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February 24, 2023

Delegate Kumar P. Barve, Chairman  
House Environment and Transportation Committee  
House Office Building, Room 251  
6 Bladen Street  
Annapolis, Maryland 21401

Re: **HB972 - SUPPORT** – Landlord and Tenant – Rent Escrow – Mold in Residential Dwelling Units

Dear Chairman Barve and Members of the Committee:

The Green & Healthy Homes Initiative (GHHI) writes in support of House Bill 972. GHHI has a long-standing history of advocating for families and children on the important issue of lead poisoning prevention and addressing healthy homes hazards such as mold. GHHI provides healthy homes education, housing assessments and direct housing intervention services in Maryland to reduce triggers that cause asthma episodes and other respiratory issues in homes for children, adults and seniors. GHHI also provides tenant's rights assistance statewide and legal representation of tenants for the repair of lead hazards and other hazardous conditions in their home.

The Centers for Disease Control and Prevention (CDC) defines mold as a fungus that can be found indoors and outdoors. Mold is most commonly found indoors in damp areas with poor ventilation such as bathrooms and basements. Mold exposure can cause or exacerbate many health issues such as: asthma, upper respiratory conditions and COPD<sup>1</sup>. The presence of mold is a well-established trigger of asthma episodes and contributes to other negative health conditions. Due to the presence of mold in residential rental properties and the lack of an existing mechanism for tenants to effectively seek the repair of mold hazards, legislation is needed to ensure that rental property owners are accountable to remediate mold hazards and prevent mold exposure for tenant occupants in Maryland. Mold is a threat to life, health, and safety and occurs due to poor or inadequate ventilation, leaking roofs, water infiltration, faulty plumbing and other conditions in rental homes that cause mold growth.

In the State of Maryland we have some of the best health care systems in the country. However, in these same communities, we also see health disparities. Our health is too often defined by where we live, our education and our socioeconomic status. Over 500,000 children and adults in

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<sup>1</sup> See CDC - Mold at <http://www.cdc.gov/mold/faqs.htm>.

Maryland have been diagnosed with asthma. Asthma is the number one reason children missed days from schools and mold is a major trigger in homes.

The societal costs directly correlate to 14.4 missed school days and 14.2 missed work days in the US annually due to asthma episodes. In Maryland, the state spends \$42.1 million annually for asthma related hospitalizations and \$93.3 million for asthma related emergency department visits. The need to address the problem and establish mold standards is at utmost importance to address asthma disparities in Maryland where African American children are hospitalized due to asthma at rates 2.5 times higher than White children.

**HB972 strengthens tenant’s rights and provides an “explicit” remedy in local District Court for mold hazards under the rent escrow process.** Maryland law lacks existing mechanisms for tenants to adequately seek repair of mold hazards under the current rent escrow statute (Real Property Article § 8-211). The statute is silent and does not explicitly list “mold” as a threat or hazard.

GHHI represents tenants in District Courts in Maryland and has witnessed cases where judges are reluctant or unsure whether they have the authority to order mold remediation. Legislation is warranted to specifically expand the state law and include mold as a delineated threat to the life, health and safety of occupants in rental properties. HB972 will provide clarity to the District Court and to tenants and rental property owners

A number of states and the District of Columbia have already passed laws and regulations to address mold hazards in rental properties. Some examples of states and jurisdictions passing legislation to specifically address mold hazards in rental properties and provide for tenant’s rights to have mold remediated include:

- **Washington, DC** requires Landlords must respond to a tenant’s complaint about mold within 7 days and remediate the area within 30 days.<sup>2</sup>
- **State of Virginia** law states that Landlords must maintain residential rental properties to prevent moisture accumulation, and that if there is visible mold, it must be remediated according to state standards.<sup>3</sup>
- **City of New York** requires Landlords to address indoor allergen hazards including mold.<sup>4</sup> and establishes time frames in which they must be addressed

Maryland residents need to be protected from being exposed to mold hazards and know that there are protections in place to address indoor mold hazards in rental properties where they exist.

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<sup>2</sup> <https://code.dccouncil.us/dc/council/code/titles/8/chapters/2B/#>

<sup>3</sup> <https://law.lis.virginia.gov/vacode/title55.1/chapter12/section55.1-1220/>

<sup>4</sup> Int. No. 385-C. Introduced in 2018 by The New York City Council.

<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1812831&GUID=4D6B3532-B1A2-4A7E-8134-549BFD1ED2A2&Options=ID|Text|Search=Int.+No.+385-C>

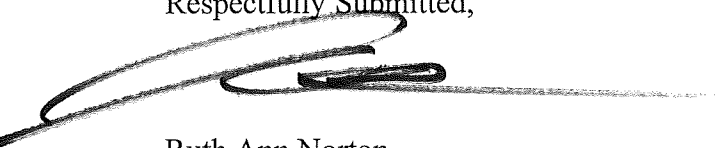
GHHI Written Testimony – Support House Bill 972

February 24, 2023

Page Three

HB972 will better protect the health of Maryland citizens by addressing mold hazards that are a significant home-based environmental health hazards and by providing tenants with a direct remedy when they are faced with an unresponsive rental property owner. We request a Favorable Report on HB972.

Respectfully Submitted,



Ruth Ann Norton  
President and CEO