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SB0856

Mold – Landlord Requirements and Regulations (Maryland Tenant Mold Protection Act)

Judicial Proceedings Committee Hearing February 25, 2025

Position: FAVORABLE

To the Honorable Members of the Judicial Proceedings Committee:

Community Legal Services (CLS) is a nonprofit legal services provider dedicated to ensuring equitable access to justice and due process of law for Maryland’s most under-represented populations. We strive to support, protect and advocate for the human rights of all individuals and families. We urge the Committee to issue a FAVORABLE report on this crucial legislation, which will provide tenants with clear, enforceable protections against the dangers of mold in their homes.

The Need for Objective Mold Inspection Standards

Currently, Maryland tenants suffering from mold infestations in their homes face significant barriers when seeking relief through existing legal channels. One of the most critical issues is the absence of objective standards for mold assessments. Without clear, legally recognized guidelines for what constitutes a hazardous mold condition, tenants struggle to prove their claims in rent escrow proceedings, leaving them vulnerable to continued exposure to unhealthy living conditions.

Under Maryland’s rent escrow statute, tenants can withhold rent when serious defects affect the habitability of their homes. However, in cases involving mold, tenants frequently fail to prevail in court because they lack access to standardized, objective mold assessments. Courts often dismiss mold claims due to the subjective nature of existing inspection methods, leaving tenants without effective recourse. By establishing uniform standards for mold assessments, SB 0856 will provide tenants with the evidence necessary to document their complaints, hold landlords accountable, and seek proper remedies under the law.

Health Consequences of Mold Exposure

The health risks associated with mold exposure are well-documented and severe. Mold can exacerbate respiratory conditions such as asthma and chronic bronchitis, trigger allergic reactions, and cause serious complications for individuals with compromised immune systems. Children, elderly residents, and individuals with preexisting health conditions are particularly vulnerable to mold-related illnesses. Prolonged exposure to mold has been linked to chronic sinus infections, skin irritation, and other long-term health issues.

For low-income tenants, the stakes are even higher. Unlike higher-income residents who may have the financial resources to pay for mold remediation on their own or who can relocate when their housing becomes unsafe, low-income families often have no choice but to remain in mold-infested homes. This means that they and their children are subjected to prolonged exposure to hazardous conditions that can lead to lasting health consequences. The Maryland Tenant Mold Protection Act will help ensure that all tenants—regardless of their income level—have access to safe, habitable housing.

Understanding the Risks and Timely Remediation is Critical

Senate Bill 0856 requires that landlords provide educational materials provided by the State which will educate tenants about mold and available resources to obtain more information and assistance with mold issues. This will enable tenants to protect themselves within their living environment and empower them to take steps to improve conditions when necessary.

Senate Bill 0856 also requires that landlords conduct mold assessments and complete remediation within 45 days after a tenant provides notice of the detection of mold. This timeline is critical because the longer mold remains unaddressed, the more it spreads, worsening both the structural integrity of the home and the health risks to its occupants. Delayed remediation disproportionately impacts tenants who have limited options for alternative housing. They cannot afford to wait indefinitely for their landlord to act.

Conclusion

The Maryland Tenant Mold Protection Act is a necessary step toward ensuring that all Maryland residents have access to safe and healthy housing. By establishing objective mold inspection standards, this bill will provide tenants with a fair opportunity to assert their rights under the rent escrow statute, promote accountability among landlords, and protect public health—particularly for the state’s most vulnerable residents. CLS strongly urges the Committee to pass SB 0856 and affirm the right of all tenants to live in mold-free homes.

Please feel free to reach out to Jessica Quincosa, Executive Director, or Lisa Sarro, Director of Litigation & Advocacy, with any questions at quincosa@clspgc.org, and sarro@clspgc.org, respectively.