for first responders, while this may be necessary in large scale illegal operations of the past, I would find it hard to agree that a properly constructed legal medical production site that was built to government safety regulations, local building codes, and inspected would put first responders at risk.

In my business and experience I had to remediate illegal grow operations where the entire operation was built with no regulatory oversight, municipal inspections, permits, or to a minimum safety standard. In other words, the electrical, plumbing, HVAC, framing, etc all had "corners cut" and seemed to be built with only profit in mind. In all my years remediating marijuana grow operations, I have never been hired to remediate a medical production site that has been properly built to Code and inspected and permitted.

Page 3 generally and line 17-22 reference is made to the study in 2009 under contract with Health Canada and through Carlton University which study appears to be attached as Exhibit "E" to the expert report.

The study referred to there and on page 4, lines 1-6 that appears to be attached as Exhibit "E" refers to the consequences of growing marihuana in "residential housing" and in "Canadian homes" and concludes that a high percentage of Canadian homes would suffer a serious moisture and mould problems from the cultivation of marihuana "on any scale" including the risk of unusual exposure to various funguses and contaminants posing health risks in various settings and that various parts of marihuana cultivation and drying can be predicted to result in damage to buildings which may not be seen by subsequent purchasers.

Again Professor Miller is expressing opinions and relying on data limited to residential or homes and not other places where legal medical marihuana producers could produce their medicine without these problems such as specially constructed rooms or outbuildings on either the same property as the residence or in commercial or industrial or agricultural zones or greenhouses, nor does he address the use of very inexpensive and effective equipment to address and

prevent and control these problems. While I believe that the propagation of marijuana plants in a residence or home should be limited in numbers to no more than say 20 plants generally to minimize the possibility of mould colonization in a garden caused by elevation in moisture/RH, this does not mean that there are no safe ways to grow such plants in residences or other indoor settings and with the use of specialized equipment or within such specialized equipment such as a "Bloombox". To state that it cannot be done on "any scale" is an overstatement if it is intended to refer to just a few plants or even one.

With respect to the issue of some mould damage being hidden from subsequent purchasers, it is my opinion that all legal medical production sites could fully address this issue if there were simple oversight and government regulations as per a minimum safety and building standard as there is presently in all aspects of the construction industry in Canada. As far as being required by law to register and disclose a legal marijuana grow operation in their home that's regulated and inspected, I only agree with this if this same standard is applied to all indoor gardens. In other words, if a person is legally growing 20 marijuana plants indoors and has to register and disclose this fact, then the same should apply for all indoor gardens ie: herbs, house plants, vegetables, etc. To apply my years of experience and knowledge as an Indoor Environmental Professional, I would see absolutely no difference in growing 20 marijuana plants compared to 20 tomato plants. They are virtually identical in growth size, nutrient requirements, chemical sprays, perspiration, lighting, water consumption, etc.

With respect to the health risks to occupants and visitors in either residences or multi-unit residential buildings to others, occupiers, neighbours and so forth, Whatever possible risks that would be present, they would be present regardless if the person was growing tomatoes or marijuana indoors. Also, by limiting the amount of plants to say 20, would bring the risks to the same level as a person with say 20 house plants. Also, there are steps that can be taken to control and prevent the risks of mould and fungal colonization in an indoor environment (elevated RH - Relative Humidity) that are relatively inexpensive, accessible to anyone, and simply installed.

Page 4, the assignment questions. It is noted that the first question asked is again limited to growing operations in residential dwellings, including single family dwellings, condominiums and apartments and does not address the range of other options for individual production from greenhouses through outbuildings and specially engineered devices like bloomboxes. I will address the first and second question but do not claim expertise with respect to the third question that appears to be a medical question and I can address the third question but only to the extent of my expertise in relation to mould itself and its prevention and elimination within the production room.

Page 5-6, under the heading "Grow Operations". Again in this section Professor Miller addresses "illegal grow operations" in residences and notes the Canada Mortgage and Housing Corporation experience. Professor Miller also addresses the fact that there exists "guidelines for investigating and remediating clandestine grow operations" and refers to the existence of many cities in Canada having bylaws to require inspection

of "former grow operations" and that some have detailed rules for "remediation" and testing to be done. It is asserted that the Canadian Real Estate Association was of the view that the same applies to *Marihuana Medical Access Regulation* production sites in terms of risk for mould and other damage. I disagree if they are properly permitted and appropriate steps taken to control the issue as stated throughout this report.

