# Stakeholder Engagement Report and Recommendations Summary

**Maximum Indoor Temperature Threshold Stakeholder Engagement**
LA County Department of Public Health

## I. INTRODUCTION

In April 2024, the LA County Department of Public Health (DPH) contracted with Estolano Advisors (EA) to conduct engagement with key stakeholders regarding a maximum indoor temperature threshold ordinance for unincorporated LA County. From June - July 2024, DPH and its consultant conducted 10 interviews and facilitated six (6) workgroup meetings with a broad range of stakeholders to collect feedback and recommendations on how to make the policy successful.

This Stakeholder Engagement Report and Recommendations Summary compiles findings from stakeholder engagement, describes takeaways from an accompanying data analysis, and provides recommendations for the County to consider for the draft ordinance. The report contains four sections:

1. **Introduction**, which describes the policy context and the engagement approach;
2. **Data Analysis Findings Summary**, which compiles findings from a residential building analysis for unincorporated LA County;
3. **Engagement Findings Summary**, which analyzes input from stakeholders; and
4. **Recommendations Summary**, which highlights key considerations for the County as it develops the draft ordinance.

### A. Policy Background

The Department of Public Health's stakeholder engagement on a maximum indoor temperature threshold is the continuation of a years-long process of research and engagement. In November 2022, the LA County Board of Supervisors passed a motion that directed DPH to work with relevant departments to begin researching maximum indoor temperature thresholds for rental units and priority workplaces.[1] In response to the November 2022 motion, DPH submitted a report to the board that included a recommended maximum indoor temperature threshold of 82 degrees for rental units with active cooling units[2] and 86 degrees for those with evaporative or no cooling systems.[3]

In January 2024, the Board of Supervisors voted to continue this work and directed DPH and other relevant departments to (1) gather stakeholder input on how to "equitably establish, define, implement, and enforce" a maximum indoor temperature threshold policy

[1] LA County Board of Supervisors. (2022, November 1). *Investigating Safe Maximum Indoor Temperature Thresholds to Assist Heat Vulnerable Tenants and Workers in High-Risk Workplaces*. https://file.lacounty.gov/SDSInter/bos/supdocs/174355.pdf
[2] Active cooling refers to cooling strategies that require electricity, such as air conditioning units, ceiling fans, and heat pumps. In contrast, passive cooling strategies reduce temperatures without electricity, and include strategies such as cool roofs and pavement, shading, window coverings and tinting, insulation, and other weatherization upgrades.
[3] LA County Board of Supervisors. (2023, March 23). *Investigating Safe Maximum Indoor Temperature Thresholds to Assist Heat Vulnerable Tenants and Workers in High-Risk Workplaces (Item No. 20, Agenda of November 1, 2022)*. https://file.lacounty.gov/SDSInter/bos/supdocs/174379.pdf

for rental units in unincorporated LA County and to (2) prepare a draft ordinance.[4] The directive does not call for recommendations for workplaces or mobile home units given the varied oversight for these building types. DPH's maximum indoor temperature threshold stakeholder engagement process responds to the 2024 Board Motion's directive and will inform the draft ordinance required in the same motion.

## B. Stakeholder Engagement Approach

To meet the directive in the 2024 Board Motion, DPH and its consultant developed a two-phased stakeholder engagement approach to reach a wide range of stakeholders. Engagement consisted of 10 one-on-one interviews (Phase I) and six (6) workgroup meetings (Phase II). The goal of this two-phased approach was to engage a smaller subset of experts during Phase I and to use findings from these discussions to inform the larger Phase II conversations. Discussions across both phases of engagement focused on feedback and recommendations for establishing a maximum indoor temperature threshold for rental units in unincorporated LA County.

### (a) Guiding Questions

The stakeholder engagement approach aimed to address several key areas of inquiry, which are based on the directives in the 2024 Board Motion:

- Enforcement Considerations: How can the County monitor and ensure compliance? What will enforcement look like?
- Landlord Incentives and Support: What implementation guidance or supports (technical and financial) would enable large landlords (100+units) to comply within one year? What would enable medium and small landlords to comply within three years and five years, respectively?
- Tenant Protections: How can the County prevent, mitigate, or address unintended consequences for tenants?
- Weatherization/Passive Cooling: What can the County do to minimize potential increases in energy use associated with air conditioning, such as by encouraging or facilitating the adoption of passive cooling strategies?
- Temperature Threshold: What are the potential health and quality of life impacts of a maximum indoor temperature threshold of 82 degrees? What is the feasibility of this temperature threshold for the existing building stock?

### (b) Engagement Process

The engagement process was designed to reach a broad range of stakeholders, which included: (1) building and energy technical experts, (2) landlords and real estate professionals, (3) legal services providers, (4) tenants' rights groups and community-based organizations (CBOs), (5) tenants, and (6) local jurisdictions with similar policies. DPH developed a large list of stakeholders in these categories, and EA emailed participants on this list to invite them to participate. An overview of each engagement phase is below (see appendix for participant lists and discussion guides).

[4] LA County Board of Supervisors. (2024, January 23). *Establishing a Safe Maximum Temperature Threshold for Residential Units*. https://file.lacounty.gov/SDSInter/bos/supdocs/188021.pdf

- Phase I Interviews: Phase I consisted of 10 one-on-one, 45-minute interviews via Zoom. Given the diverse range of participants, each interview followed a custom set of questions for the relevant stakeholder type. Preliminary findings from these interviews informed the Phase II workgroup approach.
- Phase II Workgroup Meetings: Phase II consisted of six (6) Zoom workgroup meetings to expand on the topics covered during the Phase I interviews and engage a broader audience. Each workgroup meeting was limited to 30 attendees to ensure that everyone had a chance to participate. Similar to the Phase I interviews, Phase II meetings followed a custom set of interview questions for each stakeholder type.

### C. Summary Report Context

The State of California[5] and the City of Los Angeles[6] are considering their own maximum indoor temperature threshold policies in parallel with the County's work on this topic.[7] [8] These policies repeatedly came up during stakeholder engagement. Just prior to the start of engagement, the California Department of Housing and Community Development (HCD) released a draft version of the anticipated Assembly Bill 209 (AB 209) Report, which included recommendations for a maximum indoor temperature threshold for new construction.[9] [10] DPH pointed to this report as additional support for the proposed 82-degree temperature threshold. In many cases, stakeholders also framed their responses to the discussion questions in relation to the report's findings. Similarly, stakeholders often pointed to the City of LA's ongoing research on an indoor cooling apparatus requirement to support their positions on the County's proposed policy. Comments from stakeholders on both policies are included throughout the stakeholder findings for context.

