

SB070 Mold.pdf

Uploaded by: Cantori, Renee

Position: FAV

SB070, Environment - Mold Inspections - Standards, Reporting, and Penalties, sponsor - Sen. Patterson

I support SB070 and any measure to improve indoor air quality and reduce the existence of mold in any accommodation provided by the public. Everyone knows, mold in our living quarters can be dangerous, for even healthy persons. And those who suffer from respiratory conditions have even more reason for concern.

Existence of mold in many of my neighbors' communities in Annapolis and the rest of the county, and State, has been well documented. The problems however have not been addressed or corrected. This is disgraceful, unacceptable, and morally reprehensible. Providing affordable housing is one thing; providing decent and safe affordable housing is entirely another thing. Please approve this bill so the residents, OUR FRIENDS and NEIGHBORS, can live safely and decently.

Respectfully,

Renee Cantori
Annapolis, MD

SB 70 - Establish Mold Inspections in Public Facil

Uploaded by: Esposito, Lindsay

Position: FAV

Dear Members of the Education, Health, and Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. I am a resident of MD District 45. I'm proud to have been a resident of Baltimore City since 2008 and a homeowner and voter in the Greenmount West neighborhood for the last 8 years. **I am testifying in support of Senate Bill 70.**



As a chronic asthma and severe allergy sufferer (and someone at high risk to contract COVID-19), I know that mold contributes to serious health issues. Allergic reactions can be immediate or delayed, it can cause asthma attacks, and mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people. Mold is also known to cause asthma and life-threatening primary and secondary infections in immune-compromised patients. Toxic mold exposure has also been linked to more serious, long-term effects like memory loss, insomnia, anxiety, depression, trouble concentrating, and confusion. Particularly in children with immune-suppressed systems, toxic black mold can become deadly. It can lead to hemorrhagic pneumonia, which causes bleeding of the lung tissue.

There are no required mold inspections in Maryland public schools despite a clear problem that has been reported in many counties. One elementary school had to be closed down for an entire year due to mold. (<https://www.asumag.com/energy/indoor-air-quality-iaq/article/20856558/mold-will-close-maryland-elementary-for-the-entire-school-year>). One teacher quit due to health problems related to mold in Howard County, where mold levels in many schools were above industry standards. Children can't quit school.

In nursing homes, molds can be especially harmful for a number of reasons. Depending on their physical condition, residents may have diminished immune systems and are at greater risk for harmful airborne substances. And many seniors are not able to clean off molds themselves. Seniors and disabled residents at Claiborne Place had seeping walls and mushrooms coming up the floor, which an infrequent inspection noted as "life-threatening." (<https://www.capitalgazette.com/news/ac-cn-claiborne-place-mushrooms-20180725-story.html>). How is this acceptable?

For years, people like Tameka Wright of Annapolis raised concerns and asked for action to remediate the mold that harmed her and her children in their public housing apartment. Eventually the place was deemed "unfit for human habitation." I was deeply moved when I read about Tameka's plight — and that of so many others. It is imperative for us to speak out when others cannot for fear of being put out of their homes. (<https://www.capitalgazette.com/maryland/annapolis/ac-cn-robinwood-mold-annapolis-haca-20200224-20200224-olgznrqgdrfqp6xe56yjtecfi-story.html>)

Multiple vulnerable populations of Marylanders who do not have the power to change the mold situation need you to act on their behalf and pass this legislation. They need elected officials to act responsibly to protect them by establishing standards for mold inspection, providing requirements for reporting, and making sure there are penalties for noncompliance. Baltimore has one of the highest childhood asthma rates in the county and as someone with asthma myself, a lack established standards for mold inspections means my life is put at risk every time I step into a new building in the state.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 70**

Thank you for your time, service, and consideration.

Sincerely,
Lindsay Esposito
434 E Oliver, Baltimore, MD 21202
Showing Up for Racial Justice Baltimore

SB 70_AFSCME3_FAV.pdf

Uploaded by: Gilmore , Denise

Position: FAV



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Patrick Moran - President

Testimony

SB 70 – Environment – Mold Inspections – Standards, Reporting and Penalties Support

AFSCME Maryland Council 3 supports SB 70.

Statewide, AFSCME Council 3 represents 30,000 State and Higher Education employees. Many of our members rent their homes. SB 70 requires the Maryland Department of the Environment to promulgate standards for the assessment and remediation of mold in rental housing units.

Our members work in old buildings where mold exposure is often a concern. They send their children to schools where mold exposure is again a concern. Ensuring healthful air quality at work, and at home, is important to our union.

SB 70 is a good bill. It establishes indoor air quality standards in Maryland. With a changing climate, it's more important than ever to have indoor air quality standards in our state laws to protect Marylanders from the harmful health effects caused from mold exposure.

We urge the committee to provide a favorable report on SB 70.

Thank you.

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
800.492.1996

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SB70 Support Mold Inspection LG.pdf

Uploaded by: Girdner, Linnie

Position: FAV

To Senators Pinsky, Kagan and members of the Education, Health, and Environmental Affairs Committee:

I am a resident of District 21. I am active in Showing Up for Racial Justice Annapolis and Anne Arundel County as well as Anne Arundel Connecting Together. I am testifying **in support of Bill SB0070 Mold Inspection: Standards, Reporting and Penalties.**

Mold can be very serious. Molds can cause asthma attacks in people with asthma who are allergic to mold. In addition, mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people. Mold is also known to cause asthma and life-threatening primary and secondary infections in immune-compromised patients that have been exposed. Toxic mold exposure has also been linked to more serious, long-term effects like memory loss, insomnia, anxiety, depression, trouble concentrating, and confusion. Particularly in children with immune-suppressed systems, toxic black mold can become deadly. It can cause hemorrhagic pneumonia, which causes bleeding of the lung tissue.

There are no required mold inspections in Maryland public schools despite a clear problem that has been reported in many counties. One elementary school had to be closed down for an entire year due to mold. (<https://www.asumag.com/energy/indoor-air-quality-iaq/article/20856558/mold-will-close-maryland-elementary-for-the-entire-school-year>). A teacher quit due to health problems related to mold in Howard County, where mold levels in many schools were above industry standards. Children don't have the option to quit..

Molds can be especially harmful to nursing home residents for a number of reasons. Depending on their physical condition, residents may have diminished immune systems and be at greater risk for harmful airborne substances. Many seniors are in no state to clean off molds themselves.

Seniors and disabled residents at Claiborne Place had seeping walls and mushrooms coming up the floor, which an inspector noted was "life-threatening." (<https://www.capitalgazette.com/news/ac-cn-claiborne-place-mushrooms-20180725-story.html>). How is this acceptable?

For years people like Tameka Wright of Annapolis raised concerns about and asked for action to remediate the mold that harmed her and her children in their public housing apartment. Eventually the place was deemed "unfit for human habitation." I was deeply moved when I read about her plight and that of so many others. When I learned that some did not speak up for fear of being put out, I knew I needed to have my voice heard. (<https://www.capitalgazette.com/maryland/annapolis/ac-cn-robinwood-mold-annapolis-haca-20200224-2020224-olgznrqgdrfqdp6xe56yjtecfi-story.html>) I was invited with a group of others to check out two of the apartments at another public housing complex. The plumbing from an upstairs bathroom constantly seeped through to another resident's ceiling. The ceiling looked like it was ready to crumble. It was appalling.

In sum, multiple vulnerable populations of Marylanders who do not have the power to change the mold situation by themselves need you to act on their behalf. They need elected officials to act responsibly to protect them by establishing standards for mold inspection, providing requirements for reporting, and making sure there are penalties for noncompliance.

It is for these reasons that I am encouraging you to vote in support of SB0070.
Thank you for your time, service, and consideration.

