

# CHESAPEAKE PSR

## PHYSICIANS FOR SOCIAL RESPONSIBILITY

The Honorable Kumar P. Barve: Chair  
Members, House Environment and Transportation Committee

**Landlord and Tenant - Repossession for Failure to Pay Rent - Lead Risk Reduction Compliance, HB0049**

**January 26, 2021**

**Position: Support**

My name is Dr. Gwen DuBois. I am President of Chesapeake Physicians for Social Responsibility. I speak in support of HB0049 for Chesapeake Physicians for Social Responsibility, a bill requiring landlords to show certification of lead compliance before a case can proceed in rent court, and requiring court to adjourn for up to 10 days to gather evidence regarding lead compliance.

This bill requires the judge dismiss or postpone the case if there is no proof of compliance. This bill puts protections in place for renters potentially facing a toxic exposure in their homes. Lead is a documented neurotoxin. Common sources of exposure are peeling and chipping paint, drinking water, soil, and consumer products including makeup and toys. Children who live in houses built before 1950 have a much higher likelihood of having elevated lead levels than in children living in [houses built after 1978 when lead was banned from house paint](#) suggesting the importance of this as a source of lead toxicity. Children are the most vulnerable to this preventable danger. Children ingest more, absorb more, and the developing brain is more sensitive to the effects of lead exposure than the adult brain. No known threshold for the effects of lead including on IQ has been identified. There are [no known safe levels](#) for exposure to lead including to its effects on IQ.

At very high levels, lead exposure can cause vomiting, lethargy, seizures and death. At lower levels, lead exposure can be responsible for decreasing IQ, increased distractibility, impulsivity, short attention span, and inability to follow directions. CDC and HUD have reduced action levels to 5 micrograms per deciliter. [Even levels below this](#) can reduce a child's intellectual, and academic ability, and where prenatal exposure can lead to lower birth weight. A new study has found hyperactivity [in children whose levels averaged 3.5 microgram per deciliter](#). Each IQ point raises worker's productivity and the [lifetime economic losses](#) in the United States attributable to lead exposure have been estimated to be between \$165-233 billion in the cohort of children < or equal to 6 years of age in 2006 who had blood levels 2 micrograms per deciliter or higher. This cohort has an estimated total loss of 13 million IQ points from lead poisoning. Since there is no blood lead level that is considered safe, when estimates include any measurable blood levels, the total IQ loss for that group of children <6 with any measurable lead, goes up to [23 million collective IQ points](#).

Primary prevention, which is removing the sources of lead before exposure occurs, is the most reliable and cost-effective way to protect our children according to a policy statement by the American Academy of Pediatrics. The authors reminded pediatricians that education on hand washing and dust control has no effect on reducing lead levels. The Academy goes on to urge pediatricians and parents to promulgate regulations to test children and housing both before and after abatement, and call for and, I say this

loudly to this august body of legislators who can make this happen, “enhanced protection for children [who live in lead-contaminated communities or near lead-emitting industries.](#)”

A Baltimore Sun investigative report published April 2017 reported that Baltimore renters had more eviction notices per capita than in any other city and judges found in favor of the landlord [even in cases where inspectors found that there were lead hazards noted in the rental unit.](#) In 2013, The Abell Foundation report “Justice Diverted” based on a survey of people brought before renter’s court, found that 41% noted flaking or peeling paint. The majority of defendants in rent court are black women with children and this suggests who are the victims of this injustice. One of the recommendations that the report made was: “[demand that landlords and agents document their rent claims, as well as their alleged compliance with licensing and lead-risk legal requirements, and hold them accountable through consistent application of existing legal standards and tenant protections.](#)”

Requiring proof that landlords have passed lead inspections before they can bring cases to rent court is an important way to help our children when their families interface with the judicial system. If we ignore this opportunity, this will represent a public health, ethical and as well as fiscal failure. We all pay for poisoning our children.

Although I believe that a shortage of affordable, safe housing is an underlying problem that must be addressed, allowing our children to live in lead-contaminated housing is not an acceptable solution. **Chesapeake Physicians for Social Responsibility, strongly urges the passage of House Bill 0049.**

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**President Chesapeake Physicians for Social Responsibility**

**January 22, 2021**