## II. ANALYSIS OF RESIDENTIAL BUILDINGS IN LA COUNTY

To supplement stakeholder input, the consultant team analyzed residential buildings in unincorporated LA County based on building type and age. Findings from this analysis provide the County with a baseline understanding of the residential building context, including the number of older buildings—given that these buildings may need more retrofits to comply with this policy—and the geographic distribution of these buildings.

[5] Assembly Bill 209 (AB 209) requires HCD to convene relevant stakeholders and develop recommendations for a maximum indoor temperature threshold for rental units in the state by January 1, 2025.
[6] In April 2023, the City of Los Angeles City Council passed a motion directing: (1) the Los Angeles Housing Department to identify code sections that could be amended to reflect an indoor cooling requirement for rental units, and (2) the Department of Water and Power and other departments to report on existing and potential utility subsidies for low-income tenants.
[7] City of Los Angeles. (2023). *Official Action of the Los Angeles City Council No. 23-0453*. https://clkrep.lacity.org/onlinedocs/2023/23-0453_caf_05-31-23.pdf
[8] California Department of Housing and Community Development. (2024). *Plans & Reports – Maximum Safe Indoor Air Temperature Policy Recommendation (AB 209, Chapter 251, Statues of 2022)*. https://www.hcd.ca.gov/policy-and-research/plans-and-reports
[9] *Ibid.*
[10] The draft report recommended that the state consider: (1) requiring a maximum indoor temperature threshold of 82 degrees for new rental units, (2) enabling a lower temperature threshold of 79 degrees for new rental units that house high-risk populations, and (3) allowing for variation in the maximum temperature threshold when there is air movement or humidity present.

More specifically, the data analysis includes an examination of the following metrics:

1. Residential Building Type
2. Residential Building Age (for All Residential Buildings and Multi-family Buildings)

This section provides (1) an overview of the analysis methodology, (2) a discussion of the approach limitations, and (3) a summary of findings.

## A. Methodology

The consultant team analyzed metrics for residential buildings in unincorporated LA County. The main data source for the analysis is the parcel data from the LA County Office of the Assessor (2006 - 2023). In addition, the consultant team pulled census tract data from the United States Census Bureau (2022), as well as supervisorial district data (2024) and census-designated places data (2020) from the LA County Planning Office.

The consultant team filtered the parcel data for: (1) parcels in the most recent annual assessment (2023),[11] (2) parcels in unincorporated LA County, (3) non-vacant parcels,[12] and (4) residential use parcels.[13] The consultant team further removed parcels that are located in an incorporated area but were designated as unincorporated and parcels for which the data did not have a longitude or latitude. This segmentation of the data resulted in a dataset that is filtered to only include parcels in unincorporated LA County with a residential building on their premises.

To analyze the findings, the consultant team referenced the Southern California Association of Government's (SCAG) 2021 Local Housing Data for Unincorporated LA County. Building types and year intervals align with those in SCAG's report to facilitate comparisons with previous data analyses.

## B. Limitations

This section summarizes the limitations of this residential building analysis for unincorporated LA County:

**(a) Building Ownership**: Building ownership information can help shape the County's understanding of rental units as a subset of single-family and multi-family buildings. The dataset provided through the Assessor's office did not include information on ownership. This limitation restricted the consultant team's ability to segment the data based on ownership type, and thus, the analysis does not distinguish between rental and owner-occupied buildings.

**(b) Section 8 Vouchers**: While Section 8 vouchers play a critical role in promoting housing affordability, Section 8 voucher data is not readily accessible at the sub-

[11] The consultant team used parcel data to analyze characteristics of the residential buildings on these parcels. In some cases, parcels may contain multiple buildings; however, the analysis did not distinguish between parcels with one or more buildings.
[12] Vacant parcels were determined based on the Assessor's data designation of Use Code Description for vacant parcels as "vacant" and Year Built for vacant parcels as "0."
[13] The Assessor's data distinguishes between three Use Codes for building types: Residential, Commercial, and Industrial. As a result, the analysis does not include mixed-use buildings that may fall outside of the Residential designation.

county level. As a result, the analysis does not include data on the quantity or geographic distribution of Section 8 vouchers in the county.

(c) **Data Analysis Scope:** This analysis was limited in scope and does not touch on additional metrics that may be relevant for the County's policy development efforts. Additional metrics may include (1) application of this analysis to rental dwellings to understand the age and geographic distribution of rental units; (2) the intersection between extreme heat and building age to understand the urgency of upgrades in older buildings; or (3) the number and distribution of air conditioning units at the sub-county level to understand the need for active cooling across the county. These metrics, in addition to the studies requested by stakeholders in the next section, could be productive areas of study for the County to consider.