I have remediated marijuana grow operations through management companies of the Canada Mortgage and Housing Corporation and have been advised by these companies that they have experienced a substantial reduction in the number of such problems due to the apparent reduction in the number of illegal operations.

The information provided under the heading "**2. Grow Operations**" on page 5 limits the investigation to illegal grow operations in residential settings and none of the other alternatives including in particular legal grow operations that have been constructed according to "Building Codes" and permits and have obtained all required approvals, etc. I do not disagree that in the past there have been significant such problems involving illegal grow operations where people have not complied with the law. However I disagree with the assertions on page 6 that includes Professor Miller's analysis from his 2009 report and a position from the Canadian Real Estate Association with respect to medical marihuana production sites being at similar risk, etc. In my opinion if the production site is constructed in a proper legal manner and to Code with respect to electrical, plumbing, HVAC, etc. and it is done with proper humidity controls, to minimum safety standards, inspected and approved by local government, cannabis can be grown safely without any damage to the building or risk to the health of bystanders including children or others with a lawful right to enter. There are simple devices to detect moisture in the air called a "dehumidistat" that can be purchased for approximately \$20 and it is then connected to either an exhaust fan or a dehumidifier. The dehumidistat is set to the required relative humidity and when moisture content reaches that level, it automatically switches the exhaust fan or dehumidifier on until the moisture content drops below that level. There are specially designed dehumidistats and dehumidifiers that can be purchased for as little as \$100. The size of the unit would depend on the size of the operation and what is required in order to regulate the amount of moisture in the air. Air conditioners are also used to maintain such balance in rooms and it is to be noted that the water that the AC collects is distilled water from the air with no contaminants such as chlorine, fluoride, and chlorides and can be recycled in the operation.

With respect to the Canadian Mortgage and Housing reference, I have been involved in remediating houses where foreclosure has occurred as a result of the existence of illegal grow operations. In previous years, I would remediate approximately 5-10 a year, but over the last few years the numbers have gone down dramatically, to the point of only completing one in all of last year and none in 2014. What I've been told, is that, according to the management companies for

CMHC and major financial institutions, they have experienced far fewer numbers in terms of these types of problems. I have never been hired to remediate any legal medical marijuana grow operations.

Page 6, under the heading 3. Damp Building Fungi (Mould) and Health.

I agree with what is stated on this page.

Page 7, lines 1-9. Professor Miller essentially points out that it takes very little moisture to create the risk of mould etc.

I agree that this is true even without the existence of a grow operation in a residence due to simply the presence of human beings and other factors. If the figure of $>.02$ m², is correct, a figure that is lower than what I've heard in the past, I would then expect that virtually all homes in British Columbia would have some such risk. I have definitely found less such moisture and mould problems with older homes than newer ones, for the reasons Prof. Miller gives with respect to changes in construction, energy savings etc. However, when a person puts in a medical production grow according to current safety Codes, government safety regulations, and that is properly permitted/inspected, etc. the producer would be required to address the potential moisture or humidity issues with properly installed humidity controls and equipment. A properly built grow operation will address the humidity issues that exist in the facility and in particular in the room in which the production occurs in order to achieve proper balance and therefore improves upon any prior existing problems within the facility/home.

Page 7 Miller says that mould and dampness has become more common in single family residential houses over the past 30 years because of ventilation rates being reduced to save energy, building materials being used that are more vulnerable to mould growth that have become more commonly used, and the building designs being less resilient to water intrusions. He points out how mould grows on building materials and become airborne and inhaled and affects health. He cites the estimated attributable risk for asthma from mould and damage from Canadian and US data as 20%. US government researcher estimates are also provided. This appears to refer to mould damage in residential houses in the absence of any grow operation whether legal or illegal.