Sincerely,
Linda K. Girdner, Ph.D.
941 Fall Ridge Way
Gambrills, MD 21054

SB 70 - Establish Mold Inspections in Public Facil

Uploaded by: Gorny, Daniel

Position: FAV



Dear Members of the Education, Health, and Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. I am a resident of MD District 8. I am testifying in support of Senate Bill 70.

Mold contributes to serious health issues. Allergic reactions can be immediate or delayed, it can cause asthma attacks, and mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people. Mold is also known to cause asthma and life-threatening primary and secondary infections in immune-compromised patients. Toxic mold exposure has also been linked to more serious, long-term effects like memory loss, insomnia, anxiety, depression, trouble concentrating, and confusion. Particularly in children with immune-suppressed systems, toxic black mold can become deadly. It can lead to hemorrhagic pneumonia, which causes bleeding of the lung tissue.

There are no required mold inspections in Maryland public schools despite a clear problem that has been reported in many counties. One elementary school had to be closed down for an entire year due to mold. (<https://www.asumag.com/energy/indoor-air-quality-iaq/article/20856558/mold-will-close-maryland-elementary-for-the-entire-school-year>). One teacher quit due to health problems related to mold in Howard County, where mold levels in many schools were above industry standards. Children can't quit school.

In nursing homes, molds can be especially harmful for a number of reasons. Depending on their physical condition, residents may have diminished immune systems and are at greater risk for harmful airborne substances. And many seniors are not able to clean off molds themselves. Seniors and disabled residents at Claiborne Place had seeping walls and mushrooms coming up the floor, which an infrequent inspection noted as "life-threatening." (<https://www.capitalgazette.com/news/ac-cn-claiborne-place-mushrooms-20180725-story.html>). How is this acceptable?

For years, people like Tameka Wright of Annapolis raised concerns and asked for action to remediate the mold that harmed her and her children in their public housing apartment. Eventually the place was deemed "unfit for human habitation." I was deeply moved when I read about Tameka's plight — and that of so many others. It is imperative for us to speak out when others cannot for fear of being put out of their homes. (<https://www.capitalgazette.com/maryland/annapolis/ac-cn-robinwood-mold-annapolis-haca-20200224-20200224-olgznrqgdrfqdp6xe56yjtecfi-story.html>)

Multiple vulnerable populations of Marylanders who do not have the power to change the mold situation need you to act on their behalf and pass this legislation. They need elected officials to act responsibly to protect them by establishing standards for mold inspection, providing requirements for reporting, and making sure there are penalties for noncompliance. Baltimore has one of the highest childhood asthma rates in the county and as someone with asthma myself, a lack established standards for mold inspections means my life is put at risk every time I step into a new building in the state.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 70**

Thank you for your time, service, and consideration.

Sincerely,

Daniel Gorny
3411 Upton Rd.
Parkville, MD 21234

Showing Up for Racial Justice Baltimore

SB 70 - Establish Mold Inspections in Public Facil

Uploaded by: Hauck, Barbara

Position: FAV

Dear Members of the Education, Health, and Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. I am a resident of MD District 43. I am also a longtime member of Baltimore's vibrant theatre community, as well as the Artistic Director at the Fells Point Corner Theatre. I am testifying in support of Senate Bill 70.



Mold contributes to serious health issues. Allergic reactions can be immediate or delayed, it can cause asthma attacks, and mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people. Mold is also known to cause asthma and life-threatening primary and secondary infections in immune-compromised patients. Toxic mold exposure has also been linked to more serious, long-term effects like memory loss, insomnia, anxiety, depression, trouble concentrating, and confusion. Particularly in children with immune-suppressed systems, toxic black mold can become deadly. It can lead to hemorrhagic pneumonia, which causes bleeding of the lung tissue.

There are no required mold inspections in Maryland public schools despite a clear problem that has been reported in many counties. One elementary school had to be closed down for an entire year due to mold. (<https://www.asumag.com/energy/indoor-air-quality-iaq/article/20856558/mold-will-close-maryland-elementary-for-the-entire-school-year>). One teacher quit due to health problems related to mold in Howard County, where mold levels in many schools were above industry standards. Children can't quit school.

In nursing homes, molds can be especially harmful for a number of reasons. Depending on their physical condition, residents may have diminished immune systems and are at greater risk for harmful airborne substances. And many seniors are not able to clean off molds themselves. Seniors and disabled residents at Claiborne Place had seeping walls and mushrooms coming up the floor, which an infrequent inspection noted as "life-threatening." (<https://www.capitalgazette.com/news/ac-cn-claiborne-place-mushrooms-20180725-story.html>). How is this acceptable?

For years, people like Tameka Wright of Annapolis raised concerns and asked for action to remediate the mold that harmed her and her children in their public housing apartment. Eventually the place was deemed "unfit for human habitation." I was deeply moved when I read about Tameka's plight — and that of so many others. It is imperative for us to speak out when others cannot for fear of being put out of their homes. (<https://www.capitalgazette.com/maryland/annapolis/ac-cn-robinwood-mold-annapolis-haca-20200224-20200224-olgznrqgdrfqdp6xe56yjtecfi-story.html>)

It is also worth noting that Baltimore has one of the highest childhood asthma rates in the county. A lack established standards for mold inspections means we are putting children's lives at increased risk.

In fact, multiple vulnerable populations of Marylanders do not have the power to change the mold situation. They need elected officials to protect them by establishing standards for mold inspection, providing requirements for reporting, and ensuring there are penalties for noncompliance. They need you to act on their behalf and pass this legislation.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 70**

Thank you for your time, service, and consideration.

Sincerely,
Barbara Hauck (she/her)
3420 Harford Road
Baltimore, MD 21218
Showing Up for Racial Justice Baltimore

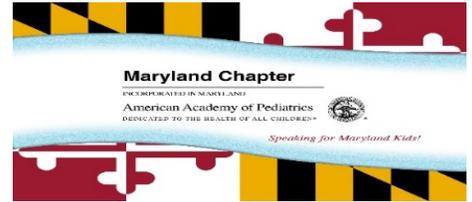
SB0070_FAV_MedChi, MDAAP_Mold Inspections - Standa

Uploaded by: Kasemeyer, Pam

Position: FAV



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TO: The Honorable Paul G. Pinsky, Chair
Members, Senate Education, Health, and Environmental Affairs Committee
The Honorable Obie Patterson

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: January 28, 2021

RE: **SUPPORT** – Senate Bill 70 – *Environment – Mold Inspections – Standards, Reporting, and Penalties*

On behalf of the Maryland State Medical Society and the Maryland Chapter of the American Academy of Pediatrics, we submit this letter of **support** for Senate Bill 70.

Senate Bill 70 requires the Department of the Environment, in consultation with the Maryland Department of Health, the Department of Housing and Community Development, and the Department of General Services, to adopt regulations on or establishing uniform standards for mold assessment and remediation. Local jurisdictions are required to conduct an annual mold inspection of rental dwellings located in that jurisdiction and imposes various restrictions and penalties for failure to remediate.

Exposure to damp and moldy environments may cause a variety of health effects. For people who are sensitive to molds, exposure to molds can lead to symptoms such as stuffy nose, wheezing, and red or itchy eyes, or skin. Some people, such as those with allergies to molds or with asthma, may have more intense reactions. Severe reactions may include fever and shortness of breath. In 2004, the Institute of Medicine found there was sufficient evidence to link indoor exposure to mold with upper respiratory tract symptoms, cough, and wheeze in otherwise healthy people, asthma symptoms in people with asthma, and hypersensitivity pneumonitis in individuals susceptible to that immune-mediated condition.