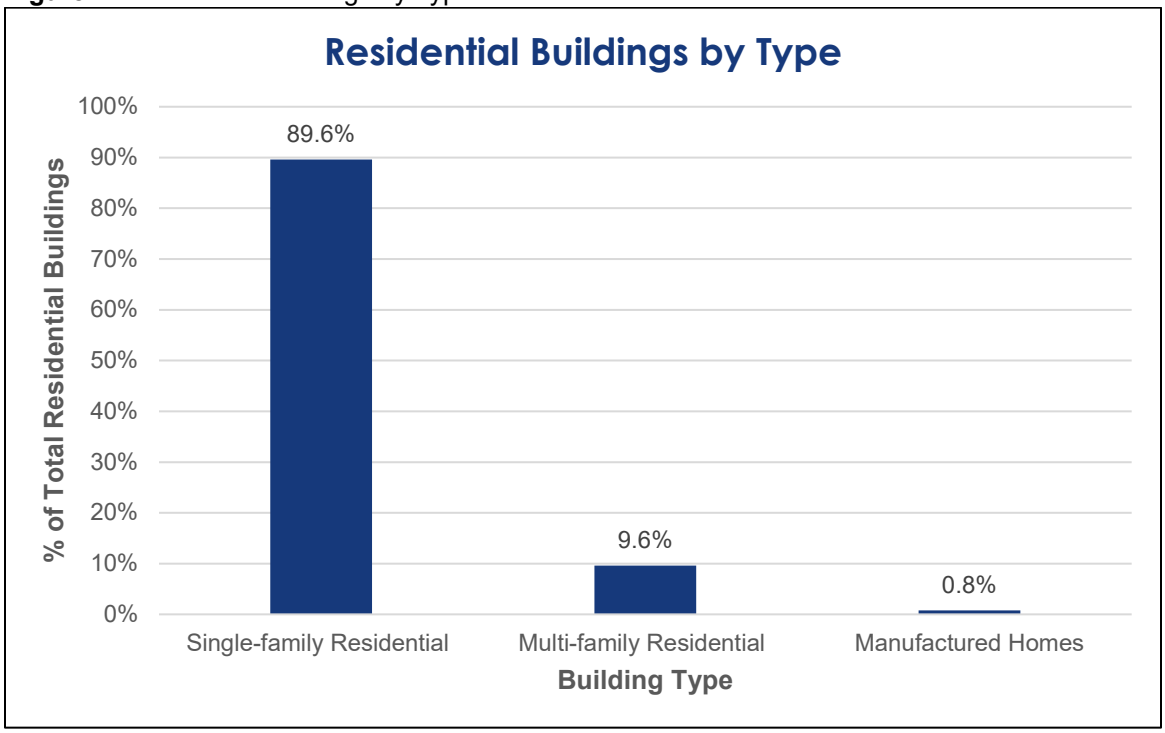
## C. Summary of Findings

This section summarizes the analysis findings, which fall into two main topics: (1) Building Type, and (2) Building Age.

### (a) Building Type

The building type analysis identified the prevalence of single-family buildings, multi-family buildings, and manufactured homes in unincorporated LA County as of 2023.[14] The consultant team split the residential building data into single-family residential, multi-family residential, and manufactured homes. Figure 1 summarizes the number of residential buildings in each category. Most residential buildings in unincorporated LA County are single-family (90%). Only 10% of residential buildings are multi-family. Only one percent (1%) of residential buildings are manufactured homes.

**Figure 1:** Residential Buildings by Type.




Data source: Office of LA County Assessor.

### (b) Building Age

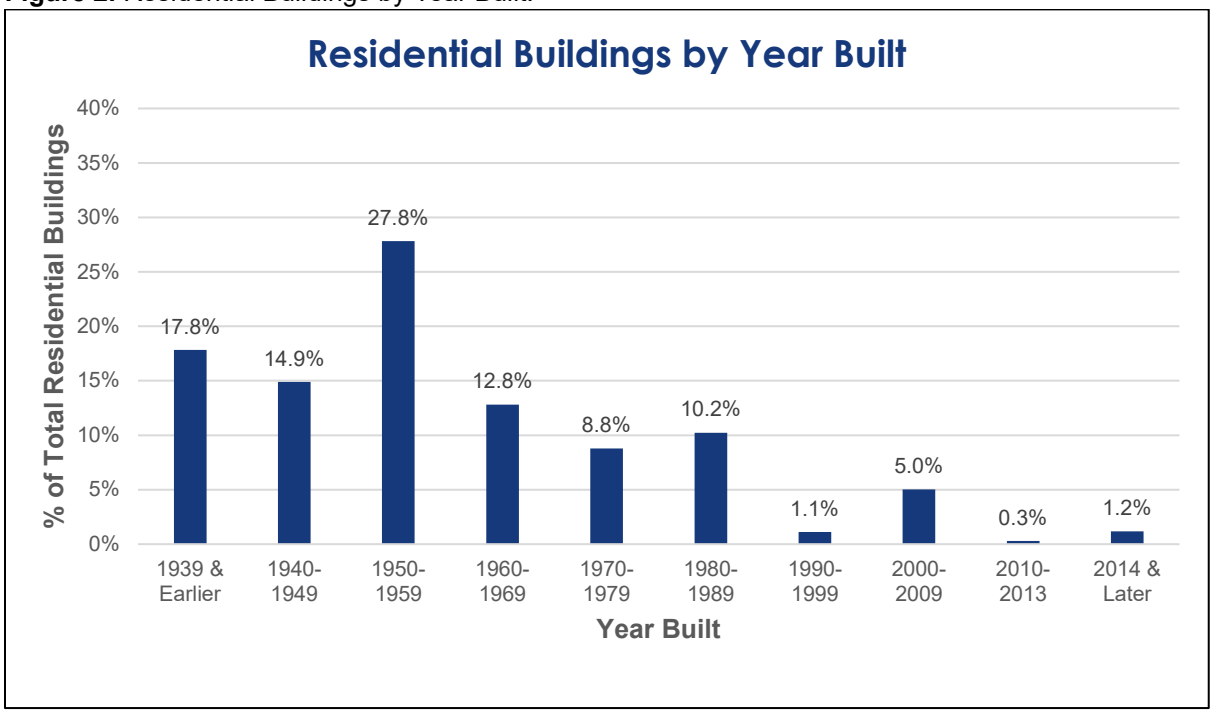
The building age analysis looked at (1) residential buildings overall and (2) multi-family buildings in particular. This section describes findings within each of these topics.

[14] Manufactured homes are factory-built homes that are transported to a piece of land. Mobile homes refer to manufactured homes produced before 1976. U.S. Department of Housing and Urban Development (HUD). (n.d.). *Manufactured housing and standards-Frequently Asked Questions*. https://www.hud.gov/program_offices/housing/mhs/faqs

**Residential Buildings**

The building age analysis identified the number of current residential buildings built in each decade since 1940, with an additional category for buildings built in 1939 or earlier. A significant portion of residential buildings in unincorporated LA County date back to 1959 or earlier (61%) (Figure 2). More specifically, a plurality of buildings were constructed in the 1950s (28%), and the second highest share was built in 1939 or earlier (18%). Less than 10% of residential buildings were built between 2000 and 2023 (7%).

