



**MARYLAND  
LEGAL AID**

*Advancing*  
**Human Rights and  
Justice for All**

**STATEWIDE  
ADVOCACY SUPPORT UNIT**

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February 7, 2022

The Honorable Kumar P. Barve  
Chairman of the Environment and Transportation Committee  
House Office Building, Room 251  
Annapolis, Maryland 21401

**RE: Maryland Legal Aid's Written Testimony in Support of HB  
361 – Mold Inspections and Remediation - Standards,  
Reporting, Penalties, and Tax Credit**

Dear Chairperson Barve and Committee Members:

Thank you for the opportunity to present testimony in support of HB 361, a bill that seeks to address the issue of mold in rental dwelling units, an important issue affecting tenants throughout the state. Maryland Legal Aid (MLA) is a private, non-profit law firm that provides free legal services to indigent Maryland residents. From 12 offices around the state, MLA helps individuals and families in every Maryland county with many civil legal issues, including housing, consumer, public benefits, and family law matters. MLA also represents abused and neglected children and provides legal assistance to senior citizens and nursing home residents. This letter serves as notice that Sunny K. Desai, Esq. will testify on behalf of Maryland Legal Aid at the request of Delegate Shaneka Henson.

Mold and its pernicious effects on residents of rental housing have long evaded the reach of residents and local jurisdictions to remedy its devastating effects on residents and their health broadly. A Tenant Council and its members lived in a senior living community that was flooded because pipes carrying water in the buildings burst. It damaged the walls and carpeting throughout the buildings. The damaged carpet remained in the common areas for approximately seven months after the flood, which provided a breeding ground for mold. The flood-damaged units occupied by residents did not have carpets replaced or

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repairs made. Moisture and water from the HVAC system caused mold and mold spores to grow in the HVAC system and mold to grow on the walls and floor covering in the units. The residents believed that some of the health problems they were experiencing were not due to the natural aging process but were a direct result of an ever-increasing environmental problem. Some residents who had never suffered from respiratory problems, such as asthma, or bronchitis, found themselves worsening and on medication. Those who managed allergy symptoms well over the years experienced an increase in the use of medication and symptoms.

The local jurisdiction and the county in which the housing was located had rental inspection units. But both reportedly could not test for mold. Residents had to purchase mold testing kits or engage mold inspectors independently. Others who could not afford to test for mold merely suffered. The owner took half-hearted steps to address a pervasive problem.

This example is not an isolated incident. MLA staff have seen numerous tenants throughout the state who have had to endure the outrageous and health-endangering effects of mold. Most recently, in a high-profile case involving a local housing authority and a local jurisdiction, numerous tenants suffered because of extensive mold in their units and the life-altering effects mold had on their family's health. MLA clients had to file a federal lawsuit to resolve the issue.

The right to housing includes the right to live in safe housing. This bill provides a process, a standard, and a penalty to close a hole in Maryland law and help ensure rental housing residents' safety.

MLA thanks you for the opportunity to provide testimony and strongly urges the committee to give HB 361 a favorable report.

Sincerely,

/s/ Sunny Desai

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