



**Bill No:** HB 976— Environment—Mold Inspections—Standards

**Committee:** Environment and Transportation

**Date:** 3/03/2023

**Position:** Favorable with Amendments

The Apartment and Office Building Association of Metropolitan Washington (AOBA) represents members that own or manage more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's Counties.

House Bill 976 would require State agencies to adopt regulations that establish uniform mold assessment and remediation standards in rental housing. AOBA members are committed to ensuring residents live in safe, habitable, and mold-free homes. As such, when dampness and mold are present, or housing providers are notified about mold, they immediately remedy the situation. Unfortunately, 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 maintain moisture.

Housing providers work diligently to eliminate indoor moisture and, when present, correct building issues (leaky pipes, water problems, etc.) that may cause mold if left unchecked. However, housing providers can do nothing to control resident actions that create increased indoor moisture and the potential for mold. Housing providers cannot require residents to use air conditioners and de-humidifiers, vent bathrooms, close windows, clean mold off hard surfaces, and other such actions. Yet, this bill places the burden for indoor moisture and mold on the housing provider with no regard for the residents' role in causing mold or their ability to mitigate factors contributing to mold growth.

Additionally, residents already have the right to contact the local health department or local housing regulatory agency for mold-related complaints and have the right to deposit rent in escrow if their rental unit is found to be uninhabitable. AOBA believes these

existing rights allow residents to hold housing providers responsible for timely mold remediation.

AOBA appreciates the bill's sponsor for listening to concerns regarding this legislation and supports Maryland Multi-Housing Association (MMHA). AOBA seeks amendments to clarify and make the definition of mold and mold hazard more uniform as described **on Pages 3, Lines 1-3 & 10-14, and Page 2, Lines 14-23**. As currently defined in the bill, the definition needs to be more precise and encompass all the fungal strains not listed. AOBA agrees that the legislation add more consultants from different entities to contribute to a more uniform standard which includes:

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

AOBA also recommends adding language to establish and standardize a comparative baseline measurement to assess the seriousness of indoor mold through testing or sampling.

**For these reasons, AOBA requests a favorable with amendments report on HB 976.** For further information, contact Ryan Washington, AOBA Manager of Government Affairs, at 202-770-7713 or [rwashington@aoba-metro.org](mailto:rwashington@aoba-metro.org).