**Figure 2.** Residential Buildings by Year Built.

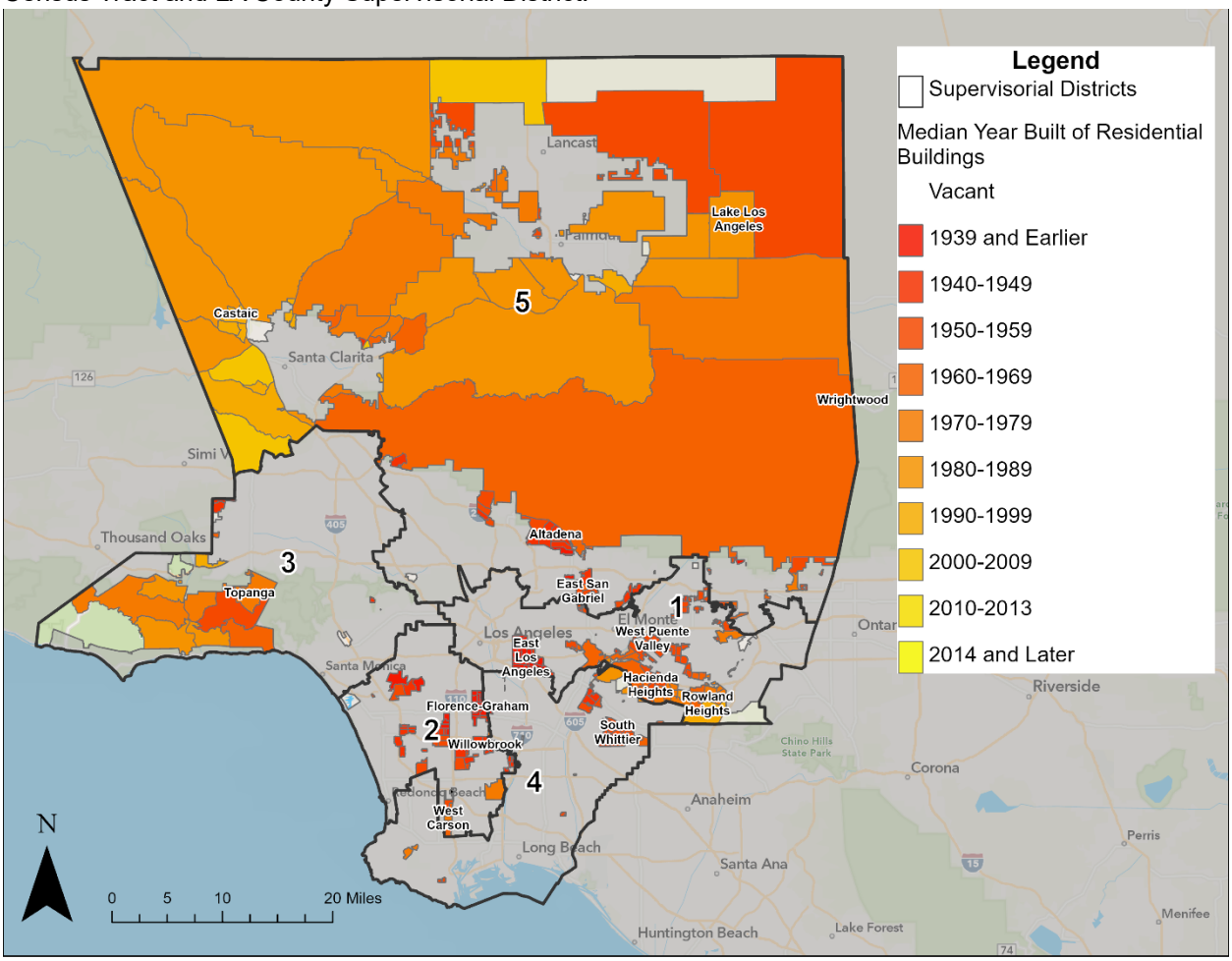



Data source: Office of LA County Assessor.

The consultant team analyzed the data spatially to determine any trends in residential building age at the census tract level. Census tracts with the oldest residential buildings[15] are predominately located in and around Altadena, East Los Angeles, - Florence-Graham, and northeast of Lake Los Angeles (Figure 3). Conversely, census tracts with the newest residential buildings are located in and around Castaic, Rosamond, Stevenson Ranch, Topanga, and small pockets near Hacienda Heights and Rowland Heights. The spatial distribution of residential buildings among LA County's five Supervisorial Districts demonstrates that there are buildings from the 1940s and earlier within each of the districts (Figure 3); however, census tracts in Districts One (1) and Two (2) tend to have an older median building age than those in other districts.

[15] The consultant team used the median building age across each census tract to determine these trends.

**Figure 3:** Heat Map of Median Year Built for Residential Buildings in Unincorporated LA County, by Census Tract and LA County Supervisorial District.

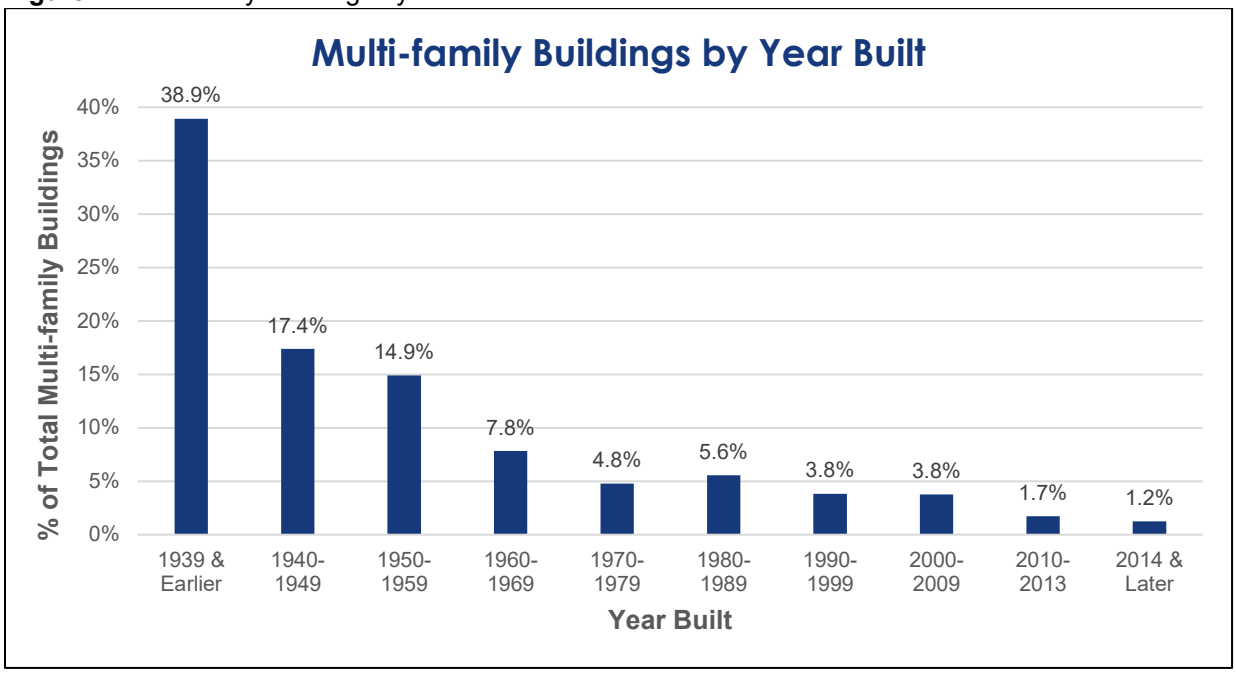



Data sources: Office of LA County Assessor, LA County Planning, United States Census Bureau.

