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May 9, 2025

Dear Judiciary Committee Members:

Please Oppose LD 1927 An Act to Protect Housing Quality by Enacting Mold Inspection, Notification and Remediation Requirements

I own in and live in the community that my rentals are located. We take great care of our units because teaching and providing quality is a legacy that I want to pass on to my children and grandchildren. As a person, and now small business owner, that came from a childhood of low income and social barriers I want to instill generational wealth of character, not just money, in my loved ones.

The assault on landlords with so many bills that pit Tenant vs Landlord are eroding the ability to work with an individual applicant for a specific rental unit to enter into a rental agreement that meets the needs of both owner and renter. Landlords are getting out of the industry and selling for top dollar to large corporate, uninvolved, and even out of state purchasers. I personally sold a 3 unit this year and the young family turned it into a single family- two units lost from the rental market just in my one transaction. I also had to tear down a 2 unit because of the flooding in Skowhegan, so 4 units lost to the local community.

As a small rental property owner, I am very concerned that bills like this have such good intentions but will have unintended results. Humidity control is the key to spore growth, a true challenge in our beautiful state with challenges like temperature fluctuations from 20° to 70°, high energy and other costs, and a substantial number of wet basements.

LD 1927 specifically:

Makes the landlord responsible for all mold even if the tenant caused it. What if it is caused by a lease violation? IE, we had a tenant unplug a sump pump to plug in their router and flood the furnace room and basement. Fortunately, the tenant in that case did report it to us so we could be proactive but if they had simply drained the water and not thoroughly dried and treated the surfaces there could have been disastrous and expensive remediation required.

This creates undue delay tactics in vacating a unit if it truly needs remediation or in an eviction hearing for a tenant (for unrelated reasons). Will the “professional” or local code enforcement be subpoenaed or required to testify in an eviction hearing should the tenant try to use this as delay for a non-payment or other reason eviction? Will the “Professional” detail the apparent cause, even if it was from the tenant, or unknown source? This “testimony” would be vital to a landlords’ right to due process in its

defense of a further complaint in court. Creating delays in evictions: creates loss of income (other tenants rents will have to go up to cover these losses) and allows sometimes unsafe conditions for existing residents when a landlord is trying to get a difficult or dangerous tenant out.

What if the plan includes vacating the unit to remove all existing horsehair plaster. Not only could this cost be crippling but should not be done while a unit is occupied. Can the landlord and tenant use the report to initiate vacancy? If it is tenant caused can this also require the tenant to comply within the 5 days to initiate as well? Ultimately, a definition of habitability would include many aspects including mold that is already has a clear statute for enforcement in

<https://www.mainelegislature.org/legis/statutes/14/title14sec6021.html> This definition has a broad umbrella and carving out a specific concern such as mold and define timelines and remedies should be taken up with extensive studies, experts, and data. Habitability has implications for much more than just landlord/tenant relations such as child welfare, building/housing codes, disaster relief, and even public utility access/concerns. A complete task force to explore the definition of habitability should be done before any carving up of this well-established statute.

This bill creates bureaucracy and promotes an industry for remediation that can be done by the owner. The EPA website and the Maine Indoor Air Quality organization both clearly state that once the problem is identified and fixed the clean up can be done by individuals and doesn't require specialized training or equipment. Why would we want to write laws that promotes certain industries and cause unnecessary delays in solving a problem?

In closing, I have NO problem with being required to fix a problem with my property. My legacy of quality to my family and community and concern for my tenants who are also my neighbors mean I want to fix leaking pipes, roofs, etc. If this bill set out time frame parameters for inspection upon notification I wouldn't have a problem with it. However, this should also set out a time frame for the tenants to be required to notify the owner as well. In the example of the tenants who unplugged the sump pump....they didn't call me until over a week went by while their basement sat flooded!

Please OPPOSE LD 1927.

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