



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

HB0976 – Mold Assessment and Remediation - Standards
Hearing before the House Environment and Transportation Committee,
March 3, 2023, 1:00PM

Position: FAVORABLE

Maryland Legal Aid (MLA) submits its written and oral testimony on HB0976 at the request of bill sponsor Delegate Shaneka Henson.

MLA is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. Our 12 offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, including housing, family law, public benefits, bankruptcy and other debt collection matters, and criminal record expungements. MLA urges the Committee's favorable report on HB0976, which would require Maryland agencies to establish comprehensive standards for mold inspections and remediation by 2025.

The regulatory mandate of HB0976 is not limited to mold in residential rental properties. However, it is in that sphere that MLA encounters mold hazards as one of the most cited concerns among our clients. Although housing and health agencies in Maryland lack standards to define and assess the dangers of mold, our clients' experiences demonstrate that mold in residential rental housing poses significant physical, psychological, and economic harms to children, elders, and renters who suffer from respiratory illnesses, from allergies to chronic obstructive pulmonary disease (COPD).

HB0976 requires the Department of Housing and Community Development, the Department of Health, and the Department of General Services to devise and to adopt uniform standards for mold assessment and remediation, including standards for inspection of visible mold, water damage, and dampness. The 2021 American Housing Survey estimated that 94,000 Maryland rental properties were affected by interior water leakage and 74,000 by exterior water leakage, approximately half of which originated from defective roofing. The survey estimated that 38,000 rental properties were affected by mold.¹

¹ U.S. Census Bureau, "American Housing Survey Table Creator," American Housing Survey, 2021, https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=00024&s_year=2021&s_tablename=TABLE5&s_bygroup1=2&s_bygroup2=19&s_filtergroup1=3&s_filtergroup2=1.

Of equal importance, HB0976 requires these agencies to adopt uniform standards for mold risk reduction. Presently, Maryland lacks requisite safeguards for mold removal, cleaning, and disposal. In absence of a regulatory framework for mold remediation, our clients routinely report that their property managers hired unlicensed handymen without training or necessary equipment to remove mold. This work typically involves half measures, such as bleaching and painting over water-damaged and contaminated wallboard or wood surfaces. Some clients have experienced that the mold hazard in their homes was exacerbated by unsafe remediation work that spread mold spores throughout the rental property.

Under HB0976, the state would set in place much-needed safeguards, to the benefit of renters, homeowners, children, and the workers who undertake these remediation jobs.

Additionally, alongside companion bill HB0965, which establishes mold hazards as a basis for renters to pay their rent into a court escrow account, HB0976 would strengthen renters' ability to hold negligent landlords accountable for mold-affected conditions. At present, litigants must contend with competing views of whether mold poses any danger, as well as varying standards on the adequacy of repairs work necessary to abate a mold hazard. The uniform standards that HB0976 mandates would provide litigants and judges a baseline reference that is sorely lacking at present.

For these reasons, **MLA asks the Committee for a favorable report on HB0976**. If you have any questions, please contact:

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