**Multi-family Residential Buildings**

The consultant team further segmented the analysis by considering the age of multi-family buildings as a subset of residential buildings (Figure 4). This analysis demonstrates that there is a higher proportion of multi-family buildings built in 1959 or earlier (71%) than that for residential buildings overall (61%). More specifically, the share of multi-family buildings built in 1939 or earlier (39%) is more than double that for all residential buidlings (18%), while the share of multi-family buildings built in the 1950s (15%) is just over half that for residential buildings as a whole (28%). More recently, the proportion of multi-family buildings built between 2014 and 2023 (1.2%) is the same as that for residential buildings overall.

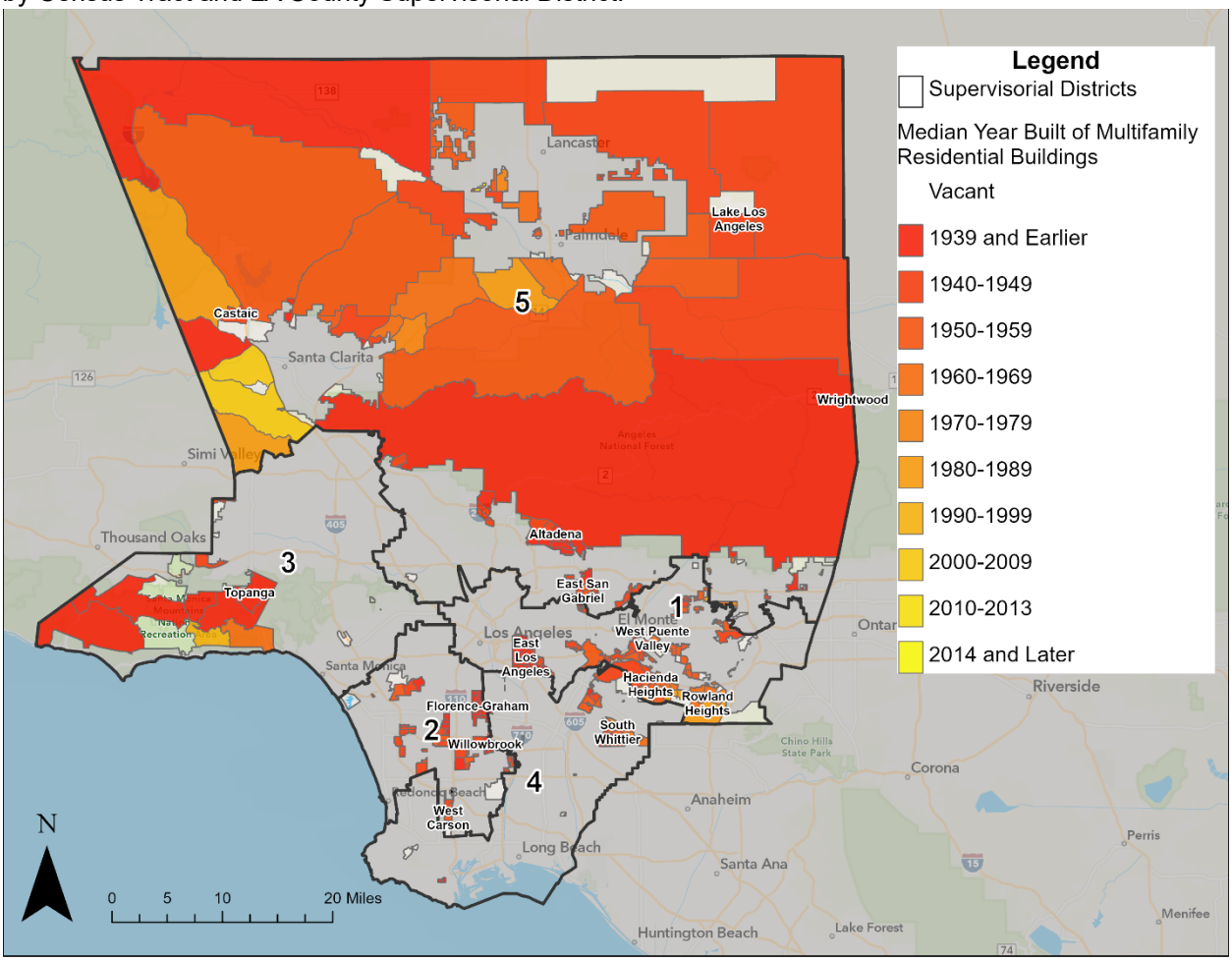
**Figure 4.** Multi-family Buildings by Year Built.




Data source: Office of LA County Assessor.

When analyzed spatially, the median building age for multi-family buildings tends to be older in many census tracts than that for residential buildings overall (Figure 5). More specifically, census tracts in and around East San Gabriel, Topanga, West Whittier-Los Nietos, and Wrightwood have a noticeably older median building age for multi-family buildings than they do for residential buildings overall. However, census tracts in and around Castaic are one of the few census tracts with a lower median building age for multi-family buildings than for residential buildings overall. The distribution of multi-family buildings among LA County's five Supervisorial Districts also resembles that for residential buildings; however, Districts Three (3) and Five (5) have more census tracts with an older median building age for multi-family buildings than for residential buildings overall (Figure 5).

**Figure 5:** Heat Map of Median Year Built for Multi-family Buildings in Unincorporated LA County, by Census Tract and LA County Supervisorial District.




Data sources: Office of LA County Assessor, LA County Planning, United States Census Bureau.

# III. ENGAGEMENT FINDINGS

To inform this report's recommendations, DPH and its consultant hosted interviews and workgroup sessions to gather actionable feedback and suggestions for the development of a maximum indoor temperature threshold in unincorporated LA County. This section categorizes the qualitative feedback from stakeholders into the following themes: (1) policy considerations, (2) resources and support, (3) climate resilience and infrastructure, and (4) collaboration with other policy efforts.

## A. Policy Considerations

Participants shared several policy elements for the County to consider when drafting the maximum indoor temperature threshold ordinance, including considerations for (a) the temperature threshold, (b) tenant protections, (c) phased implementation, (d) enforcement, and (e) applicability to mobile homes. This section describes takeaways within each of these themes.