Passage of Senate Bill 70 will provide uniform regulatory requirements of mold assessment and remediation and protect Maryland citizens who reside in rental units from the harmful effects of mold. A favorable report is requested.

For more information call:

Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
410-244-7000

SB 70 mold testimony.pdf

Uploaded by: Legal Aid, Maryland

Position: FAV



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January 26, 2021

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
Gregory Leo Countess
Maryland Legal Aid
gcountess@mdlalab.org
(410) 951-7687

GHHI Written Testimony - SB70.pdf

Uploaded by: Lewis, Jamal

Position: FAV



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January 26, 2021

Senator Paul G. Pinsky, Chairman
Senate Education, Health and Environmental Affairs Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Re: **SB70 - SUPPORT** - Environment - Mold Inspections - Standards, Reporting, and Penalties

Dear Chairman Pinsky and Members of the Committee:

The Green & Healthy Homes Initiative (GHHI) writes in Support of Senate Bill 70. 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, we have provided healthy homes education and direct housing intervention services to reduce triggers that cause asthma episodes and other respiratory issues.

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 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 COPD¹. 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 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 literally in our backyards. However, in these same communities, we also see health disparities. Our health is not defined by whether we go to the doctor's office. Our health is not defined by the four walls of a clinic or hospitals. Our health is defined by where we live, what we eat, our education and our socioeconomic status. Maryland has over 606,500 adults (13.4%) and 232,100 children (17.3%) of its population affected by asthma². Asthma is the number one reason children missed days from

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

² Maryland Department of Health and Mental Hygiene. Maryland Behavioral Risk Factor Surveillance System Data, 2001-2012. Baltimore, MD: Maryland Department of Health and Mental Hygiene; Accessed and analyzed in 2014. <https://ppha.health.maryland.gov/Documents/HB0420-PHPA-Asthma-Final-2014.pdf> Accessed 2020 March 1.

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. In Maryland, the state spends \$42.1 million annually for 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.³ However, this Act never received enough funding, and the mold remediation licensure program was terminated in 2019.⁴ Because of this, Maryland has no state laws addressing mold assessment, remediation and licensure.

Solution

SB70 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 reporting for rental units.
2. **Adopts the EPA’s technical guidance and CDC recommendations on 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. Requires local jurisdiction to conduct an **annual mold inspection** in rental dwellings.
4. Requires an **annual indoor air quality report** summarizing the results of the mold inspections.
5. Establishes a **third-party inspector registry** that lists the names of qualified third-party mold inspectors for the public to utilize.
6. Requires MDE to establish a website to provide **transparency and educate the public on mold hazards** that can be a resource for Maryland residents.
7. **Strengthens tenant’s rights and provides an “explicit” remedy in local District Court for mold hazards.** Maryland law lacks existing mechanisms for tenants to effectively seek repair of mold hazards under the current rent escrow statute (Real Property Article § 8-211). The statute is silent and does not explicitly list “mold” as a threat or hazard. GHHI strongly believes legislation is warranted to expand the state law and include mold as a threat to life, health and safety of occupants in rental properties.

³ House Bill 1309. Introduced in 2008 by Maryland General Assembly.

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

⁴ House Bill 0115. Introduced in 2017 by Maryland General Assembly.

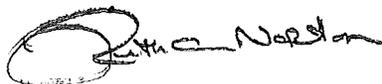
<http://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0115/?ys=2017rs>

There are **15 States and the District of Columbia that 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.⁵
- **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.⁶
- 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.⁷ 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.⁸
- **Louisiana**⁹ 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 address indoor mold hazards in rental homes if they exist. SB70 will better protect the health of Maryland citizens and provide them with the opportunity to thrive. **WE ASK YOU TO SUPPORT SB70.**

Respectfully Submitted,



Ruth Ann Norton
President and CEO

⁵ <https://code.dccouncil.us/dc/council/code/titles/8/chapters/2B/#>

⁶ <https://law.lis.virginia.gov/vacode/title55.1/chapter12/section55.1-1220/>

⁷ 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>

⁸ 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>

⁹ <https://www.legis.la.gov/legis/law.aspx?d=208413>

Testimony in Favor SB 70 Mold Remediation. Matt Lo

Uploaded by: Losak, Matthew

Position: FAV



TESTIMONY
Maryland General Assembly
Judiciary Proceedings Committee
In Favor, SB-70, Mold Remediation Standards
Matt Losak 301-588-3987
Executive Director, Montgomery County Renters Alliance, Inc.
January 28, 2021

Good afternoon, Chairman Smith and Vice Chair Waldstreicher, Committee Members. My name is Matt Losak and I am a co-founder and Executive Director of the Montgomery County Renters Alliance—an alliance of more than 30 labor, community, religious, political and civic action organizations and thousands of renters. We are Maryland’s first and only regional nonprofit dedicated exclusively to renter outreach, education, organizing and advocacy.

Before I begin, I am delighted to announce that a problem tenant has been evicted from the White House the Renters Alliance fully supports has just taken place and a new tenant has moved into the White House with a new lease.

The Renters Alliance is in favor of **SB70—Mold Remediation**, and we thank Delegate Shaneka Henson and Senator Obie Patterson for their leadership in sponsoring this legislation.

The Renters Alliance with increasing regularity hears from tenants about mold complaints. These complaints include mold growing across walls, in bedrooms, bathrooms, kitchens, and family rooms. Renters often ask landlords and property managers for assistance, only to find their complaints are ignored, or mold remediation amount to painting it over until it grows back.

In one community we work with, the mold was so bad that the local elementary school noted that most of the children living in the apartment complex were suffering from asthma exacerbated by mold exposure, and unable to play sports.

In another building the constant dampness due to pipe leaks and poor heating and ventilation systems was so bad that MUSHROOMS sprouted in the hallways as mold climbed the walls of apartment homes.



In senior buildings where mold infestations frequently go unabated, residents complain of wheezing, headaches, skin irritation, watering eyes and constant cough.

Mold is a growing health hazard for renters and its abatement and control must be required by law with no less mandate than how we require the extermination of rats and vermin.

As we continue to see a rise in damp weather from rising temperatures, as well as from apartment communities with leaking pipes and poor maintenance, renters are increasingly vulnerable to mold infestations.

We strongly urge a favorable report.

Thank you

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SB70 written testimony - Murray.pdf

Uploaded by: Murray, Kerriann

Position: FAV



Dear Members of the Education, Health, and Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. I am a resident of MD District 10. I am testifying in support of Senate Bill 70.

Mold contributes to serious health issues. Allergic reactions can be immediate or delayed, it can cause asthma attacks, and mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people. Mold is also known to cause asthma and life-threatening primary and secondary infections in immune-compromised patients. Toxic mold exposure has also been linked to more serious, long-term effects like memory loss, insomnia, anxiety, depression, trouble concentrating, and confusion. Particularly in children with immune-suppressed systems, toxic black mold can become deadly. It can lead to hemorrhagic pneumonia, which causes bleeding of the lung tissue.

There are no required mold inspections in Maryland public schools despite a clear problem that has been reported in many counties. One elementary school had to be closed down for an entire year due to mold. (<https://www.asumag.com/energy/indoor-air-quality-iaq/article/20856558/mold-will-close-maryland-elementary-for-the-entire-school-year>). One teacher quit due to health problems related to mold in Howard County, where mold levels in many schools were above industry standards. Children can't quit school.

In nursing homes, molds can be especially harmful for a number of reasons. Depending on their physical condition, residents may have diminished immune systems and are at greater risk for harmful airborne substances. And many seniors are not able to clean off molds themselves. Seniors and disabled residents at Claiborne Place had seeping walls and mushrooms coming up the floor, which an infrequent inspection noted as "life-threatening." (<https://www.capitalgazette.com/news/ac-cn-claiborne-place-mushrooms-20180725-story.html>). How is this acceptable?

