

GHHI Written Testimony SB872.pdf

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Position: FAV



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February 27, 2026

Senator Brian J. Feldman
Senate Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: **FAVORABLE – SB872** - Reduction of Lead Risk in Housing – Rental Dwelling Unit - Definition

Dear Chair Feldman and Members of the Committee:

The Green & Healthy Homes Initiative (GHHI) writes in support of Senate Bill 872. This Bill would remedy a current fault in Maryland law by expanding the Maryland Reduction of Lead in Housing Law to include single-room tenancies, which are currently not protected by the subtitle at all.

GHHI has advocated for tenants' rights in Maryland and throughout the country for over three decades. GHHI supported the enactment of the groundbreaking Maryland Reduction of Lead Risk in Housing Law in 1994 and has worked to help reduce childhood lead poisoning in our state since then by 99%. Today, GHHI provides tenants' rights assistance, rental property owner compliance assistance, and legal representation of tenants statewide in Maryland for the repair of lead hazards and other hazardous conditions in tenant-occupied homes. In addition to serving as the President and CEO of GHHI, I also serve as the Chair of the Maryland Lead Poisoning Prevention Commission and serve or have served as a member of the EPA Children's Health Protection Advisory Committee, the CDC Lead Exposure and Prevention Advisory Committee, and the Maryland Green and Healthy Homes Task force among others.

Maryland Environment Article § 6-801(u) defines what constitutes an affected "rental dwelling unit" under the Reduction of Lead in Housing Subtitle, and therefore what is protected by the subtitle. Under § 6-801(u), "rental dwelling unit" is defined as "a room or group of rooms that form a single independent habitable rental unit for permanent occupation by one or more individuals that has living facilities with permanent provisions for living, sleeping, eating, cooking, and sanitation." The same language has existed since the enactment of the subtitle in 1994.

However, the current language of § 6-801(u) **excludes** tenants who rent single rooms that themselves do not independently from the rest of the home or building include "permanent provisions for living, sleeping, eating, cooking, and sanitation" from coverage under the

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This means that pregnant women or parents with young children who live in single-room pre-1978 rental units are not being protected against lead hazards. Not only does this harm tenants who are most impacted by the affordability crisis, but this also contradicts the stated purpose of the Subtitle in Md. Environment Article § 6-802. According to § 6-802, “[t]he purpose of this subtitle is to reduce the incidence of childhood lead poisoning, while maintaining the stock of available affordable rental housing.” This legislation is necessary so that tenants who rent single-room rental units are afforded the same protection as other tenants in Maryland who rent larger rental units by requiring these properties to meet lead risk reduction standards and certification.

Furthermore, to the extent that stakeholders are concerned about whether this legislation would possibly include other kinds of rental properties not used for landlord/tenant relationships, this legislation is drafted to address those concerns by still requiring that a tenant be provided access to “permanent provisions for living, sleeping, eating, cooking, and sanitation” as part of their tenancy even if they are not included in the room they are renting. For regulatory purposes, MDE can require that landlords only must ensure that the spaces that tenants are given access to as part of their tenancy must be addressed for lead hazard remediation. Landlords are already accustomed to this kind of practice, since they do not have to address potential lead hazards on their property in areas which are “secured and inaccessible to occupants[.]” Md. Environment Article § 6-801(u)(2)(iii).

Fiscal & Policy Note

Finally, in addition to the considerations above for improving protections tenants living in unprotected lead-affected rental units, this Bill would also increase funding for MDE program staff. According to the current Fiscal and Policy Note, if SB872 were enacted into law, special fund revenues would increase by an estimated \$1.4 million in Fiscal Year 2027 from registration fees, for a net increase of over \$1 million in state revenue after accounting for increases in expenditures resulting from passing this Bill. These funds would help to further expand MDE’s Lead Poisoning Prevention Program and its staffing capacity to implement the law statewide.

For these reasons, we request a Favorable Report on SB872.