### (a) Temperature Threshold Considerations

**Research and data need to undergird the County's proposed maximum indoor temperature threshold.** DPH shared with participants that the state's AB 209 report helped inform the County's proposed maximum indoor temperature threshold of 82 degrees. While many participants were familiar with the AB 209 report's temperature threshold recommendations, they still had concerns about the data that served as a basis for the County's proposed temperature threshold. Particularly, participants were concerned that the state report focused on new construction and questioned how this temperature threshold would work for older buildings. Building and energy technical experts and landlords emphasized that older buildings may experience more challenges in reaching certain temperature thresholds given that they will likely need more extensive weatherization retrofits.[16] [17] Additionally, CBO participants acknowledged that though the proposed 82-degree threshold aligns with the state's report, it was not clear how an 82-degree maximum would impact public health.[18] They were interested in seeing data on how vulnerable groups would fare in 82-degree environments, given the state's emphasis on a 79-degree threshold for these groups. Participants agreed that the County should provide robust research that informs their reasoning for the temperature threshold and share how this temperature will impact vulnerable populations and apply to the older housing stock.

**Some participants suggested that the County set a lower temperature threshold of 79 degrees (or lower) across the region to support high-risk populations.** Participants noted that high-risk populations including older adults, people with disabilities, pregnant women, children, and people with chronic illnesses are particularly

[16] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[17] Workgroups: Landlords Large Group Meeting (July 25,2024)
[18] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)

vulnerable to the health effects of heat exposure.[19] [20] For this reason, some participants advocated for a lower temperature threshold, indicating that 82 degrees may still pose health risks to vulnerable populations, which would be hard to identify in the county. Some CBOs and legal services providers suggested that the County consider a 79-degree threshold, which would align with the state's AB 209 recommendation for high-risk populations, while other CBOs and some tenants expressed concerns that 79 degrees might still be too hot for these populations.[21] [22] [23] One interviewee emphasized that sleep quality and learning outcomes can be negatively affected by temperatures below 82 degrees, so the County will need to consider its goals with this policy and whether it aims to address these day-to-day impacts.[24] Many CBOs encouraged LA County to be a leader in this area by setting an even lower maximum temperature threshold than other jurisdictions to prioritize vulnerable populations and address heat burden, especially for low-income communities.[25]

**Extreme heat in LA County varies widely, and the County will need to prioritize areas that are most vulnerable to heat.** Several participants noted that temperatures vary widely across the region and urged the County to take a nuanced approach to the policy that considers these geographic differences. Landlord participants pointed out that residents in the San Gabriel Valley experience much higher temperatures than residents who live along the coast, and that coastal areas should therefore, be exempt from the policy due to the lower temperatures there.[26] Building and energy technical experts agreed that the county's climate zones are diverse but suggested that the county utilize these differences to develop an approach that focuses attention on the most vulnerable areas.[27] They suggested that the County use its Climate Vulnerability Assessment to identify the most heat vulnerable areas and prioritize communities most vulnerable to extreme heat for early policy adoption. These participants encouraged the County to consider these strategies to better address the geographic differences across LA County and to prioritize areas that are most vulnerable to extreme heat.

### (b) Tenant Protections

**Participants highlighted the importance of preventing unintended consequences from this policy, such as rising household costs or evictions.** CBOs, legal services providers, and tenants urged the County to identify measures that would ensure that tenants are not subject to increased housing costs or evictions due to the policy. These participants worried that landlords may interpret policy compliance as a "substantial remodel," and therefore a just cause for eviction.[28] [29] [30] They also worried that retrofit costs would be passed down to tenants, resulting in higher rents. Further, participants

[19] *Ibid.*
[20] Turner, V. K. (August 20, 2024). Interviewed by Estolano Advisors.
[21] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[22] Workgroups: Legal Service Providers Group Meeting (July 24, 2024)
[23] Workgroups: Tenants Large Group Meeting (July 30, 2024).
[24] Turner, V. K. (August 20, 2024). Interviewed by Estolano Advisors.
[25] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[26] Workgroups: Landlords Large Group Meeting (July 25,2024)
[27] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[28] Workgroups: Legal Service Providers Group Meeting (July 24, 2024)
[29] Workgroups: Tenants Large Group Meeting (July 30, 2024)
[30] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)

encouraged the County to ensure that cooling-related unit modifications would not be grounds for eviction,[31] [32] while one participant emphasized the challenges with allowing tenants to install their own cooling units given the potential for improperly installed units to become fire hazards.[33]

Participants suggested that the County look to the City of LA's Decarbonization Policy, which includes rent caps and removes substantial remodeling as a just cause for eviction.[34] [35] They also shared strategies that the County can consider to mitigate the impacts of passthrough costs on tenants.[36] [37] Under the County's RSTPO, landlords cannot pass more than 50% of improvement costs to tenants.[38] One CBO suggested that the County consider integrating cooling requirements in the Health and Safety Code, so that upgrade costs are not considered capital costs and therefore landlords cannot pass any portion of them to tenants.[39] This participant also shared about the City of LA's decarbonization cost-recovery program which capped passthrough costs at $35 for upgrades related to this policy. Low-income and vulnerable tenants could receive waivers for pass-through costs if implemented, as one legal services provider suggested.[40] Lastly, one CBO mentioned that the State of Washington's Sustainable Energy Trust Loan Program offers loans to landlords to cover energy efficient upgrades, provided that they do not increase rents beyond a certain percent in the first six years.[41] [42] The County will need to consider a variety of strategies to proactively mitigate additional burdens for tenants.

**Landlords disagreed with prohibiting passthrough costs for tenants, sharing concerns about their ability to recoup costs from this policy without dedicated fees.** Market-rate landlords shared that policies such as LA County's COVID-19 Tenant Protections Resolution and the rent caps set by the RSTPO, have limited the income they receive from rent and therefore strained their financial ability to maintain their buildings.[43] [44] [45] Recent policies requiring retrofits or upgrades to residential buildings, such as the City of Los Angeles Seismic Retrofit Ordinance and Senate Bill 721, which requires repairs to balconies and other elevated elements in an apartment building,[46] have further financially strained landlords, especially "mom-and-pop" owners.[47] Landlords worried that with the inability to pass costs to tenants, they will not be able to