For years, people like Tameka Wright of Annapolis raised concerns and asked for action to remediate the mold that harmed her and her children in their public housing apartment. Eventually the place was deemed "unfit for human habitation." I was deeply moved when I read about Tameka's plight — and that of so many others. It is imperative for us to speak out when others cannot for fear of being put out of their homes. (<https://www.capitalgazette.com/maryland/annapolis/ac-cn-robinwood-mold-annapolis-haca-20200224-20200224-olgznrqgdrfqdp6xe56yjtecfi-story.html>)

Multiple vulnerable populations of Marylanders who do not have the power to change the mold situation need you to act on their behalf and pass this legislation. They need elected officials to act responsibly to protect them by establishing standards for mold inspection, providing requirements for reporting, and making sure there are penalties for noncompliance. Baltimore has one of the highest childhood asthma rates in the county and as someone with asthma myself, a lack established standards for mold inspections means my life is put at risk every time I step into a new building in the state.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 70**

Thank you for your time, service, and consideration.

Sincerely,
Kerriann Eileen Murray
221 Northway Road, Reisterstown, 21136
Showing Up for Racial Justice Baltimore

SB 70 - Establish Mold Inspections in Public Facil

Uploaded by: Rochkind, Jonathan

Position: FAV

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Sincerely,

Jonathan Rochkind
755 Melville Ave
Baltimore MD 21218

Showing Up for Racial Justice Baltimore

SB 70 ACDS Testimony in Support - Mold Standatds,

Uploaded by: Sarro, Lisa

Position: FAV



January 28, 2021

Senate Bill 70

Environment — Mold Inspections — Standards, Reporting, and Penalties

Education, Health, and Environmental Affairs

Position: Favorable

Thank you for the opportunity to provide testimony in support of Senate Bill 70, legislation that would promote the development of statewide, objective standards for air quality levels in certain properties in Maryland, including residential rental properties. Arundel Community Development Services, Inc. (ACDS) serves as Anne Arundel County's nonprofit housing and community development agency, helping Anne Arundel County residents and communities thrive through the provision of safe and affordable housing opportunities, programs to prevent and end homelessness, and community development initiatives. In fulfilling this role, ACDS administers grants to nonprofit partners, directly develops and implements programming, and advises the County on housing and community development policy initiatives.

Under current Maryland law, there are no regulations, objective standards or mandatory inspections of residential rental properties to protect Marylanders from health hazards related to mold exposure. This poses an ongoing, significant risk to the health and safety of all Maryland renters, and it poses a disproportionately high risk to low income renters because low income renters are at a significant disadvantage in their ability to realistically use the Rent Escrow process for forcing recalcitrant landlords to remediate properties with mold and unhealthy air quality conditions. This bill would protect the health and safety of all Maryland renters by putting regulations in place to ensure the air quality safety of rental properties and by providing an avenue for renters to improve conditions themselves should a landlord fail to comply with the regulations.

First, this bill **codifies that a landlord's failure to comply with the landlord's obligations under the bill results in the tenant's right to use the court's Rent Escrow process.**

Maryland's rent escrow statute currently allows a renter to place rent in escrow with the court in cases where the renter can establish serious conditions that threaten the health and safety of the tenant. The problem is that, without mold standards in place and a uniform acceptance of the health risks of mold exposure, judges in Maryland vary in their view of whether air quality/mold rises to the level of a serious condition that can sustain a Rent Escrow action. Some conclude that mold cannot be considered a health risk without expert testimony, and when they do allow it, the tenant often has to put on evidence that the mold is causing health problems. – both costly hurdles to cross. SB 70 solves this problem by clearly stating that if a

landlord fails to comply with the landlord's obligations under the legislation, then the tenant is entitled to bring a Rent Escrow action.

Second, the bill **makes a Rent Escrow action or other legal action a realistic option for low income renters**. Using a Rent Escrow action as a tool to improve conditions in a rental unit with unhealthy and/or unsafe conditions is often not a realistic option for low income renters, especially if the condition is related to mold. Low income renters generally lack the financial resources needed to obtain the documentary evidence necessary to prove the existence of mold causing a health and safety problem. While tenants can rely on City or County rental licensing reports (which they can obtain for free) as documentary proof of many health and safety problems, the same is *not* true for mold and air quality problems. Rental license inspections rarely include information related to mold or air quality issues. As a result, in order to prove a Breach of Lease or Rent Escrow action based on mold, a tenant must pay a private company to test for mold and air quality issues, and then pay for a written report and/or pay an expert to testify at court. This is an expense that many cannot bear. However, if implemented, this bill would eliminate this financial barrier to access to the legal system by ensuring that the landlord is responsible for the cost of testing for mold by an approved inspector, and by requiring that the landlord disclose the results of that inspection to the renter.

Third, if enacted, SB 70 **would result in uniform standards for habitable dampness, for identifying, evaluating and testing for mold, mold remediation, and best practices for eliminating the risk of mold hazards**. Without such standards in place, the results of Rent Escrow actions in Maryland can vary not just from jurisdiction to jurisdiction, but even from judge to judge within the same jurisdiction. Having objective, measurable standards in place provide a basis for a judge to evaluate whether a renter will or will not prevail in a rent escrow action. As importantly, having such standards may result in pre-litigation remediation of problems, or in a renter's decision not to file.

Finally, this legislation incorporates **protections for renters** who seek remedies identified in the bill and **provides meaningful penalties** for non-compliance by landlords to ensure compliance, both of which will aid in the bill's effectiveness for promoting the health and safety of Maryland renters.

For the reasons noted above, we urge a FAVORABLE report on SB 70.

Lisa Marie Sarro

General Counsel

SB0070- Testimony- JS.pdf

Uploaded by: Sell, Jennifer

Position: FAV

Education, Health, and Environmental Affairs Committee

Bill #: SB0070

**Bill Title: Environment - Mold Inspections - Standards, Reporting, and Penalties
January 28, 2021**

****SUPPORT****

To the members of the Education, Health, and Environmental Affairs Committee,

I am a resident of District 33 and a member of Showing Up for Racial Justice Annapolis and Anne Arundel County. I am testifying in support of SB0070 — Mold Inspection: Standards, Reporting, and Penalties.

Mold contributes to serious health issues. Allergic reactions can be immediate or delayed, it can cause asthma attacks, and mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people. Mold is also known to cause asthma and life-threatening primary and secondary infections in immune-compromised patients. Toxic mold exposure has also been linked to more serious, long-term effects like memory loss, insomnia, anxiety, depression, trouble concentrating, and confusion. Particularly in children with immune-suppressed systems, toxic black mold can become deadly. It can lead to hemorrhagic pneumonia, which causes bleeding of the lung tissue.

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It is for these reasons that I am encouraging you to vote in support of SB0070.

Thank you for your time, service, and consideration.

Sincerely,

Jennifer Sell
444 Lynwood Dr
Severna Park, MD 21146

Renters United MD_FAV_SB70.pdf

Uploaded by: Shah, Zafar

Position: FAV

Senate Bill 70

Environment –Mold Inspections–Standards, Reporting, and Penalties

Before the Senate Education, Health, and Environmental Affairs
Committee, Jan. 28, 2021



Position: FAVORABLE

In 2020, Maryland renters who live in mold-affected homes faced the dual risk of coronavirus outside the home and respiratory illness inside it. They had nowhere to turn for reprieve and, in absence of a law that prescribes how mold defects in housing should be assessed and remediated, renters had little if any recourse to compel property owners to remove mold from their units. SB 70 is the law Maryland renters need at this critical time. **Renters United Maryland (RUM), a statewide coalition of renters, organizers, and advocates, urges the Committee’s favorable report on SB 70.**

Across the state, without standards or guideposts on mold, renters are paying the price for Maryland’s lack of black-letter standards on mold and mold-affected housing. SB 70 introduces much-needed solutions to this problem. The bill answers crucial questions, such as: What is an acceptable exposure of a tenant to indoor mold? What is the appropriate method of mold remediation? What precautions must be taken to remove indoor mold without increasing exposure to the tenants? When should a tenant be released from the rental agreement and reimbursed for relocation expenses? There are no answers in current law, and consequently, already vulnerable renters are suffering without relief or remedy.

