

May 9, 2025

Senator Carney, Representative Kuhn and Esteemed members of the joint standing committee on the Judiciary:

My name is Ashley Emery, and I would like to testify in support of LD 1927, An Act to Protect Housing Quality by Enacting Mold Inspection, Notification and Remediation Requirements. Thank you for allowing me to do so.

My children and I have lived for just over a decade in apartments with mold present. During this time, I have learned that mold grows rapidly. While mold is present naturally in the environment, it becomes a problem once it enters dwellings, especially due to the rapid nature with which it grows, produces spores and spreads. In my experience, if surface mold is present, it is also growing in hidden areas. In my case, a combination of problems led to significant mold growth in two of the apartments that I rented at the same subsidized housing complex. While improper ventilation was a major factor, as evidenced by the need for mold remediation in the majority of the 24 apartments within this complex, I believe that the initial problem was a water leak. This belief is based upon the growth of mold under the kitchen and bathroom sinks in my current apartment, resulting in the need for replacement of the entire lower kitchen cabinet unit, the bathroom vanity and several sections of walls in the kitchen, living room and bathroom six feet up from the floor. Mold remediation became a huge, expensive undertaking in my apartment alone. Remediation was not completed correctly in my apartment and had to be done a second time. This not only caused emotional distress for tenants, but a great financial and administrative burden to the 501c3 non-profit agency that owns and manages the apartment complex in which I reside as well. They were burdened further by federal regulations that they must follow due to receipt of federally subsidized funding, along with the lack of standards and regulations in state and federal law. My mother always says, “an ounce of prevention is worth a pound of cure,” and while I hate to sound like my mother, I believe she’s right. This long, expensive process and the enormous amount of stress that it caused for both property management and tenants could have been prevented had the leaking and ventilation problems present in these apartments been properly tended to in a timely manner.

My son was six when I first moved to Pinewood Apartments in Parsonsfield after experiencing domestic violence that left us homeless and couch surfing. I was also seven months pregnant with my second child. I was thankful to have a place to call home that was stable and safe for my children. Within a year, I found that it was not as safe as I had initially believed it to be. While I didn’t know a lot about mold, I knew that it was not supposed to be growing on my bathroom ceiling, yet it was. I initially reported mold to property management via email, to which they responded that I needed to submit a work

order. I learned the proper process to do so and submitted my first of many mold-related work orders in 2014. The problem was never resolved and the mold kept growing back, after the property management agency's maintenance technician handed me a bright green bottle of cleaner and a step ladder and told me to clean the mold from the ceiling myself, which I attempted to do. I moved across the parking lot to a three-bedroom apartment in August of 2017, excited to no longer need to worry about mold in my home. That excitement quickly dissolved on August 18, 2017, when I submitted a work order citing a leak under my bathroom sink. By September 5 of 2017 I had discovered mold underneath my bathroom sink and reported it to the appropriate party at the property management agency via online work order. Subsequent work orders pertaining to leaks and visible surface mold were submitted on: 10/10/18, 11/27/18, 12/17/18, 12/28/18, 1/2/19, 4/18/19, 4/28/19, 5/3/19, 6/6/19, 5/30/21, 1/4/22, 6/14/22 and 7/10/22. This pattern continued for years, through my third pregnancy, until 2022 when a new maintenance technician was hired. By that time, visible surface mold was growing on the bathroom ceiling, bedroom windows, around the toilet and on two of my three, bedroom ceilings. I had reported it to the property manager at the time who responded that the new mold growth on the bedroom ceilings was due to houseplants, my daughter's fish tank and clutter. I often kill houseplants so I may have had one or two at the time and they would have been located at the other end of the apartment in the kitchen. The fish tank had a cover on it and was located again, at the other end of the apartment in the living room. While a busy family of four neurodivergent people does often produce clutter, it certainly wasn't on the ceiling. Nor was I living in a hoard. I credit our new maintenance technician with the beginning of the mold remediation process. Despite the dismissal and blame that I once again received from property management, the mold remediation discussion finally began.

