



**Bill:** Senate Bill 856, Mold – Landlord Requirements and Regulations  
(Maryland Tenant Mold Protection Act)

**Committee:** Judicial Proceedings Committee

**Date:** February 18, 2025

**Position:** Favorable with Amendments

The Apartment and Office Building Association (AOBA) of Metropolitan Washington is a non-profit trade association representing the owners and managers of more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George’s counties. AOBA submits the following testimony on Senate Bill 856.

Senate Bill 856 requires several state agencies to develop a centralized website providing information about mold remediation and dampness. The also bill mandates the creation and periodic update of an informational pamphlet on mold, which must include state resources and tenant guidance on mold prevention. Instead of developing a new pamphlet, agencies may opt to use the U.S. Environmental Protection Agency’s “Brief Guide to Mold, Moisture and Your Home.”

The bill would require housing providers to provide the pamphlet at lease signing and every two thereafter, with residents signing an acknowledgment of receipt. Furthermore, Senate Bill 856 mandates that housing providers conduct mold assessment and mold remediation within 45 days of receiving written notice of suspected mold from a local enforcement agency or a tenant.

AOBA supports the intent of the bill, particularly its focus on resident education regarding mold prevention. The Mold Workgroup Report (2024) recognized the importance of resident awareness, recommending the development of a centralized website and distribution of an educational pamphlet to tenants, in alignment with the bill’s objectives. However, AOBA has concerns about specific provisions that could impose unnecessary administrative burdens or compliance challenges.

Suggested Amendments:

1. Requiring Pamphlet Distribution Every Two Years

AOBA agrees that providing residents with the mold information pamphlet at lease signing is reasonable. However, requiring landlords to redistribute the pamphlet every two years—along



with obtaining a signed acknowledgment—creates unnecessary administrative burdens. The Mold Workgroup Report supports providing educational materials to tenants but does not suggest repeated distribution requirements beyond the initial lease signing. We recommend removing the biennial requirement by striking page 4, line 15 from the bill.

2. Reasonable Steps to Remediate

There are times where mold is caused not by the housing providers but instead by the behaviors of the tenants, subsequently falling out of the control of the landlord. As for issues that the landlord is responsible for, as written, the bill sets a deadline of 45-days to remediate issues. This means the underlying issue must be solved within this timeline, such as fixing an HVAC unit. For example, if there is a need to source parts to solve an HVAC issue, if there is a delay in the national or global supply chain the provider would miss the 45-day timeline and effectively be out of compliance. AOBA recommends amending page 4, lines 18-19 to include language that would provide an extension to the landlord should events outside of their control take place.

3. Automatic Mold Remediation Without Confirmation of Mold Growth

While the requirement for a mold assessment within 45 days of receiving a complaint is reasonable, the bill automatically triggers remediation, even if the assessment finds no evidence of mold. The Mold Workgroup Report emphasizes that mold abatement efforts should focus on both mold and the underlying moisture issue, but it does not advocate for mandatory remediation without confirmation. We recommend amending the bill to remove the automatic remediation requirement by striking page 4, lines 24-25 ("AND MOLD REMEDIATION").

For these reasons, AOBA urges a favorable report with amendments on Senate Bill 856. For more information, please contact Brian Anleu at [banleu@aoba-metro.org](mailto:banleu@aoba-metro.org).