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CHESAPEAKE PSR

PHYSICIANS FOR SOCIAL RESPONSIBILITY

House Environment and Transportation Committee Landlord and Tenant - Repossession for Failure to Pay Rent - Lead Risk Reduction Compliance, HB0491 February 18, 2020 Position: Support

My name is Dr. Gwen DuBois. I am President of Chesapeake Physicians for Social Responsibility and on the legislative and public health committees of the Maryland Medical Association, MedChi. I speak in support of HB0491 for MedChi, Chesapeake Physicians for Social Responsibility, and the Maryland Chapter of the American Academy of Pediatrics (MDAAP), a bill requiring landlords to show certification of lead compliance before a case can proceed in rent court, and requiring a court to adjourn for up to 10 days to gather evidence regarding lead compliance.

This bill requires the judge 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 homes. 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. No known threshold for the effects of lead including on IQ has been identified. There are no known safe levels for exposure to lead including to its effects on IQ.¹

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 reduce a child's intellectual, and academic ability, and lead to deleterious behavior; prenatal exposure can lead to lower birth weight.² A new study has found hyperactivity in children whose levels averaged 3.5 microgram per deciliter.³ Each IQ point raises worker's productivity and the economic lifetime losses in the United States attributable to lead exposure have been estimated to be between \$165-233 billion in the cohort of children < or equal to 6 years of age in 2006.⁴ This cohort has an estimated total loss of 23 million IQ points from lead poisoning.⁵

¹ Toxicological Profile for Lead, U.S> Department of Health an Human Services. Public Heralth Service.Agency for Toxic Substances and and Disease Registry Agust 2007 p.25. <https://www.atsdr.cdc.gov/toxprofiles/tp13.pdf>

² <http://pediatrics.aappublications.org/content/138/1/e20161493>

³ Childhood Blood Lead Levels and Symptoms of Attention Deficit Hyperactivity Disorder (ADHD): A Cross Sectional Study of Mexican Children 12/9/17 <https://ehp.niehs.nih.gov/0800408>

⁴ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2717145/>

⁵ <https://ehp.niehs.nih.gov/1104170/#t1>

Primary prevention, which is removing the sources of lead before exposure occurs, is the most reliable and cost-effective way to protect our children according to a policy statement by the American Academy of Pediatrics. The authors reminded pediatricians that education on hand washing and dust control has no effect on reducing lead levels. The Academy goes on to urge pediatricians and parents to promulgate regulations to test children and housing both before and after abatement, and call for and, I say this loudly to this august body of legislators who can make this happen, “enhanced protection for children who live in lead-contaminated communities or near lead-emitting industries.”⁶

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.⁷ 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.”⁸

Requiring proof that landlords have passed lead inspections before they can bring cases to rent court is an important way to help our children when their families interface with the judicial system. If we ignore this opportunity, this will represent a public health, ethical and as well as fiscal failure. We all pay for poisoning our children.

Although I believe that a shortage of affordable, safe housing is an underlying problem that must be addressed, allowing our children to live in lead-contaminated housing is not an acceptable solution. **Chesapeake Physicians for Social Responsibility, MedChi, and MDAAP strongly urge the passage of House Bill 491.**

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President Chesapeake Physicians for Social Responsibility
Member Legislative and Public Health Committees, MedChi
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⁶ <http://pediatrics.aappublications.org/content/138/1/e20161493>

⁷ <http://data.baltimoresun.com/news/dismissed/>

⁸ <http://abell.org/sites/default/files/files/cd-justicediverted216.pdf>.
Executive Summary