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HOUSE OF REPRESENTATIVES

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TESTIMONY BEFORE THE JOINT STANDING COMMITTEE ON JUDICIARY LD 1927 - An Act to Protect Housing Quality by Enacting Mold Inspection, Notification and Remediation Requirements

May 12, 2025

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

I am Representative Chris Kessler, and I represent District 121, part of South Portland and part of Cape Elizabeth. Please accept my apologies for not being able to be before you today. LD 654 seeks to address a perennial issue before the Legislature regarding the maximum compensation for small claims cases.

Before I became a legislator, I helped form a tenant association in South Portland and spent years advocating for the health, safety, and dignity of renters. It was during that time that I first saw how serious and unaddressed the issues of mold and chronic dampness are in Maine's rental housing. Tenants have very few options—today, their only legal recourse is to sue their landlord. To date, not a single tenant has succeeded in one of these cases in Maine courts. This simply isn't a realistic or effective solution.

This bill is the result of nearly a decade of collaborative work through a workgroup facilitated by the Maine Indoor Air Quality Council. That workgroup included tenants, landlords, legal experts, municipal officials, and health professionals. Together, we developed clear guidance on how to resolve mold and moisture problems using best practices and realistic timelines. This bill turns that guidance into actionable law.

LD 1927 is modeled on Maine's existing bed bug statute. It clearly lays out responsibilities for both tenants and landlords. It establishes a process based on best practices, sets authority for municipalities to enforce it, and provides much-needed legal clarity where none currently exists. Right now, no state agency addresses mold unless it involves asthma, and calls are often referred to a nonprofit that cannot take



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enforcement action. Municipalities are left unsure whether they have authority to intervene. This bill fixes that.

This isn't just a health issue. It's also about housing quality. We constantly hear about Maine's housing shortage—but that conversation must include housing conditions too. Moisture damage puts tenants' health at risk and degrades the property itself. This bill helps landlords protect their investment while protecting tenants from preventable illness and unsafe living conditions.

Other states and Canadian provinces with climates like ours—Massachusetts, Ontario, Quebec, and others—have already adopted similar laws. Maine should join them.

In the face of more intense storms and rising dampness due to climate change, this bill helps ensure Maine's housing stock remains safe, healthy, and sustainable for everyone.

I urge your support and your patience as we fine-tune this bill. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Kessler", with a stylized flourish at the end.

Rep. Christopher Kessler