



P.O. Box 2438, Augusta, Maine 04338  
Telephone: 207/626-8115  
Fax: 207/626-9015  
E-Mail: [christy@maineindoorair.org](mailto:christy@maineindoorair.org)  
Web: [www.maineindoorair.org](http://www.maineindoorair.org)

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## **Maine Indoor Air Quality Council Testimony in Support of LD 1927: An Act to Protect Housing Quality by Enacting Mold Inspection, Notification and Remediation Requirements**

*The Maine Indoor Air Quality Council ("MIAQC" or the "Council") is a 501(c)(3) nonprofit organization dedicated to creating healthy, productive, and environmentally sustainable indoor environments through education, communications, and advocacy. We are a membership organization of diverse professionals who design, construct, operate, maintain, investigate and remediate buildings of all types, as well as a broad variety of public health and environmental health professionals and practitioners.*

Senator Carney, Representative Kuhn, and Honorable Members of the Joint Standing Committee on Judiciary:

Over a time-span of less than 3½ years, I have tracked at least 353 calls from tenants with unaddressed water and mold problems in their units. The actual number of calls received during this period is likely higher, because on occasion, especially in humid summers or after storms, calls are so frequent that it has been impossible to keep track of all of them.

Often, these callers are experiencing health effects from the mold exposure – reporting symptoms that are in alignment with research findings and expert authorities (such as the Institute of Medicine, which has established a link between damp environments and asthma). Callers express frustration with their landlords' perceived inadequate response; they are discouraged by the limited availability of assistance at the state or municipal level; and they are afraid of what the future holds for themselves and their family. And in Maine's tight housing market, they have no place else to go.

The bill that is before you today represents the culmination of 9 years of work by an interdisciplinary team of professionals that includes landlords, tenants, public health professionals, legal advocates, municipalities (code enforcement, local health officers), and mold assessment and remediation professionals. In that 9 years, the Council has developed an entire webpage on this issue that contains videographics, infographics, checklists for moisture management activities for landlords and tenants, plus a 17 page toolkit to guide landlords and tenants through the process of identifying mold/moisture problems, communicating effectively with each other, and conducting proper clean up and repair. We have done (and still do) trainings for all of these audiences on a regular basis.

### **Here's what we've learned as a result of this work:**

- We've learned that Maine's Warranty of Habitability is a poor vehicle to address these issues

- When faced with an unaddressed chronic moisture or mold problem, the only recourse available to tenants is to sue.
- Even when tenants sue their landlords for these issues, the case law has historically not been supportive of mold complaints in rental properties.
- There is a lot of mis-information freely available about mold: landlords and tenants need science-based information for what mold is, how it grows, and best practice strategies to address it.
- Landlords, tenants, code enforcement officers, local health officers, legal advocates, physicians, and mold investigation and remediation professionals are all impacted by this issue.
- In spite of all this great work, the phone calls keep coming.
- It is clear to us and to the interdisciplinary participants of our project team that the time has come for a legislative initiative to systemically address this challenge.

**How this bill is structured:**

- The basic requirements of who needs to do what and when are grounded in broadly accepted best practice guidance: every definition, every timeline, and every procedural recommendation has a full body of science and practice knowledge that supports it.
- It recognizes that preventing moisture problems in rental properties is a shared responsibility of both the landlord and the tenant
- It provides legal remedies for both landlords and tenants when challenges occur
- It uses enforcement mechanisms that are already being used by many municipalities in the state, without a requirement for additional training, certification, or cost.

I have attached a resource list for your use and reference, as well as copies of some of the photos tenants have shared with me over the years.

I'm happy to answer any questions you may have, and I plan to be available for the work session to provide additional information and further comment as may be needed as you deliberate the merits of LD 1927.

Respectfully submitted by:



Christine G. Crocker, Executive Director  
 Maine Indoor Air Quality Council  
 Telephone: 207-626-8115; E-mail: [christy@maineindoorair.org](mailto:christy@maineindoorair.org)  
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## Resources:

- MIAQC's Mold in Rental Properties Resource Page: <https://maineindoorair.org/iaq-in-rental-properties>
- MIAQC Toolkit on Managing Mold and Moisture in Rental Properties: [MIAQC Mold Toolkit 110222.indd](#)
- Report: Evaluation of Maine's Warranty of Habitability to Address Mold/Moisture in Rental Properties (statute and case law) and Legal Search of Mold/Moisture in Rental Property Statutes in other states and Canadian Provinces. [https://maineindoorair.org/wp-content/uploads/2025/05/MIAQC\\_5.8.23\\_WORD.pdf](https://maineindoorair.org/wp-content/uploads/2025/05/MIAQC_5.8.23_WORD.pdf)
- EPA Guidance Document: Mold Remediation in Schools and Commercial Buildings\*: [Mold Remediation in Schools and Commercial Buildings EPA 402-K-01-001, September 2008](#) *\*despite its title, this is great, easy-to-understand guidance for addressing a mold problem in any building.*
- Industry Mold Remediation Guidance: [IICRC S520-2008 - Standard and Reference Guide for Professional Mold Remediation](#)
- IOM Report: Damp Indoor Spaces and Health: [Damp Indoor Spaces and Health - PubMed](#)
- CDC Guidance on Mold and Health: [Mold | Mold | CDC](#)
- MIAQC Best Practice Guidance on Indoor Air Quality Testing: [IAQ Testing - Maine Indoor Air Quality Council](#)

Photos:





