



Senate Bill 873 – Environment – Reduction of Lead Risk in Housing – Modified Risk Reduction Standard

Position: Unfavorable

Maryland REALTORS® opposes SB 873 which would remove the requirement that an environmental investigation is conducted before a property owner conducts a modified risk reduction under the Lead Paint Poisoning Prevention (LPPP) law in certain cases.

Under current law, a modified risk reduction would be required for a property if a person residing in the property had an elevated blood lead level exceeding the United States Center for Disease Control (CDC) reference level and an environmental investigation indicates that there is a defect in the property.

A modified risk reduction under Maryland law requires an owner of property to take certain actions, including: ensuring that all kitchen and bathroom floors are overlaid with a smooth, water-resistant covering; rehanging all doors to prevent rubbing; and repairing structural issues that may impact the paint. These steps are required in addition to passing a test for lead-contaminated dust.

While the modified risk reduction is automatically required for tenants of property and persons with a high elevated blood lead level, it is only required for lower blood lead levels if it is clear the property has a defect that is causing the elevated lead level based on an environmental investigation.

Property defects are not the only lead paint exposure risk for Maryland residents in homes. Environmental investigations have found lead paint hazards in homes caused by bullets, toys, cookware, ceramics, makeup, water and spices. Owners should not be required to conduct a modified risk reduction when the lead hazard is not related to the property. Rather, an owner's time and resources should be directed at the cause of the hazard.

For these reasons, the REALTORS® recommend an unfavorable report.

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