

March 7, 2024

The Honorable William C. Smith Jr.
Chairman, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: SB946 - Landlord and Tenant - Failure to Repair Serious and Dangerous Defects - Tenant Remedies (Tenant Safety Act of 2024)

Dear Chair Smith:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **Landlord and Tenant - Failure to Repair Serious and Dangerous Defects - Tenant Remedies (Tenant Safety Act of 2024)**. MBIA **Opposes** the Act in its current version.

Senate Bill 946 would establish that a landlord that offers a residential dwelling unit for rent is deemed to warrant the dwelling fit for human habitation; clarifying that certain mold hazards constitute dangerous conditions and defects for which a tenant may obtain relief.

This is at odds with current Maryland law that already exists to protect tenants when conditions exist in a unit that are threatening to the life, safety or health of occupants. The bill adds the existence of mold to the conditions list, the committee last year passed legislation (Ch. 347) establishing a workgroup to study mold assessment and remediation with a report due this year. A group of residents can join a rent escrow already but it would further complicate the process and make it more expensive.

We appreciate the opportunity to offer comments and appreciate the intent of the bill but for the reasons listed above we would ask the committee to give this piece of legislation a unfavorable report.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Judicial Proceedings Committee