Sincerely,

Signed by:

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Ruth Ann Norton
President and CEO

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Position: FAV



Senate Bill 872 – Reduction of Lead Risk in Housing – Rental Dwelling Unit -
Definition

Position: Favorable

Maryland REALTORS® supports SB 872 which clarifies the definition of rental dwelling unit under the Lead Paint Poisoning Prevention Program.

The legislation clarifies that a rental unit includes any habitable rental unit with ACCESS to facilities for sleeping, eating, cooking and sanitation. Existing law is unclear whether a boarding room would be covered by the definition of rental unit.

SB 872 clarifies that the lead law applies broadly to all rental units and the REALTORS® recommend a favorable report.

**For more information contact lisa.may@mdrealtor.org or
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MDE SB 872 INF.pdf

Uploaded by: Jeremy D Baker

Position: INFO



**The Maryland Department of the Environment
Secretary Serena McIlwain**

Senate Bill 872

Education, Energy, and the Environment

Position: Informational
Committee: Education, Energy, and the Environment
Date: February 18, 2026
From: Jeremy D. Baker, Director of Government Relations

The Maryland Department of the Environment (MDE) offers the following **INFORMATIONAL** testimony on HB 872.

Bill Summary

Senate Bill 872 alters the statutory definition of a "rental dwelling unit" under Title 6, Subtitle 8 of the Environment Article (the Reduction of Lead Risk in Housing law). Specifically, the bill removes the word "independent" from the definition of a single habitable rental unit. Furthermore, it expands the criteria for a rental unit to include those that have "access to" permanent provisions for living, sleeping, eating, cooking, and sanitation, rather than requiring the unit to contain these facilities within it.

Position Rationale

The Maryland Department of the Environment is committed to eliminating childhood lead poisoning. To achieve this, the Lead Poisoning Prevention Program relies on a comprehensive registry of rental properties built before 1978 to ensure they meet specific lead risk reduction standards. SB 872 is a critical technical fix that closes a loophole in the current rental housing registry.

Under the current definition, landlords of "rooming houses," Single Room Occupancies (SROs), or shared-living arrangements can argue that their units are exempt from Maryland's Lead Law because the units are not "independent" or do not contain a private kitchen or bathroom inside the room. This bill clarifies that a unit is a "rental dwelling unit" even if the tenant shares access to sanitation or cooking facilities down the hall. Tenants in rooming houses and shared-facility arrangements are often lower-income individuals or families who are statistically at higher risk for lead exposure. These properties are frequently older housing stock with significant lead-based paint hazards. By updating this definition, MDE ensures these tenants receive the same health protections—specifically, the requirement for a Full Risk Reduction certificate—as tenants in traditional apartments. The modification of the definition clarifies enforcement for the Department. It removes ambiguity regarding whether specific room rentals fall under the Department's jurisdiction, allowing the Program to more effectively identify unregistered properties and enforce lead safety standards.

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Despite the benefits discussed above, SB 872 would have significant operational and fiscal impacts on the Lead Poisoning Prevention Program. SB 872 cannot be implemented with current staff or fiscal resources. The Program estimates an additional 37,000 units that would require identification and education on the risk reduction standards for registering and renewing affected properties under Environmental Article Sections 6-811- 6-812. The program would have to expand its staff to manage this increase and provide outreach to bring private, and government owner units into compliance. The Program would also need resources to make upgrades to its existing Rental Registration System to accommodate “Single Room Occupancy” as these units are currently not identifiable in our current system.

Regulatory updates to COMAR would be required to provide guidance to both MDE staff and the regulatory community regarding how units are defined and the inspection of “common/shared spaces” in these single rooms/units. The Program is not currently able to implement the changes outlined in SB 872 without significant operational changes and financial resources (staff/technology). Finally, the Program would require an analysis to identify a single room occupancy unit that would involve an extensive statewide marketing campaign and coordination with local code enforcement agencies to determine if this will impact their current registration requirements.

Accordingly, MDE respectfully requests the Committee consider this information during its deliberation.