[31] *Ibid.*
[32] Lopez, L. (June 20, 2024). Interviewed by Estolano Advisors.
[33] *Ibid.*
[34] Friedman, I. and Walker, O. (June 18, 2024). Interviewed by Estolano Advisors.
[35] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[36] Workgroups: Tenants Large Group Meeting (July 30, 2024)
[37] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[38] County of Los Angeles. (2019). *Rent Stabilization and Tenants' Protections Ordinance, Pass-Through Cost Recovery for Fully Covered Rental Units Code 8.52.070*. https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT8COPRBUWARE_DIV3HO_CH8.52RESTTEPR_8.52.110REAS
[39] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[40] Lopez, L. (June 20, 2024). Interviewed by Estolano Advisors.
[41] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[42] WSHFC. (n.d.). *Energy Financing Programs*. https://wshfc.org/energy/ (accessed August 15,2024).
[43] Workgroups: Landlords Large Group Meeting (July 25,2024)
[44] Gagnon, J. (June 11, 2024). Interviewed by Estolano Advisors.
[45] O'Neill, T.; Rhodes, M.; and Wright, J. (August 12, 2024). Interviewed by Estolano Advisors.
[46] WJE Advisory. (2019, February). *Summary of California Senate Bill No. 721*. https://www.wje.com/assets/media/files/wje-advisory-california-senate-bill-721.pdf
[47] Workgroups: Landlords Large Group Meeting (July 25,2024)

cover the costs of improvements, especially for older buildings that will need extensive upgrades.[48] [49] [50] For these reasons, landlords said they would be adamantly against a policy that prohibits passthrough costs to tenants and emphasized that upgrades to comply with the policy would be financially infeasible without associated renter payments.

### (c) Phased Implementation Considerations

**The County's older building stock will likely require substantial retrofits to adopt this policy and should have more time to do so, but CBOs emphasized that these challenges should not exempt older buildings from complying.** Building and energy technical experts and one landlord interviewee agreed that new construction will be easier to adapt to the policy, making implementation for new buildings more readily feasible.[51] [52] In contrast, older buildings will need more extensive retrofits and may uncover a need for lead or asbestos remediation, thus requiring more time for implementation.[53] [54] [55] While some landlords agreed that phased implementation—starting with new construction and providing more time for older buildings–would be appropriate, they emphasized that funding will be key to ensure that owners of older buildings are able to meet the policy requirements and timeline.[56] [57] Others urged the County to exempt older buildings from this policy given the implementation challenges.[58] [59] Building and energy technical experts and affordable housing representatives also emphasized the need for affordable housing operators to have more time to comply given their unique resource constraints.[60] [61]

Despite landlords' desire for a phased approach or an exemption for older buildings, CBOs wanted to ensure that older buildings are not left behind. They noted that low-income tenants typically live in older buildings as they are more likely to be affordable, and they urged the County to include older buildings in the policy to support these households.[62] While many participants supported an implementation timeline that considers the diverse building stock in the county and allocates more time for older buildings to comply, the County will need to consider how best to support owners of older buildings to ensure they have the tools and financial resources necessary for successful implementation.

[48] *Ibid.*
[49] Gagnon, J. (June 11, 2024). Interviewed by Estolano Advisors.
[50] O'Neill, T.; Rhodes, M.; and Wright, J. (August 12, 2024). Interviewed by Estolano Advisors.
[51] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[52] Gagnon, J. (June 11, 2024). Interviewed by Estolano Advisors.
[53] *Ibid.*
[54] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[55] Workgroups: Landlords Large Group Meeting (July 25, 2024)
[56] *Ibid.*
[57] Gagnon, J. (June 11, 2024). Interviewed by Estolano Advisors.
[58] Workgroups: Landlords Large Group Meeting (July 25, 2024)
[59] O'Neill, T.; Rhodes, M.; and Wright, J. (August 12, 2024). Interviewed by Estolano Advisors.
[60] Workgroups: Landlords Large Group Meeting (July 25, 2024)
[61] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[62] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)

### (d) Enforcement

**This policy should conduct proactive inspections for enforcement and should be part of the County's existing housing programs to streamline enforcement requirements.** Participants noted that inspections would support enforcement to ensure that units adhere to the temperature threshold. For example, the City of Dallas conducts proactive inspections to evaluate and score dwelling units every three years.[63] During inspections, staff also educate landlords and answer any questions on requirements. If landlords are not in compliance, the City issues a citation. To avoid creating an additional round of inspections for this policy, CBOs and legal services providers suggested integrating this policy's enforcement into existing County programs. Particularly, many wanted the County to integrate this policy in the new Rental Housing Habitability Program (RHHP) and designate extreme heat as a health and safety or habitability issue.[64] [65] [66] Under the RHHP, the County conducts proactive inspections of rental units in unincorporated LA County every four years, with associated fines and incentives, to ensure that housing stock remains habitable and safe.[67] As part of this, these participants wanted the County to dedicate enough staff to properly enforce the policy via inspections.[68] [69]

**Tenants will need an accessible system for reporting landlord non-compliance and will need support with navigating this new system.** CBOs noted that a crucial element of enforcement will be providing a system where tenants can report non-compliance with the policy. For the system to be effective, CBOs stressed that it will need to be easily accessible, available in multiple languages, and transparent about how the issue will be addressed.[70] For example, CBOs shared that the online form to file a complaint for a violation of the County's Comfort Heat policy, which requires a minimum indoor temperature of 70 degrees, does not provide clear next steps for following up on enforcement.[71] Participants urged the County to improve on form-based compliance systems to deploy a more accessible and transparent approach for filing complaints. They emphasized that CBOs can be a critical component of this approach. Many tenants with limited access to the internet or technology will need technical assistance to learn how to navigate and utilize this new reporting system.[72] To facilitate this technical assistance, the County may consider exploring partnership opportunities with CBOs that have experience providing tenant assistance to further promote accessibility and transparency in reporting.

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[63] Garcia, A.; Savic, R.; and Secoundiata, C. (June 20, 2024). Interviewed by Estolano Advisors.
[64] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[65] Workgroups: Legal Service Providers Group Meeting (July 24, 2024)
[66] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[67] Los Angeles County Department of Public Health. (n.d.). *New Rental Housing Habitability Program: Los Angeles County Department of Public Health - Environmental Health*. http://www.publichealth.lacounty.gov/eh/about/rental-housing-habitability-program.htm
[68] Workgroups: Legal Service Providers Group Meeting (July 24, 2024)
[69] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[70] *Ibid.*
[71] County of Los Angeles (n.d.) Code of Ordinances: Health and Safety Code 11.20.470. http://lacounty-ca.elaws.us/code/coor_title11_div1_ch11.20_pt2_sec11.20.470
[72] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting

### (e) Consideration for Mobile Homes

**Many participants urged the County to include mobile homes in the policy, given that this housing type is vulnerable to many of the same heat extremes as rental units.** Participants, including CBOs and legal services providers, emphasized the importance of including mobile homes in a maximum indoor temperature threshold policy. While some CBOs understood that the County may not have authority to regulate construction upgrades in mobile homes, they suggested that the County conduct additional legal analyses to identify opportunities for local jurisdictions to provide this oversight.[73] Participants bolstered their support for including mobile homes by noting that this housing type often faces similar challenges to rental units and that the County already has mobile home renter protections in place under the RSTPO.[74] [75] [76] One interviewee added that many mobile home parks do not allow air conditioning upgrades, despite the fact that mobile homes are especially vulnerable to extreme indoor heat because of limited insulation and cooling.[77] [78] These limitations make this population particularly vulnerable to extreme heat. Therefore, these participants urged the County to reconsider how to address extreme heat in mobile homes as part of this policy.

