

Renters Deserve Safe, Healthy Housing

Position Statement Supporting Senate Bill 320

Given before the Education, Health and Environmental Affairs Committee

Maryland renters make up one-third of all households across the state and more than half of all households in cities such as Silver Spring, Hagerstown, and Baltimore City. These Marylanders are often dealing with mold hazards in their homes largely without the aid of state and local agencies. Local code enforcement agencies lack standards and guidance on the inspection and remediation of mold. Furthermore, there are few legal protections for renters in mold-affected housing. **The Maryland Center on Economic Policy supports Senate Bill 320 because ensuring that Marylanders have a safe, habitable home is critical to economic justice.**

SB 320 will address fundamental policy gaps that weaken local housing agencies' efforts to combat mold and allow rental property owners to skimp on remediation of mold hazards. This bill provides Maryland localities the framework for ensuring the availability of healthier housing.

- Lack of inspection and remediation standards hurts renters and weakens code enforcement
 - Under SB 320, Maryland housing agencies would gain the legal tools to deal with mold hazards. Presently, code enforcement agencies have no definition or other criteria to use in citing evidence of mold in a property. Housing inspectors therefore describe mold inconsistently in violation reports, using phrases such as “possible mold,” “appearance of mold,” or a “dark substance.” These descriptions are also the product of Maryland’s failure to require mold-specific training for code enforcement inspectors. Without training, these inspectors are limited to inspecting only the visible surface of the problem. As a result of having no clear standards and no training requirements, code inspections lead to remedial steps that too often still leave renters without safe housing conditions.
- We should not accept mold hazards simply because they are not visible. Renters expect more to be done, and their health, stability, productivity, and educational outcomes require it.
 - Unless there are visible signs of water damage or moisture, inspectors lack regulations or protocols to require a property owner to do more than cover up the mold. Literally, the accepted solution to mold hazards in Maryland rental housing is to paint over the problem. SB 320 defines “mold hazard” both in scientific and health terms. This bill then requires state agencies to create publish standards for inspection, testing, and remediation of mold.

SB 320 can also strengthen existing processes for renters who want to use legal actions to compel landlords to remediate mold or compensate them for hazardous living conditions and relocation. SB 320 includes rent escrow and anti-retaliation provisions specific to mold hazards. These provisions should support and bolster the existing

rent escrow law, which allows a tenant to pay some or all rent into a court account, compel repairs of the rental property, and receive an equitable distribution of escrowed funds after repairs are completed.

Mold has a clear and well-documented impact on public health. 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 families also suspect mold to be the cause of their children's asthma development. Research suggests that health effects of dampness and mold can include upper respiratory tract symptoms, coughing, wheezing, and asthma development in otherwise healthy children and exacerbation of already diagnosed asthma.ⁱ

The standards called for in SB 320 cannot wait any longer. Throughout the COVID-19 pandemic, Maryland renters who live in mold-affected homes have faced the dual risk of coronavirus outside the home and respiratory illness inside it. They have had nowhere to turn, 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.

For these reasons, the Maryland Center on Economic Policy respectfully requests the Education, Health and Environmental Affairs Committee to make a favorable report on Senate Bill 320.

Equity Impact Analysis: Senate Bill 320

Bill Summary

Provides closure to gaps that weaken local housing agencies' efforts to combat mold and allow rental property owners to skip on remediation of mold hazards.

Background

Maryland renters make up one-third of all households across the state and more than half of all households in cities such as Silver Spring, Hagerstown, and Baltimore City. These households are dealing with mold hazards in their homes largely without the aid of state and local agencies. Local code enforcement agencies lack standards and guidance on the inspection and remediation of mold. Furthermore, there are few legal protections for renters in mold-affected housing.

Equity Implications

The threat to tenant health and safety posed by the presence of mold in the home is clear. 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. Research evidence suggest that health effects of dampness and mold cause upper respiratory tract symptoms, coughing, wheezing, asthma development in otherwise healthy children and exacerbation of already diagnosed asthma. Maryland renters are more likely to be low-income households and people of color.

Impact

SB 320 will likely improve racial, economic and environmental justice in Maryland.

ⁱ World Health Organization (2009) *WHO Guidelines for Indoor Air Quality*
https://www.euro.who.int/__data/assets/pdf_file/0017/43325/E92645.pdf