

S.4

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IN THE SENATE OF THE UNITED STATES

JUNE 16, 2024

Introduced by Senate Majority Leader James Sun, for himself

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**A BILL**

To combat toxic indoor mold, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States  
of America in Congress assembled,*

**SECTION 1. DEFINITIONS.**

(1) The term “indoor residential mold” means any form of multicellular fungi in indoor environments.

(2) RESIDENTIAL MOLD INSPECTION.—The term “residential mold inspection” means an inspection, by a certified or licensed mold inspector or other indoor environmental professional, including through the Real Estate Assessment Center, of real property that is designed to discover—

- (A) indoor mold growth in residential properties;
- (B) conditions that facilitate indoor residential mold growth; or
- (C) indicia of conditions that are likely to facilitate indoor residential mold growth.

(3) TOXIGENIC MOLD.—The term “toxigenic mold” means any indoor mold growth that may be capable of producing a toxin or toxic compound that can cause illnesses, or other major adverse health impacts, as jointly determined by the individuals listed in Section 2(a)(1).

## **SEC. 2. INTERAGENCY RESEARCH ON HEALTH IMPACTS OF INDOOR RESIDENTIAL MOLD.**

### **(a) RESEARCH.—**

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, The Secretary of Housing and Urban Development, in conjunction with the Director of the Centers for Disease Control and Prevention, the Administrator of the Environmental Protection Agency, the Secretary of Health and Human Services, shall jointly conduct a comprehensive study of the health effects of indoor residential mold growth.

(2) **CONTENTS.**—The study conducted under paragraph (1) shall ascertain, among other things—

(A) detailed information about harmful or toxigenic mold, a list of said harmful and toxigenic molds, as well as any toxin or toxic compound such mold can produce;

(B) the most accurate research-based methods of detecting harmful or toxigenic mold;

(C) potential dangers of prolonged or chronic exposure to indoor residential mold growth;

(D) the estimated current public health burden of new or exacerbated physical illness resulting from exposure to indoor residential mold, including its disproportionate impact on vulnerable communities, including children and seniors;

(3) **AVAILABILITY.**—Not later than the expiration of the 3-year period beginning on the date of the enactment of this Act, the results of the study conducted under paragraph (1) shall be submitted to Congress and the President and made available to the general public.

## **SEC. 4. HEALTH, SAFETY, AND HABITABILITY STANDARDS AND MODEL STANDARDS.**

(a) **MODEL STANDARDS FOR PREVENTING, DETECTING, AND REMEDIATING INDOOR RESIDENTIAL MOLD GROWTH.**—Based on the results of the interagency health study conducted under section 3, the Administrator of the Environmental Protection Agency, in conjunction with the Secretary of Housing and Urban Development, the Director of the Centers for Disease Control and Prevention, the Assistant Secretary of Labor for Occupational Safety and Health at the

Occupational Safety and Health Administration, shall jointly issue model health, safety, and habitability standards for preventing, detecting, and remediating indoor residential mold growth.

(b) DEADLINE.—

(1) PUBLICATION.—Not later than 3 years after the results of the study conducted under section 3 are submitted to Congress in accordance with such section, the officers identified in subsection (a) shall issue, and make available to the public, final standards and model standards under this section.

(c) PHYSICAL CONDITION INSPECTIONS.—Not later than 2 years after the publication of standards and model standards under subsection (a), the Secretary of Housing and Urban Development shall revise the requirements for conducting uniform physical condition inspections, to incorporate the model standards issued under this section, as applicable.

## **SEC. 5. HOUSING STOCK QUALITY REQUIREMENTS.**

Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended by inserting after subsection (v) the following new subsection:

“(w) STANDARDS FOR PHYSICAL CONDITION AND MANAGEMENT OF HOUSING RECEIVING ASSISTANCE PAYMENTS.—

(1) STANDARDS.—Any entity receiving housing assistance payments under this section shall maintain decent, safe, and sanitary conditions, as determined by the Secretary, and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any insured or non-insured property covered under a housing assistance payment contract for project-based assistance.

(2) REMEDIATION.—The Secretary shall take action under paragraph (3) when a multifamily housing project with a housing assistance payment contract under this section or a contract with the Department of Housing and Urban Development for similar project-based assistance—

(A) receives a failing score on a physical inspection by the Department;  
or

(B) fails to certify in writing to the Secretary within 3 days that all severe health or safety deficiencies identified at the project by the inspector have been corrected.

(3) NOTICE OF DEFAULT.—

(A) ISSUANCE.—Meeting the parameters in Subsection (w)(2) of this section, the Secretary shall provide the owner with a notice of default that shall include a specified timetable, determined by the Secretary, for correcting all deficiencies.

(B) COPIES.—The Secretary shall provide a copy of the notice of default to the tenants of the property, the local government for the jurisdiction within which the property is located, any mortgagees, and any contract administrator.

(C) APPEAL; WITHDRAWAL.—If the owner appeals the notice of default and the appeal results in a passing Uniform Physical Condition Standards score for the property, the Secretary may withdraw the notice of default. ‘

(4) ENFORCEMENT.—If the owner fails to fully correct all deficiencies identified in the notice of default by the end of the time period for correcting such deficiencies specified in the notice, the Secretary shall, in consultation with the tenant organization, one or more of the following actions, and provide additional notice of those actions to the owner and the parties specified in paragraph (3)(B) to improve property conditions and preserve housing assistance:

(A) Take any regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary to improve property conditions, protect tenants from displacement and harm, and preserve the housing assistance.

(B) Require immediate replacement of the project management with a management agent approved by the Secretary.

(C) Pursue exclusionary sanctions, including suspensions or debarments from Federal programs.

(D) Relocate tenants while providing the same level of housing assistance.

(E) Seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies.

(F) Work with the owner, lender, tenants, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital or other resources.

(5) PROHIBITION ON RENT INCREASES.—Effective upon the expiration of the 12-month period beginning on the date of the enactment of this subsection, the Secretary shall prohibit any increases in rents for dwelling units in the property until the owner fully corrects all deficiencies identified in the notice.”