



Maryland Municipal League
The Association of Maryland's Cities and Towns

T E S T I M O N Y

February 2, 2021

Committee: Senate Education, Health, and Environmental Affairs Committee

Bill: SB 320 – Environment – Mold Inspections – Standards, Reporting, and Penalties

Position: Oppose

Reason for Position:

The Maryland Municipal League is in opposition to Senate Bill 320. As introduced, the bill would require local jurisdictions to conduct – or hire a third-party inspector to conduct – mold inspections of all rental dwellings.

The League is supportive of efforts to identify and remediate mold and appreciates the flexibility to use a third-party inspector and pass the cost of the inspection to the landlord. However, we remain concerned that there is not a large enough workforce to meet the requirements of the bill and municipal staff would be needed to fill the gap.

Maryland's municipalities, by and large, do not perform regular inspections of rental properties. They do not have the staff capacity. Instead, several of them conduct inspections in accordance with their rental licensing process, which may call for inspections every three years or between tenets, as examples. In other jurisdictions, Municipal Code Enforcement Officers will respond to complaints about mold and may require testing and remediation by the landlord. Further, more municipal staff would be needed to administer such a program, enforce remediation, and levy penalties. Local jurisdictions simply do not have the staff, equipment, or expertise to carry out the requirements of this bill.

The past two sessions, MML has supported 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.

The League believes this framework would be possible with existing budgetary resources and would provide a meaningful step toward a mold-free rental environment.

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As introduced, MML respectfully requests that the committee provide SB 320 with an unfavorable report.

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