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March 1, 2023

Delegate Kumar P. Barve, Chairman  
House Environment and Transportation Committee  
House Office Building, Room 251  
6 Bladen Street  
Annapolis, Maryland 21401

Re: **HB976 - SUPPORT** - Mold Assessment and Remediation - Standards

Dear Chairman Barve and Members of the Committee:

The Green & Healthy Homes Initiative (GHHI) writes in Support of House Bill 976. The Green & Healthy Homes Initiative has a long-standing history of advocating for families and children on the important issue of lead poisoning prevention and addressing healthy homes hazards such as mold. Across the State of Maryland, GHHI provides healthy homes education and direct housing intervention services to reduce triggers in the home that cause asthma episodes and other respiratory issues in homes for children, adults and seniors.

The Centers for Disease Control and Prevention (CDC) defines mold as a fungus that can be found indoors and outdoors. Mold is most commonly found indoors in damp areas with poor ventilation such as bathrooms and basements. Mold exposure can cause or exacerbate many health issues such as: asthma, upper respiratory conditions and COPD<sup>1</sup>. The presence of mold is a well-established trigger of asthma episodes and contributes to other negative health conditions. Due to the presence of mold in residential rental properties and the lack of an existing mechanism for tenants to effectively seek the repair of mold hazards, legislation is needed to ensure that regulations are put in place to properly inspect and remediate mold exposure. Mold is a threat to life, health, and safety and occurs due to poor or inadequate ventilation, leaking roofs, water infiltration, faulty plumbing and other conditions in rental homes that cause mold growth.

In the State Maryland we have some of the best health care systems in the country. However, in these same communities, we also see health disparities. Our health is too often defined by the condition of the homes where we live, our education and our socioeconomic status. Maryland has over 500,000 children and adults who are diagnosed with asthma. Asthma is the number one reason children miss days from schools and mold is a major trigger in homes.

The societal costs directly correlate to 14.4 missed school days and 14.2 missed work days in the US annually due to asthma episodes. In Maryland, the state spends \$42.1 million annually for

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<sup>1</sup> See CDC - Mold at <http://www.cdc.gov/mold/faqs.htm>.

asthma related hospitalizations and \$93.3 million for asthma related emergency department visits. The need to address the problem and establish mold standards is at utmost importance to address asthma disparities in Maryland where African American children are hospitalized due to asthma at rates 2.5 times higher than White children.

Previously, the Maryland General Assembly passed HB1309 in 2008, creating the Maryland Mold Remediation Services Act. This Act would have required individuals who provide mold remediation services to be licensed by the Maryland Home Improvement Commission.<sup>2</sup> However, this Act never received enough funding, and the mold remediation licensure program was terminated in 2019.<sup>3</sup> Because of this, Maryland has no state laws addressing mold assessment, remediation standards and licensure of mold professionals.

### Solutions

HB976 seeks to implement the following mold remediation standards and solutions:

1. Requires **interagency partnership** amongst MDE, MDH, MDDHCD and DGS to adopt regulations and establish mold standards for inspections and remediation.
2. **Adopts the EPA’s technical guidance and other national technical recommendations on testing and mold remediation.** The EPA, CDC and HUD have guidelines for proper mold remediation. The EPA requires specific mold remediation guidelines for 10 square feet or more of mold. The CDC’s recommendations also reference the EPA standards for mold remediation and the need to address mold as a significant respiratory irritant. The CDC cites to studies including by the Institute of Medicine which find links between damp indoor environments and mold and upper respiratory tract symptoms, coughing, and wheezing.
3. Brings Maryland in line with other states that have adopted mold regulations for mold assessment and safe contractor remediation practices.

### 15 States and the District of Columbia have passed laws and regulations to address mold

(Arizona, California, Connecticut, Florida, Indiana, Kansas, Louisiana, Maine, Massachusetts, Minnesota, New Hampshire, North Carolina, Rhode Island, Texas, Vermont, Washington DC). Highlights of the Washington, DC, Virginia, New York, and Louisiana laws:

- **Washington, DC** requires that mold contamination exceeding a set threshold level be remediated by a licensed mold professional. This remediation must comply with Environmental Protection Agency or Occupational Safety Hazard A standards. If the mold contamination is below the set threshold, a guide is provided on how to properly clean the mold. Landlords must also respond to a tenant’s complaint about mold within 7 days and remediate the area within 30 days.<sup>4</sup>

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<sup>2</sup> House Bill 1309. Introduced in 2008 by Maryland General Assembly.

<http://mgaleg.maryland.gov/mgawebsite/Search/Legislation?target=/2008rs/billfile/HB1309.htm>

<sup>3</sup> House Bill 0115. Introduced in 2017 by Maryland General Assembly.

<http://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0115/?ys=2017rs>

<sup>4</sup> <https://code.dccouncil.us/dc/council/code/titles/8/chapters/2B/#>

- **Virginia** law states that landlords must maintain residential rental properties to prevent moisture accumulation, and that if there is visible mold, it must be remediated according to state standards.<sup>5</sup>
- In 2017, **New York City** passed comprehensive legislation that delineates the responsibilities of rental property owners in relation to indoor allergen hazards including mold, pests, and other health hazards.<sup>6</sup> This bill classifies violations for indoor allergen hazards and the time frame in which they must be addressed. The bill also requires one of the city health agencies to educate physicians and health care providers who treat individuals with asthma on indoor asthma triggers. Specifically relating to mold, the bill describes the process in which mold should be remediated, and that any work done must comply with New York State’s Mold Program. The Mold Program is responsible for establishing licensing requirements, training, and minimum work standards for professionals engaged in mold assessment and remediation in the state.<sup>7</sup>
- **Louisiana**<sup>8</sup> established regulations regarding mold assessment and remediation standards.

Maryland residents need to be protected from being exposed to mold hazards and know that there are regulatory standards in place to properly inspect and address indoor mold hazards in properties where they exist. HB976 will better protect the health of Maryland citizens by addressing mold hazards that are significant home-based environmental health hazards and by providing residents with the opportunity to thrive. WE ASK YOU TO SUPPORT HB976.

Respectfully Submitted,



Ruth Ann Norton  
President and CEO

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<sup>5</sup> <https://law.lis.virginia.gov/vacode/title55.1/chapter12/section55.1-1220/>

<sup>6</sup> Int. No. 385-C. Introduced in 2018 by The New York City Council.

<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1812831&GUID=4D6B3532-B1A2-4A7E-8134-549BFD1ED2A2&Options=ID|Text|&Search=Int.+No.+385-C>

<sup>7</sup> Mold Program. Department of Labor. Retrieved on November 12, 2019

<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1812831&GUID=4D6B3532-B1A2-4A7E-8134-549BFD1ED2A2&Options=ID|Text|&Search=Int.+No.+385-C>

<sup>8</sup> <https://www.legis.la.gov/legis/law.aspx?d=208413>