I essentially agree with this paragraph, but point out that it is with respect to poorly constructed residences for the reasons given and that are more prevalent today than before and again that there is a simple solution by simply adding a 'dehumidistat' and a 'dehumidifier' and/or 'exhaust fan' to expel the moisture and control any excessive in humidity. This is the same equipment and process (dehumidistat and exhaust fan) that's installed in many residential bathrooms across the country. The use of this equipment renders the houses safer than those who do not have this type of equipment. In my experience in traveling throughout British Columbia in particular to do remediation, I have noticed that

the houses that I've had to remediate have all been those that have not had this type of equipment or had it but wasn't properly installed to industry standards or was insufficient for the size of the operation. From my years of first hand experience, understanding, and investigating moisture in indoor environments, I'm of the opinion that, if properly used and installed, this equipment addresses, and can control/solve all of these moisture/RH problems.

Pages 7-8 "4. Mould Growth and Cultivation in Residential Houses".

Pages 8-9. "Single Family Dwellings". Professor Miller refers to a study by Hite and Bray (1949) that involved the watering thoroughly every day of 7 different small to medium size common house plants and that these plants added an average of 2.5 g/h of water vapor/plant. He then goes on to say that extrapolating that data in his study in 2012 that each marihuana plant would release 18 g/h water vapor or 432 g/per day (nearly 1 pound) and that this was consistent with researchers in the US (Christian 1993). Professor Miller goes on to assert that each marihuana plant adds as much moisture to a house as 7-10 house plants and that adding them to a house will overwhelm the ventilation capacity and worsen any damage from existing inadequate ventilation and looked in particular at circumstances arising in Ottawa, Windsor and Regina. This part of the report indicates that "improper" drying of harvested plants nor leaks from pots from hydroponic systems or plumbing was not included in the calculations.

I am not a horticulturist or botanist, but I have many books on marijuana growing and grow room set up for a greater understanding of illegal marijuana grow operations over the years. Based on that knowledge I've acquired, in my opinion, this situation is easily controlled through proper equipment and ventilation and in places, like British Columbia, where moisture is very prevalent it is common to take regular steps to address the situation in the absence of any grow operation. What Professor Miller describes in this section is solvable, by again, the use of dehumidistat and exhaust fan/dehumidifier, which takes the moisture out of the air just like a bathroom with a dehumidistat and bathroom fan installed. In other words if you simply leave the situation the way it is and add marihuana plants without more equipment to address it, you will add to the moisture in the premises already contributed to by other causes, including the presence of human beings, and likely cause damage. However, there is equipment in the market that is relatively inexpensive that can be used to reduce the moisture in the room and achieve proper ventilation and prevent damage. In my opinion if you have an already deficient house from a ventilation point of view and you add the plants and the required equipment, you will actually improve the original problem by adding this type of equipment to control the moisture issue in the premises generally and specifically in relation to the added plants.

In conclusion if you do nothing to a single family residence and simply add the plants there will be these obvious problems but if you take remedial and preventative steps, the situation is easily controllable. Further, I'm not an expert

on plants and botany, but from my experiences and as, essentially, a "moisture investigator", I disagree with the reference at **page 9, line 5** that each marihuana plant adds the equivalent of 7-10 house plants. I've seen 10" marijuana plants at illegal grow operations compared to a 6' tall house plant at homes where I've performed Certified Mould Inspections. In my experience, the 6' house plant produces more moisture in an indoor environment than a 10" marijuana plant. Regardless, all plants produce moisture and there are many variables affecting moisture content and all of them are controllable.

Pages 9-10, Multi-Unit residential buildings. Professor Miller references that in multi-unit residential buildings, suite exhaust capacities average only 32% of the design capacities and 25% of the buildings tested at far less than what was required for single detached dwellings. He points out once again the substandard ventilation rates in most houses and how multi-unit residential buildings are smaller with reduced capacity for adding water and ventilation with risks to common walls and other potential consequences if marihuana is grown in them, including exposure to bystanders and sensitive people.

I again agree that if nothing is done and plants are simply added to deficient suites, that problems as described will occur. All of these issues are 100% controllable. To start off with, it would be helpful if the authorities ensured that there was proper construction and compliance with Building Codes as it would appear that the inspectors and builders are not doing their jobs properly. There appears obviously to be a demand to have these buildings built properly, particularly increasing their ventilation capacities in order to solve any moisture issues. Again in my opinion all of these issues are controllable with modern day equipment and attention.