Lack of standards means that renters are dealing with mold virtually on their own.

SB 70 moves Maryland forward with standards that will give housing agencies the legal tools to deal with mold. These agencies rely on variations of international codes that have not incorporated standards on mold. Consequently, for most housing agencies, complaint-based inspections inconsistently cite mold, and when mold does appear on violation reports, it is recorded as “possible mold,” “appearance of mold,” or a “dark substance.”

These euphemisms correspond to superficial home inspections. Inspectors can inspect only the surface of the problem, literally. As a result, inspections generate confusion about whether mold defect violate code and foster doubt about whether landlords have a legal obligation to remediate the mold.

In the experience of RUM’s members, housing inspectors are more likely than not to remove a mold-related violation when the defect has been surface-cleaned or occluded by paint or some

<https://rentersunitedmaryland.org>

Contact: Zafar Shah, (410) 625-0765 or at shahz@publicjustice.org

other covering. These ineffective methods of “remediation” meet agencies’ visual surface inspections. Unless there are visible indicia of wood rot, water damage, or a leak, inspectors cannot invoke local regulations or protocols that require a property owner to do more than cover up the mold.

The implied policy in Maryland is that the presence of toxic mold, if not visible, is an acceptable condition of rental housing. Renters expect more, and their health, stability, productivity, and educational outcomes require it.

SB 70 advances the changes that Maryland renters have been demanding for years: definitional standards, inspection protocols, regulations for remediation of mold.

By creating standards, SB 70 will strengthen renters’ bases for legal actions that compel landlords to remediate mold or compensate for hazardous living conditions. SB 70 includes rent escrow and anti-retaliation provisions specific to mold defects. The existing rent escrow law, Real Property Art. § 8-211, is an important but limited mechanism for renters to seek court-ordered repair of mold defects. These cases often fail to ensure mold remediation and fair compensation to the tenant because of lack of standards. The viability of the tenant’s legal claim boils down to whether a judge can make sense of the vague, discretionary assessments of inspectors about whether mold exists and how it should be removed. **In too many cases, courts are concluding that because code enforcement officials cannot cite mold as a violation, the tenants legal right to a habitable home has not been violated.** SB 70 would bring a foundation to these legal actions that judges could rely on.

The threat to tenant health and safety posed by the presence of mold in the home is clear. In the anecdotal experience of RUM member organizations, the elderly and those with existing respiratory problems suffer the worst, and in some cases have been hospitalized as a suspected result of unmitigated mold growth. Many renter families also suspect domestic mold to be the cause of their children’s asthma development. [A 2009 review of existing literature](#) on the health effects of dampness and mold by **the World Health Organization found a substantial body of evidence of an association with upper respiratory tract symptoms, coughing, wheezing, asthma development in otherwise healthy children, and exacerbation of already diagnosed asthma.** Maryland law should protect renter families from the potentially long-term adverse health outcomes resulting from poor property management.

SB 70 is a first, crucial step toward a comprehensive solution to mold in rental housing. It requires multiple Maryland agencies to collaboratively devise standards that fill gaps in current law.

Renters United Maryland urge the Committee’s FAVORABLE report on SB 70.

<https://rentersunitedmaryland.org>

Contact: Zafar Shah, (410) 625-0765 or at shahz@publicjustice.org

SB 70 - Establish Mold Inspections in Public Facil

Uploaded by: Smeton, Jonathan

Position: FAV

Dear Members of the Education, Health, and Environmental Affairs Committee,

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There are no required mold inspections in Maryland public schools despite a clear problem that has been reported in many counties. One elementary school had to be closed down for an entire year due to mold. (<https://www.asumag.com/energy/indoor-air-quality-iaq/article/20856558/mold-will-close-maryland-elementary-for-the-entire-school-year>). One teacher quit due to health problems related to mold in Howard County, where mold levels in many schools were above industry standards. Children can't quit school.

In nursing homes, molds can be especially harmful for a number of reasons. Depending on their physical condition, residents may have diminished immune systems and are at greater risk for harmful airborne substances. And many seniors are not able to clean off molds themselves. Seniors and disabled residents at Claiborne Place had seeping walls and mushrooms coming up the floor, which an infrequent inspection noted as "life-threatening." (<https://www.capitalgazette.com/news/ac-cn-claiborne-place-mushrooms-20180725-story.html>). How is this acceptable?

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It is for these reasons that I am encouraging you to vote in **support of Senate Bill 70**

Thank you for your time, service, and consideration.

Sincerely,
Jonathan Smeton
3140 Ellerslie Avenue, Baltimore, MD 21218
Showing Up for Racial Justice Baltimore

SB70_MCRC_FAV.pdf

Uploaded by: Stern, Isadora

Position: FAV



Maryland Consumer Rights Coalition

**Testimony to the Senate Education, Health, & Environmental Affairs Committee
SB70 : Environment - Mold Inspections - Standards, Reporting, and Penalties
Position: Favorable**

January 28, 2021

The Honorable Paul Pinsky, Chair
Senate Education, Health, & Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401
cc: Members, Education, Health, & Environmental Affairs Committee

Chair Pinsky and Members of the Committee:

The Maryland Consumer Rights Coalition (MCRC) is a statewide coalition of individuals and organizations that advances economic rights and financial inclusion for Maryland consumers through research, education, direct service, and advocacy. Our 8,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

We are writing today in support of HB129.

Through the creation of a uniform standard for mold assessment and remediation, HB129 would add protections from mold exposure to the already existing state laws that shield Maryland renters from the environmental hazards of radon, asbestos, lead-based paint, and methane when they are found in the home. With over a third of Marylanders living in rental units, these protections are greatly needed to ensure renters are living in units that meet a minimum livability standard and do not pose a health risk. The impact of mold exposure has been linked to upper respiratory tract symptoms, coughing, wheezing, and the development or exacerbation of asthma. The provisions of the bill would also provide Maryland with an opportunity to lessen the racial health gap as discussed below.

Currently, Maryland does not have any laws that specifically address a landlord's duties or liability when it comes to mold prevention and remediation¹. The avenues available for tenants to try to recover damages from their landlord often require legal action and leave tenants vulnerable to the emotional and financial stress of the legal system². The lack of regulations around the disclosure of mold place the onus on the tenant rather than the property owner or landlord. While the burden of the mold remediation falls on the tenant, tenants' abilities to treat mold may be limited by their lease -- which could prevent construction or demolition within the property-- or their financial state; on

1

<https://www.ncsl.org/research/environment-and-natural-resources/maryland-landlord-and-tenant-duties.aspx>

² <https://www.nolo.com/legal-encyclopedia/maryland-rules-regarding-mold-rental-properties.html>



average, professional mold remediation costs \$500 to \$6,000 – but the price can soar into the tens of thousands if the problem is severe³.

