

HOUSE No. 4023

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce J. Ayers

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to mold inspection standards.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>1/14/2025</i>

HOUSE No. 4023

By Representative Ayers of Quincy, a petition (accompanied by bill, House, No. 4023) of Bruce J. Ayers relative to mold inspection standards. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to mold inspection standards.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 111 of the General Laws is hereby amended by inserting, after section 127P, the
2 following section:-

3 Section 127Q. (a) For the purposes of this section, the following words shall, unless the
4 context clearly requires otherwise, have the following meanings:

5 “Excess moisture”, the unwanted presence of moisture or water on permeable surfaces in
6 a residence that occurs on a periodic, chronic or acute basis and presents a risk of mold growth.

7 “Residence”, a building or structure used for or intended to be used for human habitation
8 including, but are not limited to: single or multi-unit structures, rooming houses, manufactured
9 homes, temporary housing, alternative housing and condominiums.

10 (b) Every owner of a residence shall have a duty to maintain all buildings and structural
11 elements of the residence are free of excess moisture or mold.

(c)(1) The department shall annually inspect residences for the existence of excess moisture or mold. The department shall investigate potential sources of excess moisture or causes of mold including, but are not limited to: (i) plumbing leaks; (ii) structural defects that allow moisture to enter; (iii) improperly maintained mechanical or natural ventilation; and (iv) improperly maintained heating, air conditioning or ventilation ductwork.

(2) Any board of health may adopt rules and regulations for the inspection of excess moisture or mold in residences located in their city or town that comply with paragraph (1).

(d) The department may inspect a residence for excess moisture or mold if it has been notified and that there is reasonable evidence that a residence contains excess moisture or mold. Any board of health in a city or town shall notify the department of a residence with excess moisture or mold

(e) The department may issue a written order to the owner of the residence where excess moisture or mold has been found requiring them to put the premises in a clean condition or to comply with the regulations set forth by the board of health. The order shall be served in the same manner as is provided for the service of an order by section 124.

(f) Owners of the residence shall be responsible for the payments required to mitigate excess moisture or mold located in the residence.

(g) The superior court, housing court and district court shall have jurisdiction in equity to enforce the provisions of this section.

(h) The department shall establish rules and regulations to implement this section.