

# Update

NPMA LIBRARY UPDATE

MARCH/APRIL  
2009

Insert this update into the NPMA Pest Management Library, which can be purchased from the Resource Center. Phone: 703-352-NPMA (6762); Fax: 703-352-3031

## New Construction Forms Adopted **HUD-NPMA-99A** and **HUD-NPMA-99B**

In February 2009, the U.S. Department of Housing and Urban Development (HUD) Federal Housing Administration (FHA) adopted the new forms HUD-NPMA-99A and HUD-NPMA-99B replacing the older version NPCA-99a and NPCA-99b. The new forms expire February 29, 2012. The forms are authorized for immediate use. The previous versions may be used until supplies are exhausted; however, some lenders might not honor previous versions.

The HUD-NPMA-99A, now the Subterranean Termite Protection Builder's Guarantee, is to be completed by the **builder** as was the case with the older NPCA-99a. Form HUD-NPMA-99B, now called the New Construction Subterranean Termite Service Record, is to be completed by the **pest control company** and then **submitted to the builder** to accompany the HUD-NPMA-99A to closing.

Typically, HUD, the Department of Veterans Affairs (VA), and most conventional mortgage companies require these forms. The new forms are the result of a joint effort of HUD, the Association of Structural Pest Control Regulatory Officials (ASPCRO), and NPMA. The forms are to be used nationwide unless a state has requirements which conflict.

International building codes permit the use of pressure treated lumber for termite

prevention if installed to the extent required by code. This is generally impractical due to weight, cost, and extra labor. If the builder decides to go this route, then they would complete the HUD-NPMA-99A and would not have to submit the HUD-NPMA-99B. A significant change is that all technologies currently used by our industry are included on the new HUD-NPMA-99B so there should be no more confusion by lenders requiring a 99b and it not covering the technologies used.

### HUD-NPMA-99A

The HUD-NPMA-99A has two boxes to be considered by the builder.

#### Box One

The first box is checked when the pest control company did the work (nearly always). Then the builder will check the type of service(s) used by the pest control company which include termite baiting system, field applied wood treatment (not pressure treated lumber), soil treatment, and/or installed physical barrier system. The builder guarantees that all service



must be in compliance with the International Residential Code.

### Box Two

The second box is checked if the builder installs termite prevention via using pressure treated lumber. The box specifically notes that just using pressure treated sills violates HUD Mortgagee Letter 2001-04 and that if this method is used it must comply with the long-standing code provisions. The builder must also initial this section guaranteeing code compliance. We expect the use of box two to be rare.

The builder then signs and dates the form as was done in the past.

## HUD-NPMA-99B

For any work done by the pest control company, a HUD-NPMA-99B must be completed by the pest control company as follows:

### Section 1

- Enter the company information. The company business license is the license the pest control company holds to perform pest control activities and is issued by the state pest control regulatory agency. If the state does not issue business licenses, enter "not applicable in this state." The FHA/VA Case No. is entered if available. If the number is not known by the pest control company, enter "N/A" or "not available."

### Section 2

- Enter the builder's name and phone number.

### Section 3

- Enter the location of the structure (street address or legal description).
- Note that the soil treatment calculations are no longer required.

### Section 4

- Enter the date(s) of service and check type of foundation.
- Check A. Soil Applied Liquid Termiticide if this method was used and enter treatment information.
- Check B. Wood Applied Liquid Termiticide if this method was used and enter the treatment information.
- Check C. Bait System Installed if this method was used and enter the information listed.
- Check D. Physical Barrier System Installed if this method was used and enter the name of the system and attach installation information such as locations, etc., according to the manufacturer specifications (*Note: More than one method may be checked.*)
- Check whether a Service Agreement is Available.
- List all attachments in the "Attachments" section.
- List any comments in the "Comments" section.
- Enter the name of the applicator(s) and certification number if required by law, and then an officer of the pest control company signs and dates the form.

## SPECIAL NOTES

Even though a builder must guarantee the structure for one year, the PCO is still free to offer an annual inspection to the buyer for a fee.