Furthermore, this bill would provide Maryland with the opportunity to actively work to close the racial health gap. Not only is mold a matter of public health, the health impacts from exposure also pose a civil rights issue. A report by the Asthma and Allergy Foundation of America finds that the burden of asthma in the United States falls disproportionately on Black, Hispanic and American Indian/Alaska Native people. These groups have the highest asthma rates, deaths, and hospitalizations. Black Americans are 1.5 times more likely to have asthma, 3 times more likely to die from it, and 5 times more likely to visit the emergency department because of it⁴. In Maryland, the rate of asthma-related hospitalizations is 1.3 times higher than the U.S. average. In Baltimore city, the rate is nearly 3 times higher than the national average⁵. Given that social determinants and structural inequities largely drive disparities in asthma, more so than factors such as genetics and individual behaviors, it is clear that this health disparity is linked to the legacy of segregation in housing practices directed against persons of color.

Maryland should join the 15 other states and the District of Columbia in recognizing the importance of indoor air quality mold regulations for the financial and physical health of tenants.

For all these reasons, we support HB129 and urge a favorable report.

Best,

Isadora Stern
Economic & Tenants' Rights Organizer

³ <https://realtimelab.com/mold-statistics/>

⁴ <https://www.aafa.org/asthma-disparities-burden-on-minorities.aspx>

⁵ <https://environmentalintegrity.org/wp-content/uploads/2017/12/Baltimore-Asthma.pdf>

SB 70 - Establish Mold Inspections in Public Facil

Uploaded by: Todd, Tamara

Position: FAV

Dear Members of the Education, Health, and Environmental Affairs Committee,

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Sincerely,
Tamara Todd
221 Northway Rd, Reisterstown, MD 21136
Showing Up for Racial Justice Baltimore

SB 70 - Establish Mold Inspections in Public Facil

Uploaded by: Yoder, Daryl

Position: FAV

Dear Members of the Education, Health, and Environmental Affairs Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of white folks working as part of a multi-racial movement for equity and racial justice in Baltimore City and Baltimore County. I am a resident of MD District 12. I am testifying in support of **Senate Bill 70**.



Mold contributes to serious health issues. Allergic reactions can be immediate or delayed, it can cause asthma attacks, and mold exposure can irritate the eyes, skin, nose, throat, and lungs of both mold-allergic and non-allergic people. Mold is also known to cause asthma and life-threatening primary and secondary infections in immune-compromised patients. Toxic mold exposure has also been linked to more serious, long-term effects like memory loss, insomnia, anxiety, depression, trouble concentrating, and confusion. Particularly in children with immune-suppressed systems, toxic black mold can become deadly. It can lead to hemorrhagic pneumonia, which causes bleeding of the lung tissue.

There are no required mold inspections in Maryland public schools despite a clear problem that has been reported in many counties. One elementary school had to be closed down for an entire year due to mold. (<https://www.asumag.com/energy/indoor-air-quality-iaq/article/20856558/mold-will-close-maryland-elementary-for-the-entire-school-year>). One teacher quit due to health problems related to mold in Howard County, where mold levels in many schools were above industry standards. Children can't quit school.

In nursing homes, molds can be especially harmful for a number of reasons. Depending on their physical condition, residents may have diminished immune systems and are at greater risk for harmful airborne substances. And many seniors are not able to clean off molds themselves. Seniors and disabled residents at Claiborne Place had seeping walls and mushrooms coming up the floor, which an infrequent inspection noted as "life-threatening." (<https://www.capitalgazette.com/news/ac-cn-claiborne-place-mushrooms-20180725-story.html>). How is this acceptable?

For years, people like Tameka Wright of Annapolis raised concerns and asked for action to remediate the mold that harmed her and her children in their public housing apartment. Eventually the place was deemed "unfit for human habitation." I was deeply moved when I read about Tameka's plight — and that of so many others. It is imperative for us to speak out when others cannot for fear of being put out of their homes. (<https://www.capitalgazette.com/maryland/annapolis/ac-cn-robinwood-mold-annapolis-haca-20200224-20200224-olgznrqgdrfqdp6xe56yjtecfi-story.html>)

Multiple vulnerable populations of Marylanders who do not have the power to change the mold situation need you to act on their behalf and pass this legislation. They need elected officials to act responsibly to protect them by establishing standards for mold inspection, providing requirements for reporting, and making sure there are penalties for noncompliance. Baltimore has one of the highest childhood asthma rates in the county and as someone with asthma myself, a lack established standards for mold inspections means my life is put at risk every time I step into a new building in the state.

It is for these reasons that I am encouraging you to vote in **support of Senate Bill 70**

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder
309 Glenmore Ave.
Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

SB 70_FWA_MML.pdf

Uploaded by: Fiore, Justin

Position: FWA



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

January 28, 2021

Committee: Senate Education, Health, and Environmental Affairs Committee

Bill: SB 70 – Environment – Mold Inspections – Standards, Reporting, and Penalties

Position: Support with Amendment

Reason for Position:

The Maryland Municipal League supports SB70 with amendments. As introduced, the bill would require local jurisdictions to conduct – or hire a third-party inspector to conduct – annual mold inspections of all rental dwellings. The League is supportive of efforts to identify and remediate mold. However, Maryland's municipalities, by and large, do not perform annual inspections of rental properties. They do not have the staff capacity. Instead, many of them conduct inspections in accordance with their rental licensing process, which may call for inspections every three years or between tenets, as examples. Municipal Code Enforcement Officers will also respond to complaints about mold and may require testing and remediation by the landlord. Local jurisdictions simply do not have the staff budget, equipment, or expertise to properly identify cases of mold through annual inspections.

Instead, MML would support a framework that takes advantage of the local inspection schedule and code enforcement complaint systems in place. Where, in the course of their regular duties, if an inspector observes what they believe to be mold, they must notify the landlord of their responsibility for testing and remediation. If the locality does not have an enforcement mechanism in place, they must also notify the Department that is responsible for the enforcement provisions in the bill (in coordination with verified 3rd parties).

The League believes this framework would be possible with existing budgetary resources and would provide a meaningful step toward a mold-free rental environment. With these changes, MML could enthusiastically support SB 70 and we look forward to working with the sponsor, committee, and other stakeholders toward a solution.

FOR MORE INFORMATION CONTACT:

1212 West Street, Annapolis, Maryland 21401

410-268-5514 | 800-492-7121 | FAX: 410-268-7004 | www.mdmunicipal.org

Scott A. Hancock
Angelica Bailey
Bill Jorch
Justin Fiore

Executive Director
Director, Government Relations
Director, Research & Policy Analysis
Manager, Government Relations

SB119, MGPA,SupportwAmend.pdf

Uploaded by: Thompson, Lindsay

Position: FWA



Maryland Grain Producers Association
123 Clay Drive, Queenstown, MD 21658
Lindsay.mdag@gmail.com (p) 443-262-8491
www.marylandgrain.com

Date: January 28, 2021

Senate Bill 119 – Clean Water Commerce Act of 2021

Committee: Education, Health and Environmental Affairs Committee

MGPA Position: SUPPORT with Amendments

The Maryland Grain Producers Association serves as the voice of grain farmers growing corn, wheat, barley and sorghum across the state. On an annual basis, nearly a million acres of these crops are grown in Maryland.

Senate Bill 119 Extends the existing Clean Water Commerce Act, which sunsets 6/1/21, through 2030 and provides \$20 million annually from the Bay Restoration Fund, managed in a new “Clean Water Commerce Fund.” Funding decisions under this program are made through a transparent, competitive procurement process and all sectors can apply.

Previously, agriculture was not eligible as a sector for CWCA funding. This bill sets aside 35% of funding for agricultural practices to be reassessed in 2025. Agriculture is responsible for the majority of planned nutrient reductions between now and 2025 to meet Maryland’s Watershed Implementation Plan III goals and additional funding will be absolutely essential to meet these goals.