By that time, after doing my own research, I was able to match the physical symptoms that my children and I were experiencing to prolonged mold exposure. I began reaching out to our medical providers for help with symptom management and ways to determine how the mold in our home had truly impacted our bodies. After reading every reliable piece of information about mold that I could get my hands on, I became concerned based upon the changes in my family's health that only seemed to grow worse with time. My youngest child was home sick with mainly respiratory illnesses such as pneumonia more often than she was able to attend daycare, school and medical appointments. She also experienced unexplained rashes and fevers, behavioral problems, dysphagia, urinary retention, asthma-like symptoms and more. My middle child experienced increased anxiety, and symptoms similar to allergic rhinitis though she is not allergic to anything that would cause that. My eldest child has been diagnosed with asthma since we moved to Pinewood, has experienced allergic symptoms despite test results showing that he is not

allergic to mold, migraine headaches, increased anxiety, cognitive functioning problems and frequent waking during the night due to coughing in his sleep. I experienced many of the same symptoms that my children experienced and more. None of these providers could help me. I often heard “that’s not my specialty,” “there are no tests available for that,” “we can’t find a test in the catalog,” “there’s a lot going around right now, you probably just have (insert illness),” and “your insurance doesn’t cover that,” among other things. Every possible barrier you can think of, I found. It was only through word of mouth that I discovered which tests to ask for, which specialists to obtain referrals to and how to advocate for my children’s developing bodies and overall health. Beyond the medical field, I found no help from the state agencies that are available. I again hit every barrier one could think of. I contacted Pine Tree Legal of course, everyone’s default solution to this problem, and was told that they do not have the resources to assist in this matter. I reached out to the Cumberland Legal Aid clinic, Attorney General’s Office, every private lawyer I could find, Disability Rights Maine, DHHS, the CDC, my town hall, code enforcement, the public health officer, Maine Human Rights Commission, Maine Housing, HUD, and more. None of them were able to help me and most of them referred me to Pine Tree Legal. I’m still awaiting a response from Maine Volunteer Lawyers Project after receiving an email from them stating that they would accept my case. Senator Libby finally gave me hope when he listened to my story and offered to help, then followed through on that offer. Throughout this process though, I have discovered many holes in the system. One major hole is the lack of standards and legislation pertaining to how to deal with mold in rented homes.

This process was not fair to any of the parties involved. Code enforcement stated that they did not know how helpful they would be in this situation because they didn’t know much about mold. There was no one to guide me through the process of determining the proper and legal handling of this situation from a tenant perspective. The only law that allowed for anything to be done about it is the warranty of habitability law; however, it is not specific enough in this situation. Without specificity in our laws, landlords don’t have guidance either. This can, as exemplified by my situation, lead to extensive remediation projects costing landlords thousands of dollars. This is where we go back to dear old Mom and her old-fashioned, tried and true, prevention recommendation. “Time is money” they say, and in my case too much time had gone by which led to too much money having to be spent, on both remediation of apartments at property management’s expense and replacement of personal belongings (many irreplaceable, sentimental items were lost) at the low-income tenants’ expense. It could have been prevented by finding and stopping the leak, drying things out and a much lower price tag. In fact, the inadequate ventilation problems in the apartments here at Pinewood may even have been irrelevant had leaks been fixed properly in a timely manner, instead of ignoring and dismissing tenant

complaints. I have included photographs of surface mold that was present in my apartment along with some of my neighbors' apartments, (shared with their permission) due to lack of timely and proper repair.

I support this bill and believe that it is imperative to the health, safety and financial security of both landlords and tenants here in the great state of Maine. LD1927 outlines specific allowances for neighbors to help neighbors fix mold and moisture related problems in their homes, as would have been helpful here at Pinewood. Mainers have always been known for taking care of one another and "neighbors helping neighbors." This bill will allow us to carry on that tradition, allowing tenants and landlords to come together, in true Mainer fashion, to solve a mutual and increasingly common problem, creating more successful relationships between landlords and tenants by offering guidance and fair protections for both.

Thank you for your time,

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bathroom ceiling 07/22



daughter bedroom ceiling 07/22



daughterbedroom01/22



Neighbor bedroom window



Neighbor bedroom ceiling



Neighbor Ceiling



Neighbor closet







Bedroom window