



HB972 - Landlord and Tenant – Rent Escrow – Mold in Residential Dwelling Units.

**Hearing before the House
Environment, and Transportation Committee,
February 28, 2023**

Position: SUPPORT (FAVORABLE)

Chesapeake Physicians for Social Responsibility (CPSR) supports HB972 for the purpose of adding certain mold hazards to the list of dangerous conditions and defects for which a tenant can obtain relief under the State’s rent escrow statute and generally relating to rent escrow.

CPSR is statewide evidenced-based, organization of over 900 physicians, medical students, other health professionals and supporters, that addresses the existential public health threats: nuclear weapons, the climate crisis and the issues of pollution and toxics’ effect on health as seen through the intersectional lens of environmental, social and racial justice. As an organization founded by physicians, we understand that prevention is far superior to treatment in reducing costs; death, illness, injury, and suffering.

Indoor mold is a contributor to preventable respiratory illnesses,¹ for which reason we support HB972 because it represents an important way to reduce mold in rental properties by creating a remedy for renters through the courts as well as a mechanism to make sure landlords address mold problems in their rental units in a timely fashion. Water, dirt and dust are important

¹ https://www.euro.who.int/_data/assets/pdf_file/0017/43325/E92645.pdf

ingredients for the growth of microorganisms, including fungi, actinomycetes and other bacteria. This growth allows for the production of toxic material produced by the microorganisms that are an additional contributor to health effects including the increased risk of respiratory symptoms, respiratory infections and exacerbation of asthma. Some studies have suggested a relationship between exposure to mold and the development of asthma² in susceptible children. In addition, those who are allergic, immune suppressed and those with chronic lung disease are all at higher risk of infection from mold. Dampness and mold may be particularly prevalent in poorly maintained housing for low-income people and thus it becomes an important equity issue. We know that housing is an important social determinant of health. In addition, minority families, often in low-income neighborhoods with reduced quality housing, have a higher incidence of asthma³ and the presence of mold may be one factor that contributes to this link. Increased heat and moisture promote mold growth, so we are likely to see mold become a greater problem with this change in our climate.

HB972 would allow tenants in buildings with mold to, after notifying the landlord, place rent in escrow. If the landlord fails to address the mold problem after a reasonable time, the Court can require the landlord to make such repairs.

As the Secretary of Housing and Urban Development said last year in a visit to Maryland: “Children should never have to live in a place where they cannot breathe. When we transform houses, we transform people.”⁴

HB972 provides Marylanders the framework for ensuring the availability of healthier housing. This bill will also strengthen the position of renters who use legal actions to compel landlords to remediate mold or compensate them for hazardous living conditions and relocation. HB972 includes rent escrow whereby a tenant may pay some or all rent into a court account, compel repairs of the rental property, and receive an equitable distribution of escrowed funds after repairs are completed based on findings by the Court.

Chesapeake PSR supports the rights for tenants to live in healthy homes including housing that is free of health-harming molds. Throughout the COVID-19 pandemic, Maryland renters who live in mold-affected homes have faced the dual risk of coronavirus outside the home and respiratory illness inside it. **HB972 gives tenants some remedy through the courts for the unhealthy circumstance of having to live in a domicile that exposes its occupants to mold.**

Chesapeake Physicians for Social Responsibility is a member of the Renters United Maryland, a statewide coalition of renters, organizers, and advocates, and **we urge the Committee’s report of Favorable on HB972**

² <https://www.cdc.gov/mold/faqs.htm>

³ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4210655/>

⁴ <https://www.marylandmatters.org/2022/01/24/feds-direct-millions-to-reduce-lead-and-asthma-triggers-in-low-income-homes-in-md/>

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