

SUMMARY OF MOLD:

What are My California Landlord's Duties Regarding Mold?

A [landlord](#) is typically required to keep rental property in a safe and habitable condition. The state of California recognizes that the presence of [toxic mold](#) in a rental home can lead to severe health problems for tenants.

California has a law called a written disclosure law for mold. Landlords in California are required by law to provide tenants with a written disclosure when the landlord knows that mold is present in a rental home. This law applies to both apartments and houses.

A written disclosure is a document that is signed by both you and your landlord. In California, a verbal warning from your landlord about the presence of mold in your rental home is not sufficient. The mold disclosure must be made in writing.

This written disclosure law in California applies when there are large amounts of mold in a rental home and the amount of mold exceeds safe exposure limits. The law also applies if the mold is a threat to the tenant's health.

A written disclosure is also required by California law if a landlord believes that mold is present in the rental property or in cases when the landlord should know that mold is present (such as after a flood or [water damage](#)). This law also applies to mold that might be invisible or hidden. In California, landlords are not required to test your rental property for specific levels of mold. As of 2016, California law does require that landlords repair or remediate mold. This means that if your landlord sees mold growth in your apartment or the smells the scent of mold, your landlord must fix the mold and the problem causing the mold growth. This may require that your landlord dry areas that are damp or water damaged, and remove or clean surfaces where mold has grown. California does not require that a landlord provide you with a written disclosure if you moved into an apartment after mold growth had been properly repaired.

Do I Have Responsibilities as a Tenant to Keep My Home Free of Mold?

Yes. A tenant also has the responsibility to maintain clean and sanitary conditions in their house or apartment. This may include not letting sinks, toilets, or bathtubs overflow and keeping windows closed during rainstorms. Exhaust fans should also be used to prevent mold from forming in humid bathrooms.

It's important that tenants report maintenance issues to their landlord. If there has been a leak or flood your rental home, contact your landlord immediately. Damp conditions may lead to mold growth.

What Can I Do If My Landlord Does Not Repair the Mold in My Rental Home?

Your rental home should be safe and habitable. In California, if you report mold issues to your landlord and they do not make efforts to repair the mold, you may have the right to:

- Withhold paying rent until the mold is properly repaired or remediated by your landlord;
- Apply one month's of rent towards hiring a repair person to fix the mold and damp conditions that cause the mold to grow;
- Report the mold to health code officials; and
- File a lawsuit against the landlord for damages.