

SENATE BILL REPORT

SB 5798

As Reported By Senate Committee On:
Financial Services, Insurance & Housing, February 27, 2003

Title: An act relating to disclosing information about mold in residential dwelling units.

Brief Description: Disclosing information about mold in residential dwelling units.

Sponsors: Senators Kohl-Welles, Winsley, Prentice, Esser, Thibaudeau and Benton.

Brief History:

Committee Activity: Financial Services, Insurance & Housing: 2/27/03 [DPS].

SENATE COMMITTEE ON FINANCIAL SERVICES, INSURANCE & HOUSING

Majority Report: That Substitute Senate Bill No. 5798 be substituted therefor, and the substitute bill do pass.

Signed by Senators Benton, Chair; Winsley, Vice Chair; Keiser and Prentice.

Staff: Alison Mendiola-Hamilton (786-7576)

Background: Mold is a common organism found in food and medicine. A problem occurs when mold grows indoors on wood, ceiling tiles, wallpaper, paints, carpets, sheet rock, and insulation. This type of mold can be toxic and adversely impact a person's health. Reported symptoms of mold allergies include sneezing, coughing, runny nose, nasal congestion, itchy, watery eyes, and reduced lung capacity. Reported symptoms of toxic mold exposure include coughing up blood, nose bleeds, dizziness, nausea, difficulty breathing, anemia, and skin rashes.

Everyday activities like cooking, doing laundry, washing dishes, and taking showers give off moisture which may create a breeding ground for mold, that may or may not be readily visible. It is believed that although mold can produce harmful toxins, such harm can be reduced by informing tenants of the dangers of indoor mold.

There are no uniform indoor air quality air standards for mold at the federal level, though some states and cities have begun to address the issue.

Summary of Substitute Bill: Landlords provide tenants with information about the health hazards related to indoor mold. The information, provided by the Department of Health, details how tenants can control mold growth in order to minimize health risks associated with indoor mold.

This information is provided to new tenants at the time the lease is signed or the rental agreement is entered into. Current tenants are provided this information no later than January 1, 2004. Landlords are immune from civil liability if they fail to provide this information, unless the omission is intentional.

Substitute Bill Compared to Original Bill: The original bill was not considered.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The hazards resulting from indoor mold are preventable. Landlords would support the bill if the language is changed so that the Department of Health provides landlords with the pamphlets, as opposed to the department approving what the landlords provide. Also, landlords should be immune from civil liability if they fail to give out this information, unless the omission is intentional.

Testimony Against: None.

Testified: Dan Morris, Healthy Buildings, Inc. (pro); John Woodring, RHA (pro w/amendment); Bob Mitchell, Commercial Realtors, WA Assn. of Realtors (pro w/concerns); Terry Kohl, WA Apartment Assn. (pro w/amendment).