



Bill Title: House Bill 976, Mold Assessment and Remediation – Standards

Committee: Environment and Transportation

Date: March 3, 2023

Position: Favorable with Amendments

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose membership consists of owners and managers of more than 207,246 rental housing homes in more than 937 apartment communities. Our members house over 667,000 residents of the State of Maryland throughout the entire State of Maryland. MMHA membership also includes more than 216 associate members that supply goods and services to the multi-housing industry. More information is available at <https://www.mmhaonline.org/>

House Bill 976 requires relevant state departments to adopt regulations establishing uniform standards for mold assessment and remediation.

The U.S. Environmental Protection Agency (EPA) defines mold as “Molds are a group of organisms that belong to the kingdom Fungi... There are over 20,000 species of mold. Fungi include molds, yeasts, mushrooms, and puffballs”. Molds reproduce by making spores. Mold spores waft through the indoor and outdoor air continually. When mold spores land on a damp spot indoors, they may begin growing and digesting whatever they are growing on. Molds can grow on virtually any organic substance, providing moisture and oxygen are present. It is estimated that more than 1.5 million species of fungi exist.”

MMHA has the following concerns with House Bill 976:

1. Mold Definition Pg.2 lines14-23 Pg. 3 Lines1-3:
 - a. The definition is confusing and incomplete.
 - b. The Bill uses the terms “fungi” and “mold” interchangeably. The mold definition should include mold growing in soil not just plant and animal matter.
 - c. Five of the nine strains listed in the bill are seen on a regular basis when doing spore sampling. However, we would add Chaetomium. Further, MMHA does not believe there should be a list of fungi in the bill at all. It will confuse the effort especially if they appear to be precluding other fungal strains.
2. Mold Hazard Definition Pg 3. Lines 10-14:
 - a. “Mold Hazard” as written is awkward and confusing. It should be written as potential health effects of mold exposure and should be based upon EPA standards, for instance those provided in the Mold Remediation in Schools and



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Commercial Buildings publication ([Printable Version of Mold Remediation in Schools and Commercial Buildings | US EPA](#))

b. The bill assumes that mold is the source of “health effects”; however, the health effects mentioned in the bill and in the EPA publication are not specific to mold exposure and can be caused by chemicals, other biological exposures, medications, food, and other types of exposures. All molds have the potential to cause health effects. Molds produce allergens, irritants, and in some cases, toxins that may cause reactions in humans. The types and severity of symptoms depend, in part, on:

- the location, types, and extent of mold present
- the extent of an individual's exposure
- the ages of the individuals, and
- their existing sensitivities or allergies.

3. Establishing Standards, Page 3, Lines 21-27 and Page 4, lines 1-27:

a. All of the Departments listed in the Bill that that are to be consulted with regarding the establishment of standards in Maryland are excellent resources. We would also recommend that there is:

- a consultation with the EPA
- a consultation with industrial hygienists and other professionals who are actively involved in remediation of mold contamination, as they have expertise in the costs of remediation and the state of current practice.
- a consultation with allergists would be able to provide valuable input into this process
- review of other jurisdictions who have already completed this type of process

4. Tenant’s Role in Causing Mold:

a. The Departments should account for a tenant’s role in causing mold in the rental industry. 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. House Bill 976 should require an educational campaign undertaken by the Departments around conduct that causes toxic mold.

With these concerns addressed, MMHA respectfully requests a favorable report with amendments on House Bill 976.

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