All projects funded through the CWCA must have verifiable reductions for at least 10 years. For agriculture, this means that practices such as buffer and tree plantings, agricultural drainage and ditch management, wetland and stream restoration, and other more permanent practices will be eligible which have the potential to improve both water quality and agricultural production.

MGPA participated on the stakeholder group hosted by the Chesapeake Bay Commission to build consensus around the sponsor amendments presented.

MGPA respectfully submits our support with sponsor amendments position on SB119.

2 -EHE - SB 70 - Environment – Mold Inspections -

Uploaded by: Bennardi, Maryland Department of Health /Office of Governmen

Position: UNF



**2021 SESSION
POSITION PAPER**

BILL: SB 70 – Environment – Mold Inspections – Standards, Reporting, and Penalties

COMMITTEE: Senate Education, Health & Environmental Affairs Committee

POSITION: Letter of Opposition

BILL ANALYSIS: SB 70 would require the Department of the Environment, in consultation with the Maryland Department of Health and other state agencies, to adopt regulations establishing uniform standards for mold assessment and remediation and requiring local jurisdictions to conduct annual mold inspections of public and private school facilities, licensed child care centers, nursing homes, assisted living facilities, and rental residential buildings and to submit annual reports of inspections conducted to the Department, require registry of certain inspectors, establish a penalty system for violations, and for the Department to perform other related requirements.

POSITION RATIONALE: The Maryland Association of County Health Officers (MACHO) is a consistent champion of health for all Maryland residents. Although we applaud the sponsor’s aim of improving indoor air quality, because of a lack of accompanying funding to carry out the inspections and activities adequately, MACHO submits a **letter of opposition to SB 70**.

Local jurisdictions will be required to carry out annual mold inspections of 1) public and private school facilities, 2) licensed child care centers, 3) nursing homes, 4) assisted living facilities, and 5) rental dwellings, a massive undertaking for already severely understaffed and underfunded departments who due to that understaffing and underfunding, struggle to meet their current environmental health requirements, mandates and delegated authorities from MDE and MDH.

Adding all of these additional facility inspections to LHDs, will require significant increases in number of personnel, technical training in a field unfamiliar to many of our staff, and increased responsibilities for already over-tasked local supervisors. As public health professionals, we take our responsibility to protect the health and safety of the residents in our communities very seriously. It is demoralizing when we lack the resources to carry them out to the level of quality, we expect of ourselves.

LHDs value efforts to improve health and environmental conditions in all facilities. However, if LHDs are expected to carry out those assurance activities, they must have adequate resources to do so to meet all state agency mandates.

For these reasons, the Maryland Association of County Health Officers submits this **letter of opposition for SB 70**. For more information, please contact Ruth Maiorana, MACHO Executive Director at rmaioral@jhu.edu or 410-937-1433. *This communication reflects the position of MACHO.*

SB0070-EHE_MACo_OPP.pdf

Uploaded by: Butler, Alex

Position: UNF



Senate Bill 70

Environment - Mold Inspections - Standards, Reporting, and Penalties

MACo Position: **OPPOSE**

To: Education, Health and Environmental
Affairs Committee

Date: January 28, 2021

From: Alex Butler

The Maryland Association of Counties (MACo) **OPPOSES** SB 70, as introduced. The bill would require local governments to complete proactive, annual mold inspections of all rental housings within the jurisdiction. In all jurisdictions, this would require the addition of significant new resources resulting in costly expenditures. **MACo has been engaging with the bill's sponsor to find a reasonable approach that could limit the burden on local governments and provide an increased effort to promote public health.**

As introduced, SB 70 requires that local jurisdictions conduct annual mold inspections in all rental dwellings. Counties do not have units equipped or readily available to perform inspections for mold. Typically, local housing authorities or code enforcement divisions respond on a complaint-driven basis to concerns over either moisture intrusion such as a leaking roof, or the presence of mold. In many cases they are able to require remediation based on the livability code. Many jurisdictions relay the effectiveness of this approach, with some receiving very low numbers of complaints per year.

Although the bill allows for either third party inspections or inspections to occur in combination with already existing inspections, it is clear that coordinating these efforts would be a substantial undertaking - especially as the majority of units do not currently receive an inspection each year. Inspections can be completed upon registration with an existing rental licensing program, turnover of the unit, or in response to a complaint.

Proactive, annual inspections of all rental dwellings will lead to a large increase in the number of necessary inspections that local jurisdictions would need to coordinate or conduct, and would not necessarily yield better results.

SB 70 would lead to costly expenditures for local governments without any guarantee of improved outcomes. Accordingly, MACo urges the Committee to give SB 70 as introduced an **UNFAVORABLE** report.

MBIA Testimony SB 70.pdf

Uploaded by: Graf, Lori

Position: UNF

January 28, 2021

The Honorable Paul G. Pinsky
Senate Education, Health & Environmental Affairs Committee
Miller Senate Office Building,
2 West Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: SB 70 Environment – Mold Inspections – Standards, Reporting, and Penalties

Dear Chairman Pinsky:

The Maryland Building Industry Association, representing 1,100 member firms statewide, appreciates the opportunity to participate in the discussion surrounding SB 70 - Environment – Mold Inspections – Standards, Reporting, and Penalties. MBIA Opposes the Act in its current version.

The bill would require local jurisdictions to conduct expansive annual mold inspections in many different buildings and facilities. In all jurisdictions, this would require the addition of significant new resources resulting in costly expenditures.

Counties do not have units equipped or readily available to perform inspections for mold. Typically, local housing departments respond on a complaint-driven basis to concerns over moisture intrusion such as a leaking roof or leaking pipe that may cause the potential for mold. The Center for Disease Control does not recommend testing for mold as parameters for what should be labeled dangerous are so ill defined as to be virtually non-existent. The results of mold testing are difficult for people to understand and are often inconsistent. The inconsistency and general lack of understanding regarding the dangers make annual testing unreliable, the results difficult to interpret, and a significant expense.

Additionally, this bill requires not just one annual inspection but two, one from the county and another from a third-party investigator doubling the expense of the bill while adding no additional value. Since the costs will be passed on to renters, this will have the effect of creating a new annual fee for renters with dubious benefits. In a period of uncertain housing availability, now is not the time to add artificial rent inflation for unnecessary testing with vague potential benefits. This will have an unintended consequence on housing affordability.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Education, Health & Environmental Affairs Committee

MMHA - 2021 - SB 70 - mold.pdf

Uploaded by: Greenfield, Aaron

Position: UNF



Bill Title: Senate Bill 70, Environment - Mold Inspections - Standards, Reporting, and Penalties

Committee: Education, Health, and Environmental Affairs

Date: January 28, 2021

Position: Unfavorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

Bill Summary: This bill requires relevant state departments to adopt regulations establishing uniform standards for mold assessment and remediation (habitable dampness, identifying and evaluating the presence of mold, mold remediation as stringent as the EPA's guidelines). Senate Bill 70 mandates local jurisdictions conduct annual mold inspection of public and private school facilities, licensed childcare centers, nursing homes, assisted living facilities and rental dwellings. Under the bill, landlords must disclose the results of the mold inspection to a tenant or prospective tenant. A tenant may not waive the disclosure requirement. A local jurisdiction, county attorney, or municipal attorney may enforce the provisions of this section. Senate Bill 70 requires the Department of the Environment to submit an annual indoor air quality report to the Governor and the General Assembly on or before December 1 beginning in 2023. Penalties for violation include to \$250 per violation, not exceeding \$10,000. the administrative penalty is assessed with consideration given to the willfulness of the violation and the extent to which the violation was known to the violator but uncorrected by the violator, the extent to which the violation resulted in actual harm to human health, the nature and degree of injury to or interference with general welfare and health; and the extent to which the current violation is part of a recurrent pattern of the same or similar type of violation committed by the violator.

