



**Bill No:** HB 972— Landlord and Tenant - Rent Escrow - Mold in Residential Dwelling Units

**Committee:** Environment and Transportation

**Date:** 2/28/2023

**Position:** Unfavorable

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 972 would add mold hazards to the list of dangerous conditions and defects for which a resident can obtain relief under the State's rent escrow statute. AOBA members are committed to ensuring that 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 responsibility 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, AOBA fears that this bill will allow residents to take advantage of the Court process to seek relief for mold and shift the blame of responsibility onto the housing

provider. Furthermore, if the housing provider provided the mold abatement, the resident can still exercise their right to seek relief under this bill.

**For these reasons, AOBA urges an unfavorable report on HB 972.**

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