Forms may be purchased from the NPMA Resource Center ([www.npmapestworld.org](http://www.npmapestworld.org)). NPMA also has a subscription online version of the form available at [www.npmaforms.com](http://www.npmaforms.com).



## Subterranean Termite Protection Builder's Guarantee

OMB Approval No. 2502-0525  
(exp. 02/29/2012)

This form is completed by the builder.

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. Section 24 CFR 200.926d(b)(3) requires that the sites for HUD insured structures must be free of termite hazards. This information collection requires a licensed Pest Control company to provide the builder a record of specific treatment information in those cases when if any method other than use of pressure treated lumber is used for prevention of subterranean termite infestation. When applicable, form HUD-NPMA-99-B must accompany the form HUD-NPMA-99-A. Builders, pest control companies, mortgage lenders, homebuyers, and HUD as a record of treatment for specific homes will use the information collected. The information is not considered confidential, therefore no assurance of confidentiality is provided.

This form is submitted for proposed (new) construction cases when prevention of subterranean termite infestation is specified by the builder or required by the lender, the architect, FHA or VA.

This form is to be completed by the builder. This guarantee is issued by the builder to the buyer. This guarantee is not to be considered as a waiver of, or in place of, any legal rights or remedies that the buyer may have against the builder.

FHA/VA Case No.: \_\_\_\_\_

Location of Structure(s) (Street Address, or Legal Description, City, State and Zip): \_\_\_\_\_

Buyer's Name: \_\_\_\_\_

Builder is to check and complete either box 1 or box 2.

1.  Pest Control Company Applied Treatment (See HUD-NPMA 99B for treatment information)

The undersigned builder hereby certifies that a State licensed or otherwise authorized pest control company (where required by State law) was contracted to treat the property at the location referenced above to prevent subterranean termites. The builder further certifies that the contract with the pest control company required the treatment materials and methods used to be in conformance with all applicable State and Federal requirements. All work required by the contract has been completed unless noted on HUD-NPMA 99B. Where not prohibited by applicable State requirements, the buyer, for an additional fee payable to the pest control company, may extend the protection against subterranean termites. Contact the pest control company listed on the attachment for further information.

The builder hereby guarantees that, if subterranean termite infestation should occur within one year from the date of closing, the builder will ensure that a licensed or otherwise State authorized pest control company will treat as necessary to control infestations in the structure. This further treatment will be without cost to the buyer. If permitted by State law, the buyer may contract directly, at the buyer's expense, with a pest control company to inspect the property on a periodic basis and use EPA registered products to control any infestation. The builder will not be responsible for guaranteeing such contracted work. The builder further agrees to repair all damage by subterranean termites within the one-year builder's warranty period. This guarantee does not apply to additions or alterations that are made by the buyer, which affects the original structure or treatment. Examples include, but are not limited to, landscape and mulch alterations, which disturb the treated area and create new subterranean termite hazards, or interfere with the control measures. If within the guarantee period the builder questions the validity of a claim by the buyer, the claim will be investigated by an unbiased expert mutually agreeable to the buyer and builder. The report of the expert will be accepted as the basis for disposition of the case. The non-prevailing party will pay the cost of any inspections made to investigate the claim. For further information, contact your State structural pest control regulatory agency. **All service must be in compliance with the International Residential Code.**

Type of Service:  Termite Bait System  Field Applied Wood Treatment  Soil Treatment  Installed Physical Barrier System

2.  Builder Installed Subterranean Termite Prevention using Pressure Treated Lumber

The builder certifies that subterranean termite prevention was installed using pressure treated lumber only and certifies that use of the pressure treated lumber is in compliance with applicable building codes and HUD requirements including Mortgagee Letter 2001-04. **Note: Using pressure treated sills as a sole method of termite prevention is NOT acceptable and violates the requirements of Mortgagee Letter 2001-04.**

