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Legislative Document

No. 1344

S.P. 560

In Senate, April 1, 2025

An Act to Improve the Response Time to Tenant Mold Complaints

Received by the Secretary of the Senate on March 28, 2025. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LIBBY of Cumberland.
Cosponsored by Representative WOODSOME of Waterboro.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 14 MRSA §6021, sub-§3-A is enacted to read:

3-A. Complaint for nonsurface mold. It is a breach of the implied warranty and covenant of habitability to have an unhealthy level of nonsurface mold in a dwelling unit. A local health officer shall investigate a complaint from a tenant about nonsurface mold and issue a written report to the tenant and landlord within 90 days of receiving the complaint from the tenant. If the report indicates that the local health officer found an unhealthy level of nonsurface mold, the landlord is responsible for remediation and shall initiate the process by showing the tenant a plan for remediation within 5 business days of receiving the report. Once the nonsurface mold is removed, the local health officer shall inspect the dwelling unit to verify that all surface mold has been remediated. If the landlord does not successfully remediate the nonsurface mold within 60 days of the report, the tenant may initiate a complaint under subsection 3. For the purposes of this subsection, a local health officer is a person appointed pursuant to Title 22, section 451.

SUMMARY

This bill requires that a complaint for nonsurface mold in a tenant-occupied dwelling unit be investigated within 90 days of the complaint. The bill requires that if the investigation finds an unhealthy level of nonsurface mold, remediation efforts must be initiated by the landlord within 5 business days of the investigation. The bill requires a local health officer to investigate a dwelling unit to determine if all surface mold has been remediated. Finally, the bill provides that a tenant may file a complaint under the implied warranty and covenant of habitability laws if the landlord fails to remediate the nonsurface mold within 60 days of the report.