Mold: According to the U.S. Environmental Protection Agency there is no practical way to eliminate all mold and mold spores in the indoor environment; the way to control indoor mold growth is to control moisture. Molds can be found almost anywhere; they can grow on virtually any substance, providing moisture is present.

Tenant Provisions: Tenants already have the right to utilize the health department for mold-related complaints. Local code enforcement offices can also issue citations. In fact, in Baltimore City, housing inspectors are capable of issuing housing violation notices for mold issues. Once issued, the landlord must clean it up, remediate it, and test it, in order to satisfy the housing inspector and/or judge in a rent escrow action.



Senate Bill 70 neglects to account for a tenant's role in causing mold. Mold could grow due to a tenant failing to notify the landlord of any type of leak – roof, water heater, faucet, toilet or condensation for failing to turn on the vent fan in a bathroom when taking a shower. If indoor airborne moisture (relative humidity) is not controlled and a resident's windows are chronically fogged and wet, condensation is reaching other cool surfaces. This can only be controlled by a tenant. How can a landlord be held responsible for a defect that the landlord does not know about?

For these reasons, we respectfully request an unfavorable report on Senate Bill 70.

Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992

SB 70.pdf

Uploaded by: May, Lisa

Position: UNF



Senate Bill 70 – Environment – Mold Inspections – Standards, Reporting, and Penalties

Position: Oppose

Maryland REALTORS® oppose HB 129 which, among other provisions, requires local governments to conduct annual inspections of residential rental units for mold.

REALTORS® have several concerns over this bill and how it would be implemented.

First, the bill would directly impose new fees and significant fines on all rental property owners and managers. To conduct the hundreds of thousands of annual inspections that would be imposed under this bill, local governments may also need to hire additional staff, which will further increase fees charged to rental owners.

Only half of Maryland counties currently have rental property registration or licensing programs in place. Those who do not would need to establish a program to comply with these new requirements. In these areas, landlords would incur registration or licensing program costs in addition to inspection and reporting fees.

These compliance costs will be passed on, resulting in rent increases for Maryland residents.

In addition, Maryland does not currently license or provide any oversight of mold inspectors or remediation practitioners. Inspectors engaged under this program would need training in how to inspect and report on mold problems.

For those reasons, the REALTORS® recommend an unfavorable report.

**For more information contact bill.castelli@mdrealtor.org,
susan.mitchell@mdrealtor.org, or lisa.may@mdrealtor.org**

SB 70 Mold January 2021 - Final.pdf

Uploaded by: Welch, Kenneth

Position: UNF

An Affiliate of
the Maryland Association
of Counties, Inc.



Reply to:

DATE: January 28, 2021
TO: Members, Education, Health, and Environmental Affairs
FROM: Maryland Conference of Local Environmental Health Directors
RE: SB 70 Environment – Mold Inspections – Standards, Reporting, and Penalties

The Maryland Conference of Local Environmental Health Directors (the Conference) *opposes* **SB 70** with respect to the regulation of mold inspections.

While the Conference appreciates the intent to increase accountability for these activities, we believe the scope of the bill is too broad sweeping in nature. Additionally, local environmental health programs do not have the financial or staffing resources to perform or even oversee inspections as currently proposed, nor sufficient resources to train staff to provide the professional expertise required to participate in this effort as there are estimates of thousands of species of molds and no regulatory standards. The estimated costs of implementation alone would be in the millions of dollars and annual inspections will not resolve the issue.

Given the extreme lack of resources, funding, lack of expertise, and workload currently handled at the local level as posed by the Conference, we are opposed to SB 70.

Accordingly, we request the Committee give SB 70 an **UNFAVORABLE** report.

Thank you for the opportunity to share our views on this matter. If you have further questions concerning this written testimony, please contact me at 240-777-3840.

Respectfully,

Kenneth Welch, President
Conference of Environmental Health Directors

SB70_MDE_LOI.pdf

Uploaded by: abbott, tyler

Position: INFO



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

January 28, 2021

The Honorable Paul G. Pinsky, Chair
Education, Health, and Environmental Affairs Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Re: Senate Bill 70- Environment - Mold Inspections - Standards, Reporting, and Penalties

Dear Chair Pinsky and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed Senate Bill 70 *Environment - Mold Inspections - Standards, Reporting, and Penalties*. Mold's increasing presence is one of the many effects of climate change. The issue of addressing mold in facilities, such as rental units, is very complex and warrants more discussion between State agencies, local governments and other stakeholders. With that in mind, the Department would like to provide information and express a few concerns with the current bill.

The bill requires the Department to consult with the Maryland Department of Health, the Department of Housing and Community Development, and the Department of General Services to adopt regulations, on or before June 1, 2023, establishing uniform standards for mold assessment and remediation. These regulations must address the following specific conditions: establish standards related to identifying the presence of mold and mold hazards, mold remediation and risk reduction; require annual mold inspections conducted by local jurisdictions; establish a certification process for third-party inspectors to become qualified to perform mold inspections and create a registry listing third-party inspectors; require landlords of dwelling units to pay for the cost of the inspections and notify tenants of the mold inspection results; and prohibit tenant waiver of the notification requirement. The Department does not have the staff, such as industrial hygienists and risk assessment personnel, required to conduct the analysis needed to write these regulations. MDE would have to contract out this duty. The estimated cost associated with this would be \$300,000.

As stated above, a process for third-party inspectors to become certified to perform mold inspections and the creation of a registry listing third-party inspectors is required. An existing database may be able to be altered to develop the registry. If not, the cost of development could easily exceed \$100,000. The Department has learned from managing other worker certification programs that such a program needs to include either an ongoing testing requirement or an audit element in order to ensure ongoing worker competency. Staff would be needed to carry out testing and audits. The bill allows the Department to charge up to \$100 dollars for the verification of third-party inspectors. Any figure related to an increase in revenues is difficult to determine, since the exact fee amount and the number of inspectors paying the fee have not been determined; however, it is anticipated that this increase will not fully offset any increase in expenditures.

The Department would also be required to ensure that the counties met their obligation to inspect each rental dwelling unit for mold and for notifying tenants of any mold found. This information would eventually be included in a database, with the information regarding inspection and notification status being generated from

Chairman Pinsky

Page 2

reports submitted by the counties. Once a database is developed and functioning, it would need to be populated with applicable data and updated as needed.

To fulfill the various requirements under this bill, the Department would need to create a new mold program within the Department. MDE evaluated the requirements in the current bill relative to the work requirements associated with two other worker certification programs - our Lead Program and our Asbestos Worker Accreditation Program. Each has duties similar to those described in the bill. Based on this comparison, the Department anticipates that a minimum of 12 additional employees would be needed to meet the requirements in this bill. This staffing number is based on the assumption that there are several hundred thousand rental units in Maryland (US Census data show that 2/3 of 2.4 million housing units in Maryland are owner-occupied).

Lastly, there are a few issues with the enforcement provisions in this bill. There are provisions within the bill that allow for an administrative penalty of up to \$250 per violation, not exceeding \$10,000. Under this bill, enforcement of the Department's regulations are the responsibility of the local jurisdiction, through county and municipal attorneys. This is an atypical provision, as it means that MDE would have no authority to enforce its regulations. Additionally, the bill does not provide the ability of any authority to issue orders or otherwise require compliance with the regulations. There is no requirement for "mold remediation" to occur in properties that fail an inspection.

Thank you for your consideration. This is an important issue that warrants more discussion. We will continue to monitor Senate Bill 70 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by e-mail at tyler.abbott@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Abbott", with a horizontal line extending to the left.

Tyler Abbott

cc: George "Tad" Aburn, Director, Air and Radiation Administration