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# Maximum Indoor Residential Temperature Threshold Ordinance

Presenter: Christine De Rosa

Office of Environmental Justice and Climate Health

**January 9, 2025** 



## Why Residential Heat Matters

- Health risks of heat
  - Heat-related illness (heat cramps, heat exhaustion, heat stroke)
  - Exacerbation of underlying conditions
  - Increases in emergency department visits, heat-related deaths
- Nighttime heat matters: Deaths from all causes may be up to 10% higher on hot nights compared to nights without elevated temperatures
- "Heat Dome" of 2021, Multnomah County
  - 72 heat-related deaths, <u>68 (94%) in their own homes</u>
  - 42 (58%) of homes with heat-related deaths were multifamily buildings

## Los Angeles Times





Bottled water bombshell

Hot spider summer

Entrenching coal

About that monsoon

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# SoCal broiling at night as heat wave offers little cool down



By Hannah Fry Staff Writer



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## January 23, 2024 Board Motion Directives 1 and 2

Conduct stakeholder engagement (renters, landlords, public health professionals, and other relevant groups)

 Recommendations for how to equitably establish, define, implement, and enforce relevant policy for rental units

Draft ordinance establishing a safe maximum indoor temperature for rental dwellings in LAC

- Single maximum indoor temperature threshold
- Require that all rental housing be "cooling ready"
- Utilize the Health and Safety Code
- Use a phased implementation approach
- Include anti-displacement provisions
- Update tenant protections
- Include a plan to incentivize landlords



# Stakeholder Engagement and Background Research

- One-on one interviews, small group and large group meetings
  - Tenant groups, tenant rights groups and CBOs
  - Building and energy technical experts, legal service providers
  - Landlord groups, apartment associations
- Expert consultations
- Jurisdictional scan



## **Stakeholder Engagement Findings to Date**

- 1. Measures to protect tenants from eviction and landlord retaliation are important to prevent displacement.
- 2. Strong enforcement measures and dedicated enforcement staff are critical to the policy's success.
- 3. Funding is a major concern for both landlords and tenants, due to unpaid pandemic rent and existing housing burden.
- **4. Education is key** information will be needed regarding the policy, tenant rights/protections, resources, funding, etc.
- 5. Combining weatherization and passive cooling elements with active cooling is important for effective results.
- **6. Partnerships with CBOs** will be crucial in assisting with disseminating information.



## **Research: January 2024 Board Motion**

#### **Jurisdictional Examples:**

- Online research on local and U.S. jurisdictions with existing maximum indoor air temperature thresholds.
- Met with Dallas, TX;
   New Orleans, LA; Palm
   Springs, CA; Clark
   County and N. Las
   Vegas, NV;
   Montgomery, MD;
   Phoenix, AZ

#### **Literature Review:**

- Analyzed available scientific literature on the establishment of indoor air temperature standards
- Existing research on this topic is limited

# State Draft Assembly Bill 209 Report:

 AB 209, enacted in 2022, mandates that the California Department of Housing and Community Development (HCD) provide Policy recommendations to ensure residential units can maintain a safe maximum indoor air temperature.



## Revisions to Title 11, Health and Safety Code: "Comfort Cooling"

- 82° Fahrenheit maximum indoor residential temperature threshold
  - Landlord's responsibility to ensure all habitable rooms can maintain the temperature
- Tenants may add additional cooling through portable cooling devices or nonmechanical cooling methods
  - Will require notification to landlord
  - Will prohibit retaliation or harassment



## Revisions to Title 11, Health and Safety Code: "Comfort Cooling"

- Tenant Protections
  - Pass-through of costs of any portable cooling equipment will not be allowed,
    but pass-through of other costs may be allowed
  - Tenant protections in Rent Stabilization and Tenant Protection Ordinance (RSTPO) implemented by Department of Consumer and Business Affairs (DCBA) will apply



# **Applicability of the Proposed Ordinance**

## **What Rental Units are Covered?**

All residential rental properties within unincorporated LA County areas

## What Rental Units are not Covered?

- Owner occupied units in Rental Housing Properties
- Mobile homes, or mobile home parks, recreational vehicles, or recreational vehicle parks
- Properties that are subject to routine inspections for habitability by other local, state, or federal government agencies
- Vacant units/properties



## **Rental Housing in Los Angeles County**

- More than 72,000 rental dwellings in unincorporated LA County
- Habitability standards enforced by various County departments:
  - Public Health
  - Public Works
  - Regional Planning
  - Consumer and Business Affairs
  - LA County Development
    Authority

Type of dwelling	Source of Data	Number of Units
Single family	Rental Registry	4,429
Multi-family, 2-4 units	Assessor's Office	35,356
Multi-family, 5+ units	Assessor's Office	32,880
Total number of units		72,665



# **Implementation**

## **Enforcement**

- Complaint-based response will begin June 2025 if ordinance is approved
- Education approach for both landlords and tenants on passive cooling practices
- Potential 2-year extension to comply if retrofits are necessary
- Ongoing non-compliance may lead to further enforcement actions

## **Fees and Implementation Costs**

- A small fee increase to Rental Housing Habitability Program unit cost to cover costs of complaint response and inspections
- Requesting funds for outreach and engagement



# **Implementation Support**

Implementation supports will include:

- Outreach and education to tenants and landlords on passive cooling strategies
- Posted information on available funding streams and other resources to support upgrades and retrofits
- Synergies with related efforts across the County and other local jurisdictions to ensure alignment



# **Next Steps**

- Draft ordinance is undergoing final edits and County Counsel review
- Next Public Hearing of Draft Ordinance: Health Deputies Cluster Meeting, January 29, 2025
  - Link to access agendas for Health and Mental Health Services
    Meetings: <u>Agendas Los Angeles County</u>
- Targeting February 2025 for Public Hearing
  - Link to access Board Meeting Agendas: Board Meeting/Agendas



# **Comments and Questions**

## Office of Environmental Justice and Climate Health

Los Angeles County Department of Public Health

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