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**MEMORANDUM**

**TO:** Sheriffs, Registers of Deeds, County Attorneys  
**FROM:** Ron Fults, CTAS Chief Legal Consultant  
**RE:** METHAMPHETAMINE LAB FILINGS  
**DATE:** June 21, 2005

*2005 Public Chapter 347, effective July 1, 2005, imposes new duties upon sheriff's offices (and other local law enforcement agencies) and the county register of deeds whenever real property is quarantined due to methamphetamine manufacture.*

***NOTICE OF METHAMPHETAMINE LAB QUARANTINE***

When any real property, or any structure or room in any structure, is quarantined, whether by the sheriff or any other local law enforcement agency, due to the manufacture of methamphetamine, the sheriff's office or other local law enforcement agency is required to record in the register's office of the county where the real property (or a portion thereof) lies a NOTICE OF METHAMPHETAMINE LAB QUARANTINE. *A sample form for this notice is attached to this memo.*

The county register must accept a NOTICE OF METHAMPHETAMINE LAB QUARANTINE if it contains the signature of the local law enforcement agent. No fees are to be collected for this recording. The county register must record this notice in the record series containing the title deeds and must index the notice with the owner or owners of the real property as the grantor and the agency giving the notice as the grantee.

***CERTIFICATE OF FITNESS***

Whenever a certified industrial hygienist or other qualified person or entity named on a list maintained by the commissioner of the Tennessee Department of Environment and Conservation (TDEC) determines that the quarantined property is safe for human use, this person or entity must issue a CERTIFICATE OF FITNESS. *A sample form for this certificate is attached to this memo.*

**CERTIFICATE OF FITNESS**

Notice is hereby given that the real property, quarantined by (name of local law enforcement agency) pursuant to Tennessee Code Annotated, § 68-212-503 at the location described below has been tested by a certified industrial hygienist or other person or entity named on the commissioner's list compiled pursuant to Tennessee Code Annotated, § 68-212-502 and has been remediated by a person or entity authorized by the commissioner pursuant to Tennessee Code Annotated, § 68-212-502 to perform clean-up of property used to manufacture methamphetamine. I, the undersigned, hereby certify that the real property at the location is safe for human use pursuant to Tennessee Code Annotated, § 68-212-505 and in accordance with the Department of Environment and Conservation's Standards for Testing and Cleaning Clandestine Drug Manufacturing Sites and Cleanup Response and Documentation Guidelines for Properties Quarantined due to Clandestine Drug Laboratory Activities, as currently are in effect.

Name of Property Owner or Owners: \_\_\_\_\_

Property Address: \_\_\_\_\_

Apartment or Unit Number (if applicable): \_\_\_\_\_

Description of Property Sufficient to Identify: \_\_\_\_\_

Name of Certified Industrial Hygienist or Other Authorized Person and Company: \_\_\_\_\_

\_\_\_\_\_  
Signature of Certified Industrial Hygienist  
or Other Authorized Person

\_\_\_\_\_  
Date

STATE OF TENNESSEE  
COUNTY OF \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_.

**OR**

\_\_\_\_\_  
Subscribing Witness

\_\_\_\_\_  
Subscribing Witness

The real property owner or any person having any right, title or interest in the real property, including any lien holders, may file a CERTIFICATE OF FITNESS for recording with the county register of deeds in the county where the property (or any portion thereof) lies. In order to be eligible for recording, the CERTIFICATE OF FITNESS must be signed by the certified industrial hygienist or other authorized person and this signature must be acknowledged or proved by two subscribing witnesses. The register is not required to check to see if the industrial hygienist or other authorized person signing the certificate is on the commissioner's list. Also, the county register is entitled to collect the regular fees for recording this document. The county register must record this certificate with the record series containing the title deeds and index it with the owner or owners of the real property as the grantees and the local law enforcement agency that issued the quarantine as the grantor.

**NOTICE OF METHAMPEHTAMINE LAB QUARANTINE**

Notice is hereby given that an illegal laboratory for the manufacture of methamphetamine was seized at the location described below on \_\_\_\_ (date) \_\_\_\_\_. This real property has been quarantined by \_\_\_\_ (name of local law enforcement agency) pursuant to Tennessee Code Annotated, § 68-212-503. The property is to remain quarantined until a certified industrial hygienist or other person or entity named on the commissioner's list pursuant to § 68-212-502 certifies that the property is safe for human use.

Name of Property Owner or Owners: \_\_\_\_\_

Property Address: \_\_\_\_\_

Apartment or Unit Number (if applicable): \_\_\_\_\_

Description of Property Sufficient to Identify: \_\_\_\_\_

Name of Person and Agency Giving Notice: \_\_\_\_\_

\_\_\_\_\_  
Signature of Person Giving Notice

\_\_\_\_\_  
Title/Position

\_\_\_\_\_  
Date