

MEMORANDUM



Robin Carter, Chair | Board of Commissioners

Janet Abrahams, President | Chief Executive Officer

To: The Honorable President and Members of the City Council
c/o Natawna Austin, Executive Secretary

From: Janet Abrahams, Chief Executive Officer 

Date: April 26, 2023

Subject: City Council Bill 22-0129R - Informational Hearing - 311 Requests for Tenants Facing Chronic Mold

The Housing Authority of Baltimore City (HABC) has reviewed City Council Bill 22-0129R for the purpose of inviting the Commissioner of the Department of Housing and Community Development, the Executive Director of the Housing Authority of Baltimore City, the Health Commissioner, the head of Baltimore City's 311 Services, and other interested parties to appear before the City Council to discuss the number of 311 requests received from tenants facing chronic mold problems in their homes, the number of complaints from tenants of public housing and the number from tenants of private landlords, the demographics of those making the complaints, if known, how such requests are managed, and how the City can better address and respond to reports of chronic mold in housing.

HABC's processes for addressing and responding to suspected fungal growth differ between the Public Housing and Housing Choice Voucher (HCV) programs, and the protocols for each are outlined below. HABC defers to the Baltimore City Department of Health to speak on the impacts on residents' health, as currently, there are no specific mold regulations from EPA as mold is found both in and outdoors. HABC informs its tenants of the best practices to prevent environments for fungal growth.

It should be noted that HABC does not track chronic mold, but instead tracks cases in which fungal growth is suspected. This is an important distinction as "suspected fungal growth" and "chronic mold" are very different.

Public Housing

HABC received 421 suspected fungal growth complaints from residents residing in Public Housing in 2022, all of which have been addressed and/or abated. The demographics are as follows:

Housing Authority of Baltimore City | 417 East Fayette Street, Baltimore, MD 21202

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ZIP Code	Number of Fungal Growth Complaints Received and Abated in 2022
21201	38
21202	76
21207	1
21211	1
21213	8
21215	1
21216	3
21217	8
21218	15
21223	1
21224	4
21225	227
21230	4
21231	34
Total	421

HABC has an operating order which sets forth the procedures for addressing and responding to reports of mold and moisture infiltration. Residents are provided with a mold prevention notice, upon the signing of a lease, during recertification and upon request by the resident and any moisture related maintenance visits that are made to the unit. HABC employs an Environmental Engineer (“EE”) which serves as HABC’s mold remediation expert. This expert administers the Mold and Moisture Infiltration Operation and Maintenance Plan Operating Order.

A report of mold or fungal growth may occur either upon observation by an HABC staff member or by report from a resident. If HABC staff observes mold, he or she must immediately inform the Maintenance Supervisor and/or Asset Managers, and this will initiate an inspection Work Order within 24 hours of receiving the report. The initial inspection requires a visual observation of the entire unit by Maintenance Staff. During the initial inspection, Maintenance Staff must complete the Mold Inspection Checklist and take photos of any mold or fungal growth found while performing the inspection.

Upon observing visible mold growth during the initial inspection, Maintenance Staff must:

- Assess the size of the moldy area (square feet) and if the mold contaminant area is greater than 30 square feet, request obtain the assistance of the EE.
- Locate the source and extent of the mold, moldy odor and/or moisture infiltration. If it is the third attempt to locate the source in the same unit within a period of twelve (12) consecutive months, the EE must be contacted to assist.
- If there is a moldy odor and no known source or previous water damage, request and obtain assistance from the EE to determine if there is hidden mold.

The remediation process is designed to contain, remove, and/or clean the mold contaminated material. The moisture source or event and mold contamination must be addressed. Repaired areas shall be cleaned, plastered, painted, and otherwise completed within one month of the Work Order being initiated. Mold levels and plans for remediation are primarily determined by the size of the mold-contaminant areas as follows:

- Small – Total surface area affected less than ten (10) square feet. Trained HABC Maintenance Staff are responsible for remediating small areas. Upon completion of the remediation, the Asset Manager shall complete and deliver a form letter, informing the resident of the action(s) taken to remediate the mold.
- Medium - Total surface area affected between ten (10) and thirty (30) square feet. Trained HABC Maintenance Staff are responsible for remediating medium areas. Upon completion of the remediation, the Asset Manager shall complete and deliver a form letter, informing the resident of the action(s) taken to remediate the mold.
- Large - Total surface area affected between thirty-one (31) and one hundred (100) square feet. Trained HABC maintenance staff are responsible for remediating large areas in consultation with the EE and, if needed, the Environmental Consultant. The resident shall be informed of actions taken throughout the mold remediation process via: (1) an initial letter delivered to the resident by the Asset Manager with a timeline for completion of the remediation and action(s) to be taken to address the mold,(2) upon completion of the remediation, a Work Order that describes the work performed will be presented to the resident by Maintenance Staff for signature;

and (3) a follow-up form letter, delivered by the Asset Manager prepared in consultation with the EE advising the resident that HABC considers the complaint resolved.

