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The Honorable William C. Smith, Jr.  
Chairman of the Judicial Proceedings Committee  
Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: Maryland Legal Aid Written Testimony in Support of SB 70 – Mold  
Inspections-Standards, Reporting and Penalties**

Dear Chairperson Smith and Committee Members:

Thank you for the opportunity to present testimony in regard to a bill which seeks to address the issue of mold in rental dwelling units an important issue that affects tenants throughout the state. Maryland Legal Aid, “the Legal Aid Bureau,” is a private, non-profit organization that provides free legal services to indigent Maryland residents. In our 12 offices around the state, we help individuals and families in every county with a wide array of civil legal issues including housing, consumer, public benefits, and family law matters. We also represent abused and neglected children and provide legal assistance to senior citizens and nursing home residents. This letter serves as notice that Gregory Countess will be testifying on behalf of Maryland Legal Aid at the request of Senator Shelly Hettleman.

Mold and its pernicious effects on residents of rental housing have long evaded the reach of residents and local jurisdictions to broadly remedy its devastating effects on residents and their health. A Tenant Council and its members lived in a senior living community which 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 7 months after the flood, which provided a breeding ground for

mold. Units in the building were damaged by the flood and units occupied by residents did not have carpets replaced or repairs made.

Moisture and water that leaked 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 on medication and getting worse. Those who had a history of allergies, but managed symptoms well over the years, experienced an increase in the use of medication as well as symptoms.

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

This was not an isolated incident. Throughout the state we have seen numerous tenants who have had to endure the outrageous and health endangering effects of mold. Most recently in a high profile case that involved 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. Our clients had to file a federal law suit to resolve the issue.

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

For those reasons, we urge a favorable report for SB 70.

Sincerely,

/s/ Gregory Leo Countess  
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