



VPMA Dispute Resolution Process

The following process has been established as a service by the members of the Virginia Pest Management Association (VPMA) to maintain good will to the consumers of Virginia and to support the good practices of the pest management industry. The process serves to help mediate disputes between consumers and pest management professionals.

Why does VPMA have a Dispute Resolution Process?

VPMA understands that at times consumers and pest management companies disagree about how to best move forward in protecting property from a pest issue. It is VPMA's hope that our involvement will give both parties impartial, professional information that will allow for a clear path forward that is agreeable to all involved. While we have a very positive track record in helping to mediate situations we must admit we are not always able to help resolve every situation. It is important to realize that VPMA is only involved as a mediator and is not able to influence either party to act in any particular manner. Open communication and a willingness to find a mutually agreed upon resolution between both parties is vital to the success of the process.

Who can participate in the Dispute Resolution Process?

The process is designed to help mediate disputes between:

1. A consumer and a pest management company, whether VPMA members or not.
2. Two VPMA member or non-member pest management companies who are inadvertently placed into an adversarial position as a result of a consumer complaint.

How is the process initiated?

The dispute resolution process may be initiated at any time whether prior to, or after, litigation proceedings. The VPMA reserves the right to withdraw from the process at any time if the Board of Directors deem it to be in the Association's best interest to do so.

Two items are required before VPMA can become involved in a dispute.

1. The VPMA Dispute Resolution Agreement & Waiver (provided on page 3) must be signed by both parties, the consumer and the pest management company or the two pest management companies in question. Without this signed document, the process cannot continue.
2. The individual initiating the process must submit a letter to VPMA that specifies the nature of the complaint and the nature of the desired resolution. The letter should also name any other pest management companies involved in the matter to date. Any additional documentation that will assist VPMA in evaluating the situation should also be submitted (inspection reports, warranties, photographs, etc.)

How does the process work?

Once VPMA has received the signed Agreement & Waiver from both parties and has received a written letter from the complainant, the Executive Director of the VPMA will forward the letter and all accompanying documents to the chair of the Dispute Resolution Committee. The Committee Chair will either mediate the dispute or designate a committee member (usually a chair of a local pest control association committee) to handle the complaint.

If verbal mediation cannot bring both parties to a consensus, then the Committee Chair (or his designee) will form an inspection team of three (3) VPMA member inspectors. This team will conduct an inspection of the property in question and will render a professional opinion regarding the presence or absence of visible evidence of wood destroying organisms, or other pest management issues surrounding the complaint. The company involved in the complaint or any of its representatives may not be present during the inspection process.

Upon completion of the inspection, one (1) member of the inspection team will complete a VPMA Dispute Resolution Inspection Team Report Form and a wood destroying insect report (if applicable). If appropriate, any treatment recommendations or recommendations for correcting conducive conditions will be included in the report.

What happens next?

After the inspection team has completed their evaluation and submitted their written report:

- a. A copy of the report is sent to the Chair of the Dispute Resolution Committee and the Executive Director of the VPMA.
- b. The Committee Chair and Executive Director of the VPMA compile the information presented by the inspection team into a letter that will be provided to both parties. The letter will detail when the inspection occurred, what area(s) were inspected and explain the team's pertinent findings. Any recommendations made by the team will also be communicated.
- c. The Committee Chair will respond to any questions regarding the report upon written request.
- d. It is VPMA's intent to provide an objective evaluation of the situation with any logical recommendations that will allow both parties to reach an agreed upon resolution. At this point, the VPMA ends its involvement.



VPMA Dispute Resolution Process Agreement and Waiver

The undersigned hereby acknowledges their understanding that the Virginia Pest Management Association is a non-governmental, private association of pest management operators who have volunteered their collective expertise to assist in the resolution of disputes regarding the application of insecticides, the control of wood destroying insects, and the inspection of premises for such insects.

The undersigned understands that the advice and opinions of the Virginia Pest Management Association with regard to the above referenced areas are not binding on any party or member of the Association. Nor are they part of any disciplinary program. Any advice, opinions or recommendations rendered can have no legal force and it is understood that no party is required to abide by such advice, opinions or recommendations.

It is further understood that the Virginia Pest Management Association performs the above listed activity as a public service and it is expressly agreed that a request by any party for advice, opinion or recommendations from the Association is a waiver by the requesting party of any legal recourse against the Association for all causes or action that may result from the Association's requested participation. In addition, by requesting such services, and in return for the value of such services, the requesting party also agrees to hold harmless the Association for all possible damages to any person or party that may result from the requested activity.

Complainant

Rep. of Pest Management Company

Chairman, VPMA Dispute Resolution Committee