

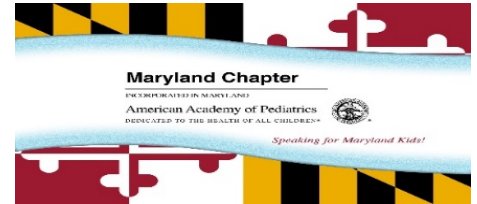


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TO: The Honorable Kumar P. Barve, Chair
Members, House Environment and Transportation Committee
The Honorable Samuel I. Rosenberg

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: January 26, 2021

RE: **SUPPORT** – House Bill 49 – *Landlord and Tenant – Repossession for Failure to Pay Rent – Lead Risk Reduction Compliance*

On behalf of the Maryland State Medical Society and the Maryland Chapter of the American Academy of Pediatrics, we submit this letter of **support** for House Bill 49.

House Bill 49 requires landlords to show certification of lead compliance before a case can proceed in rent court and requires a court to adjourn for up to 10 days to gather evidence regarding lead compliance. Also, the bill requires the judge to dismiss or postpone the case if there is no proof of compliance.

This bill puts protections in place for renters potentially facing a toxic exposure in their home. Lead is a documented neurotoxin. Common sources of exposure are peeling and chipping paint, drinking water, soil, and consumer products including makeup and toys. Children are the most vulnerable to this preventable danger. Children ingest more, absorb more, and the developing brain is more sensitive to the effects of lead exposure than the adult brain.

At very high levels, lead exposure can cause vomiting, lethargy, seizures and death. At lower levels, even asymptomatic exposures can be responsible for decreasing IQ, increased distractibility, impulsivity, short attention span, and inability to follow directions. CDC and HUD have reduced action levels to 5 micrograms per deciliter. Even levels below this can have significant negative impacts on a child's health and IQ.

Primary prevention, which is removing the sources of lead before exposure occurs, is the most reliable and cost-effective way to protect children, according to a policy statement by the American Academy of Pediatrics. The Academy urges pediatricians and parents to test children and housing before and after abatement and calls for the enhanced protection for children who live in lead-contaminated communities or near lead-emitting industries.

A Baltimore Sun investigative report published April 2017 reported that Baltimore renters had more eviction notices per capita than any other city and judges found in favor of the landlord even in cases where

inspectors found that there were lead hazards noted in the rental unit.¹ In 2013, The Abell Foundation report “Justice Diverted” based on a survey of people brought before renter’s court, found that 41% noted flaking or peeling paint. One of the recommendations that the report made was: “demand that landlords and agents document their rent claims, as well as their alleged compliance with licensing and lead-risk legal requirements and hold them accountable through consistent application of existing legal standards and tenant protections.”²

Requiring proof that landlords have passed lead inspections before they can bring cases to rent court is an important way to help children when their family’s interface with the judicial system. Although a shortage of affordable, safe housing is an underlying problem that must be addressed, allowing children to live in lead-contaminated housing is not an acceptable solution. A favorable vote is requested.

For more information call:

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¹ <http://data.baltimoresun.com/news/dismissed/>

² <http://abell.org/sites/default/files/files/cd-justicediverted216.pdf>.
Executive Summary