



## House Bill 361

### *Mold Inspections and Remediation - Standards, Reporting, Penalties, and Tax Credit*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Environment and Transportation  
Committee

Date: February 9, 2022

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 361 **WITH AMENDMENTS**. The bill requires counties to conduct visual mold inspections of rental dwelling units and places the responsibility of confirming a mold infestation and remediation with the landlord.

Counties currently set the regular interval for when residential dwelling units must be inspected. HB 361 requires local jurisdictions to add a visual mold inspection component to a residential dwelling unit inspection. Should possible mold be identified, the landlord is responsible for both confirming an infestation and any required remediation. The bill aims to strike a balance between ensuring these units are thoroughly inspected to the capacity of the employees' capability, while at the same time placing the obligations of confirmation and remediation on the landlord and not on taxpayers. Counties recognize the collaborative intent of HB 361 but would welcome clearer language regarding that intent to avoid unreasonable implementation burdens.

The bill's preemption of local escrow laws is also of some concern. A county's proximity to a community and its local housing market better allows it to address specific localized issues. HB 361 currently conflicts with county autonomy. The bill should be amended to eliminate the preemption of local laws and instead set a default escrow policy that counties may opt to amend. This sets a floor for counties who have not adopted such escrow laws, while not interfering with the flexibility of those counties who have.

HB 361 intends to balance public health, constrained local resources, and the rightful responsibilities of landlords, but requires amendments to meet this goal. Accordingly, MACo urges the Committee to give HB 361 a **FAVORABLE WITH AMENDMENTS** report.