



**MAINE MUNICIPAL  
ASSOCIATION SINCE 1936**

60 Community Drive | Augusta, ME 04330-9486

1-800-452-8786 (in state)  
(T) 207-623-8428  
(F) 207-624-0129

Testimony of the Maine Municipal Association

Neither For Nor Against

LD 1344 - *An Act to Improve the Response Time to Tenant Mold Complaints*

April 14, 2025

---

Senator Carney, Representative Kuhn and members of the Judiciary Committee, my name is Rebecca Graham, and I am providing placeholder testimony neither for nor against LD 1344 on behalf of the Maine Municipal Association's (MMA) elected 70-member Legislative Policy Committee (LPC). Our LPC has not had time to review the merits of this bill and therefore the Association has not yet established its official position. For reference, the LPC guides the MMA's advocacy efforts and establishes the position on bills of municipal interest.

As currently drafted, LD 1344 would expand the duties of a local health officer by requiring them to respond to a tenant complaint of nonsurface mold issues in their rented accommodation and make a determination on the level's impact on tenant health and issue a report within 90 days of the complaint to the landlord who is then responsible to address the issue. The bill further requires the local health officer to return to evaluate the remedial efforts of the landlord through measuring surface mold presence.

The task of evaluating levels of nonsurface mold and the effectiveness of remediation efforts involves air sampling for mold spores, tape lift of surfaces that must be evaluated under a microscope and sometimes sampling of carpets or other building material. This would require a municipality to have testing supplies that may or may not be available to the local health officer. Mold testing and mold assessment are two different methods that either seek to locate the underlying problem with assessment or presence of mold through testing. This may be beyond the scope of a local health officer. The follow up directs the local health officer to only conduct a surface mold evaluation which may or may not be an indicator that the root of the problem was adequately addressed by the landlord.

As the committee reviews the merits of the bill, it's important to note that the expansion of the duties implied by the bill would constitute a mandate on municipal government and require the bill as drafted to include a mandate preamble, and either pay 90 percent of the costs for the duty or require a two-thirds override of the obligation by vote of the Legislature. Additionally, it may be beneficial to consider a mechanism that requires the landlord to be responsible for the costs of the evaluation, or to have a tenant complaint trigger a third-party evaluation of post remediation at the cost of the landlord instead of the local health officer and require that to be submitted back to the local health officer for municipal records.

If the committee has not held a work session on the bill prior to the LPC establishing an official position, I will submit additional testimony once they have had the opportunity to review the bill this week.