



Testimony of Jillian Reihl, Esq.
Pine Tree Legal Assistance, Inc.

Speaking in Support of LD 1927
An Act to Protect Housing Quality by enacting Mold Inspections, Notification and
Remediation Requirements

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Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on Judiciary, my name is Jillian Reihl. I am a Staff Attorney in Augusta Office of Pine Tree Legal Assistance, Inc., and I am speaking to you today in support of LD 1927, An Act to Protect Housing Quality by enacting Mold Inspections, Notification and Remediation Requirements.

I have been asked to share the perspective of Pine Tree Legal Assistance on these issues, and I am speaking today on behalf of Pine Tree Legal Assistance (Pine Tree). Pine Tree is a statewide nonprofit organization with offices in Portland, Lewiston, Augusta, Bangor, Machias, and Presque Isle. Since 1967, Pine Tree has provided free legal services to low-income people throughout the State of Maine.

Attorneys in Pine Tree's regional offices represent tenants whose homes are unsafe and unfit to live in, including the presence of mold and ongoing moisture-related issues. In my practice, it is common for tenants to tell me about issues in their home related to water leaks and, as a result, mold. For some of these individuals, their concerns about mold had been ongoing for months or even years despite their notifying the landlord in writing.

Currently, Maine does not have a law directly identifying what level of mold is acceptable, and importantly, when the mold contamination is so severe that it needs to be addressed by the landlord or a professional.

For instance, in one matter that Pine Tree handled in 2024, a father and son were living in an apartment in Central Maine. They had moved into the apartment in March of 2017 and within a year of living there they noticed mold and notified the landlord. They also called their local Code Enforcement Officer [CEO]. The CEO told the family that they would come look but likely could not do anything about it. The father used household cleaning products and fans to try to address the mold, but his efforts did not seem to make a difference. Eventually, the landlord had to make a repair and cut a hole in the ceiling of hall near their apartment. When the ceiling was open there was a substantial amount of mold, just as the father had suspected.

The father called his landlord many times and asked him to test the apartment for mold, but the landlord did not respond to his requests.

It was very clear to the father that his son's breathing problems were worse than they had been before. It was also notable that when the son stayed at his mother's apartment, his breathing problems were better. The father felt sure that there was something in the apartment causing his son's breathing trouble, but the landlord ignored his concerns.

Like so many people, the father did not have the financial resources to move and so he was forced to continue living in the apartment with his son as it was.

In October 2020, the apartment had a leak in the bathroom. Eventually the leak got too large to be ignored by the landlord and the landlord cut into the wall to make the repair. Again, when the wall was opened there was substantial contamination throughout the wall. The father knew that mold could make people very sick, but felt the landlord just did not care. It took several years after this incident before the father could save enough money to move to a new apartment.

Unfortunately, we see stories like this on a regular basis. It was undisputable that mold was present, but even at that point it was unclear who was responsible for addressing it and what action needed to be taken. Because Maine has no specific statutory guidance related to mold, it was very unlikely the father and son would be successful at a lawsuit against the landlord and if it could happen fast enough to protect their health and safety.

This bill is important because it creates a clear process, setting out expectations for both landlords and tenants regarding mitigation, notice, and remediation of mold. It creates a procedure that does not require court or town involvement unless the parties are not complying with the law's requirements. As a backstop though, it also provides both landlords and tenants with a clear legal route, though a civil case, to address mold related issues that are not being properly handled by the either party. This law is well balanced and brings much-needed clarity on a common and sometimes serious habitability issue.

Thank you, Senator Carney and this committee, for your work in helping to ensure that the housing offered to Maine families is both affordable and safe. I urge you to pass LD 1927 and am happy to answer any questions.