Pages 11-12, Professor Miller refers to what would be required to deal with the consequences of growing marihuana in residential buildings. Professor Miller refers to producers ducting emissions from their furnace or heater to increase CO2 concentrations to accelerate plant growth or using pesticides indoors and again refers to the major issue of water management. He points out that adding point source ventilation to remove excess moisture from growing plants would be helpful. He says that this has to be done in a way where it does not make the rooms or buildings negative to the envelope, crawl space and/or basement concrete slab to prevent the adduction of potentially dangerous particulates trapped in the building envelope and gaseous contaminants through the slab or floor drain. In his view, managing ventilation requires an engineered solution and he cannot envision a generalized solution for all homes in Canada. In his view a qualified professional engineer could design a suitable alteration and a balanced ventilation system and an engineered plant dryer to permit cultivation of marihuana indoors without releasing moisture. He cannot envision any acceptable protocol to manage growing plants inside a multi-residential building under any circumstances. He summarizes the conclusions in this regard at page 12 and says that it is not reasonable to grow marihuana plants in the 10-30% of Canadian homes with existing moisture damage as adding plants adds to the risk of condensation in a

higher percentage of Canadian homes with borderline ventilation capacities. He asserts that growing marihuana on "any scale" in a single family home would require a case by case engineered solution and would be very different depending upon where one lives in Canada and he cannot envisage growing marihuana on "any scale" in a multi-unit residential building.

First of all, for a marihuana producer to duct emissions from their furnace or heater to increase CO2 concentrations to accelerate plant growth is to create an unsafe environment and would be illegal and contrary to all BC Codes. My opinions are based on legal marihuana production facilities that meet Code and permit requirements. I also agree that the use of toxic pesticides in a residential production should be limited to the greatest extent possible. The use of a 'dehumidistat' or 'exhaust exchange' addresses the problem of elevated relative humidity within a residence and a simple one way spring air vent installed to the outside ambient air will address any issues associated with the interior of the residence experiencing "negative to the building envelope" conditions. Professor Miller refers to an "engineered solution" and of course the self contained grow box like the "Bloombox" is exactly such an engineered solution. That box addresses all of the issues raised by Professor Miller and can simply be plugged into a room in residence. It controls intake and outtake air. A room can be built by a person with proper expertise that is comparable to the Bloombox. The starting point is to ensure that the room is properly constructed and properly ventilated according to building Codes and is not "substandard". In my opinion house plants can do all of the things that Professor Miller says marihuana plants can do and it's really just a question of numbers and proper steps to control moisture content. I agree with Professor Miller with respect to the poor construction of residential multi-unit facilities and that simply adding plants alone will result in these problems unless other steps are taken. In my opinion one needs to recognize the poor construction and address it by appropriate exhaust and make up ventilation systems so that if one is to add plants one also increases the ventilation and air make up in order to balance the ventilation issues or in the alternative one can obtain a bloom box or other similar type of equipment to address all of these issues.

So at the end of the day, the solution is to build the premises, and any indoor garden, properly to Code and to have them inspected afterwards ensuring all regulations for installing an indoor garden are followed.

FEDERAL COURT

BETWEEN:

NEIL ALLARD
TANYA BEEMISH
DAVID HEBERT
SHAWN DAVEY

PLAINTIFFS

AND:

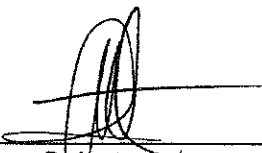
HER MAJESTY THE QUEEN IN RIGHT OF CANADA

DEFENDANTS

CERTIFICATE CONCERNING CODE OF CONDUCT FOR EXPERT WITNESSES

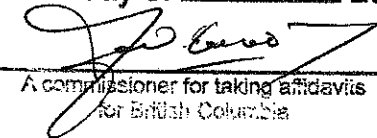
I, Jason Schut, having been named as an expert witness by the Plaintiffs, certify that I have read the Code of Conduct for Expert Witnesses set out in the schedule to the Federal Courts Rules before the commissioning of my Affidavit and agree to be bound by it.

Dated: December 11, 2014



Jason Schut
Expert Witness
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Abbotsford, BC V2S 2M5

This is Exhibit "B" referred to in
the affidavit of Jason Schut
sworn before me at Abbotsford, BC
this 11th day of Dec 2014



A commissioner for taking affidavits
for British Columbia