Initial of Builder \_\_\_\_\_ Date \_\_\_\_\_

Attachments: \_\_\_\_\_

Builder's Company Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

Builder's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Consumer Maintenance Advisory regarding integrated Pest Management for Prevention of Wood Destroying insects.** Information regarding prevention of wood destroying insect infestation is helpful to any property owner interested in protecting the structure from infestation. Any structure can be attacked by wood destroying insects. Periodic maintenance should include measures to minimize possibilities of infestation in and around a structure. Factors which may lead to infestation from wood destroying insects include foam insulation at foundation, earth-wood contact, faulty grade, firewood against structure, insufficient ventilation, moisture, wood debris in crawl space, wood mulch, tree branches touching structures, landscape timbers, and wood rot. Should these or other such conditions exist, corrective measure should be taken by the owner in order to reduce the chances of infestations by wood destroying insects, and the need for treatment.

An original and one copy of this guarantee are to be prepared by the builder and sent to the lender. The lender provides one copy to the buyer at closing and includes a copy in the VA loan package or HUD insurance case binder. The builder sends one copy to the licensed pest control company which performed the treatment.

Attached is a copy of the state authorized pest control company's New Construction Subterranean Termite Service Record, HUD-NPMA-99-B.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012-31 U.S.C. 3729.3802)

## New Construction Subterranean Termite Service Record

OMB Approval No. 2502-0525  
(exp. 02/29/2012)

This form is completed by the licensed Pest Control Company

**Public reporting burden** for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Section 24 CFR 200.926d(b)(3) requires that the sites for HUD insured structures must be free of termite hazards. This information collection requires the builder to certify that an authorized Pest Control company performed all required treatment for termites, and that the builder guarantees the treated area against infestation for one year. Builders, pest control companies, mortgage lenders, homebuyers, and HUD as a record of treatment for specific homes will use the information collected. The information is not considered confidential, therefore, no assurance of confidentiality is provided.

This report is submitted for informational purposes to the builder on proposed (new) construction cases when treatment for prevention of subterranean termite infestation is specified by the builder, architect, or required by the lender, architect, FHA, or VA.

All contracts for services are between the Pest Control company and builder, unless stated otherwise.

### Section 1: General Information (Pest Control Company Information)

Company Name: \_\_\_\_\_  
 Company Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Company Business License No. \_\_\_\_\_ Company Phone No. \_\_\_\_\_  
 FHA/VA Case No. (if any) \_\_\_\_\_

### Section 2: Builder Information

Company Name \_\_\_\_\_ Phone No. \_\_\_\_\_

### Section 3: Property Information

Location of Structure (s) Treated (Street Address or Legal Description, City, State and Zip) \_\_\_\_\_

### Section 4: Service Information

Date(s) of Service(s) \_\_\_\_\_

Type of Construction (More than one box may be checked)  Slab  Basement  Crawl  Other \_\_\_\_\_

Check all that apply:

- A. Soil Applied Liquid Termiticide  
 Brand Name of Termiticide: \_\_\_\_\_ EPA Registration No. \_\_\_\_\_  
 Approx. Dilution (%): \_\_\_\_\_ Approx. Total Gallons Mix Applied: \_\_\_\_\_ Treatment completed on exterior:  Yes  No
- B. Wood Applied Liquid Termiticide  
 Brand Name of Termiticide: \_\_\_\_\_ EPA Registration No. \_\_\_\_\_  
 Approx. Dilution (%): \_\_\_\_\_ Approx. Total Gallons Mix Applied: \_\_\_\_\_
- C. Bait system Installed  
 Name of System \_\_\_\_\_ EPA Registration No. \_\_\_\_\_ Number of Stations installed \_\_\_\_\_
- D. Physical Barrier System Installed  
 Name of System \_\_\_\_\_ Attach installation information (required)

Service Agreement Available?  Yes  No

Note: Some state laws require service agreements to be issued. This form does not preempt state law.

Attachments (List) \_\_\_\_\_

Comments \_\_\_\_\_

Name of Applicator(s) \_\_\_\_\_ Certification No. (if required by State law) \_\_\_\_\_

The applicator has used a product in accordance with the product label and state requirements. All materials and methods used comply with state and federal regulations.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)