- Extensive - Total surface area affected greater than one hundred (100) square feet. A professional mold abatement contractor shall be utilized to perform the remediation. Housing Operations in consultation with the EE will evaluate the need to relocate residents on a case-by-case basis. The resident shall be informed of action(s) taken throughout the mold remediation process via: (1) an initial letter delivered to the resident by the Asset Manager with a timeline for completion of the remediation and action(s) to be taken to address the mold, (2) upon completion of the remediation, a Work Order that describes the work performed will be presented to the resident by Maintenance Staff for signature; and (3) a follow-up form letter, advising the resident that HABC considers the complaint resolved.

Housing Choice Voucher Program

Rental units that are leased through HABC's HCV program are owned and managed by private landlords who are responsible for maintaining HCV units in accordance with the required Housing Quality Standards. HCVP received 21 suspected fungal growth complaints from voucher program participants in 2022, which are summarized below:

- 21 possible mold complaints were confirmed by HCVP Inspectors.
- HCVP required mold remediation reports from the property owners which were sent to the HCVP office for review.
- Of the 21 complaints, required repairs were not made in 8, and the units failed subsequent inspections. In these cases, vouchers to move were issued to the tenants.

The demographics are as follows:

ZIP Code	Number of Complaints Received
21202	2
21206	1
21213	7
21216	3
21217	3
21218	2
21214	1
21224	2
Total	21

Rental units leased within the HCV program undergo a comprehensive pre-leasing inspection as well as routine inspections throughout the voucher holder’s participation in the program. Under the HCVP Inspections Unit, the HCVP inspector conducts a visual assessment of the unit and its common areas to ensure that the area has proper ventilation and that the areas are free of mold, odor, or other observable deficiencies as required under 24 CFR Subpart G § 5.703(f). The general protocols for mold inspection and remediation for HABC’s HCVP program are outlined below.

- HCVP Inspectors attend specialized training to identify characteristics of mold and mildew.
- An HCVP Inspector conducts a visual assessment of the unit and its common areas for proper ventilation and that the areas are free of mold, odor, or other observable deficiencies as required in 24 CFR Subpart G § 5.703(f).

- Most commonly, if mold is detected, the HCVP Inspector will issue a 24hr notice to the owner. The owner will be contacted via phone, email, and letter to inform them of the 24hr violation and where the mold was found.
- If the HCVP Inspector does not feel that the mold found warrants a 24hr notice, s/he will take a picture of the area with the mold and show it to the HCVP Inspections Manager and/or Quality Control Supervisor. It will then be at the discretion of the Manager/Supervisor to determine if the mold warrants a 24hr notice, or a 30-day violation. Sometimes, the HCVP Manager/Supervisor will need to inspect the unit themselves, depending on the quality of the picture and the amount of mold that is present.
- Upon issuance of a 24hr notice for mold violations, the owner of the unit is responsible for having the mold removed from the unit. This emergency removal must be conducted by a licensed professional. The receipt of the removal may be sent to HCVP Inspections office, where it will then be reviewed by a HCVP Inspector. The Inspector will schedule a re-inspection to verify that the area is mold free, and the violation addressed. The unit will not pass inspection until all molds has been removed from the unit.
- Upon issuance of a 30-day notice for mold violations, the owner of the unit is responsible for having the mold removed from the unit. This removal must be conducted before the re-inspection is scheduled to take place. A HCVP Inspector will conduct the re-inspection to verify that the mold has been removed; the unit will not pass until it has been cleared of mold.
- If the owner fails to correct the violation in the specified time frame, the Housing Assistance Payment (HAP) is abated, and the tenant is issued a voucher to locate another unit.

In Closing, the Housing Authority of Baltimore City thanks the Committee for the opportunity to provide testimony on 22-0129R and we support the passage of this resolution.