## B. Resources and Support

Participants identified numerous types of supports that landlords and tenants will need for this policy to be successful. These resources include: (a) technical assistance and funding support for landlords, and (b) technical assistance and funding support for tenants. This section describes takeaways within each of these themes.

### (a) Technical Assistance and Funding Support for Landlords

**Landlords were concerned about covering and recouping the costs of building retrofits and emphasized the need for rebates or other financial assistance.** Landlords shared that their primary concern with this policy is the cost of retrofitting their buildings to accommodate a maximum indoor temperature threshold. Landlords strongly emphasized the need for the County to provide financial assistance through direct rebates or subsidies or a pool of resources to address these costs.[79] [80] [81] They also expressed frustration with subsidies that local governments have promised in the past and not delivered, citing the Los Angeles Seismic Retrofit Ordinance's Property Assessed Clean Energy Program as one such example, and they are concerned that they will have to invest significant funds into retrofits without any support from the County.[82] Participants also raised the specific challenges affordable housing operators

[73] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[74] Lopez, L. (June 20, 2024). Interviewed by Estolano Advisors.
[75] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[76] Turner, V. K. (August 20, 2024). Interviewed by Estolano Advisors.
[77] Lopez, L. (June 20, 2024). Interviewed by Estolano Advisors.
[78] UCLA Luskin Center for Innovation. (2022, July). *Protecting Californians with Heat-Resilient Homes*. https://innovation.luskin.ucla.edu/wp-content/uploads/2022/07/Protecting-Californians-with-Heat-Resilient-Homes.pdf (accessed August 15, 2024).
[79] O'Neill, T.; Rhodes, M.; and Wright, J. (August 12, 2024). Interviewed by Estolano Advisors.
[80] Gagnon, J. (June 11, 2024). Interviewed by Estolano Advisors.
[81] Workgroups: Landlords Large Group Meeting (July 25,2024)
[82] *Ibid.*

face due to their tighter profit margins, which make it harder for these operators to fund retrofit costs.[83] Therefore, both market-rate and affordable housing landlords emphasized that financial support will be critical for the feasibility and success of this policy.

Participants pointed to existing rebate programs that should be leveraged or expanded to support landlords with addressing retrofit costs as a result of this policy. Building and energy technical experts and a legal services provider cited existing programs such as the California Energy Commission's Equitable Building Decarbonization Program's Direct Install Program and the state's Low-Income Weatherization Program.[84] [85] These programs provide low- to no-cost retrofits and incentives for landlords or tenants to promote the adoption of low-carbon and energy-efficient technologies in low-income communities.[86] [87] Although these participants cited these programs as successful models, they also noted that the limited resources that the state allocates to these programs tend to be depleted quickly because of their popularity and that the recent state budget cuts reduced their funding.[88] [89] This poses a challenge for landlords because these programs can be competitive or inaccessible due to their high demand and limited resources. To address this challenge, these participants suggested that the County adopt a program similar to the Equitable Building Decarbonization Program to directly support with retrofits in LA County or that the County collaborate with SoCal Edison to expand the energy efficiency and weatherization rebates and subsidies available.

**Landlords identified a need for technical assistance and education to understand the policy's requirements, identify funding available, and navigate building retrofits needed.** Both market-rate and affordable housing landlords expressed the need for technical assistance to help them navigate policy implementation.[90] Technical assistance can help ensure that landlords understand the policy, including when the policy will be in effect, what will be required, and how to comply. Because of their unique regulations, affordable housing operators also expressed a need for technical assistance tailored to their specific needs. Alongside technical assistance, the County could also provide educational presentations to major landlord groups in the area. When rolling out a similar policy in Dallas, City staff met with and presented to various landlord groups and apartment associations regarding the policy.[91] The City accompanied this approach with a robust marketing campaign on the policy, which included brochures, social media posts, and media releases. The County can take a similar, multi-pronged technical assistance and education approach to reach the many landlord and real estate associations across the county.

[83] *Ibid.*
[84] Workgroups: Building and Energy Technical Experts Large Group Meeting (July 29, 2024)
[85] Lopez, L. (June 20, 2024). Interviewed by Estolano Advisors.
[86] California Energy Commission. (n.d.). *Equitable Building Decarbonization Program*. https://www.energy.ca.gov/programs-and-topics/programs/equitable-building-decarbonization-program
[87] California Department of Community Services and Development. (n.d.). *Low-income Weatherization Program*. https://www.csd.ca.gov/Pages/Low-Income-Weatherization-Program.aspx
[88] Workgroups: Building and Energy Technical Experts Large Group Meeting
[89] Lopez, L. (June 20, 2024). Interviewed by Estolano Advisors.
[90] Workgroups: Landlord Large Group Meeting
[91] Garcia, A.; Savic, R.; and Secoundiata, C. (June 20, 2024). Interviewed by Estolano Advisors.

Landlords also indicated the need for technical assistance to navigate the funding sources available, especially for mom-and-pop landlords who have more limited financial resources and for affordable housing operators who have a unique funding mix.[92] As part of this, landlords recommended that the County provide a dedicated hub with policy resources, such as a website that streamlines all the available funding resources and rebates that both market-rate and affordable housing landlords can utilize.

### (b) Technical Assistance and Funding Support for Tenants

**Utility discounts and subsidies are necessary to support tenants with increased electricity costs, but there is a need to promote these programs to support higher participation rates.** CBOs and tenants stressed the need for discounts and subsidies to support tenants with their utility bills because the fear of high energy bills deters many low-income tenants from utilizing their cooling systems.[93] [94] CBOs added that the anticipated SoCal Edison 2025 energy rate changes, which will introduce a monthly fee with discounts for low-income customers, will also impact low-income residents' ability to pay their monthly utility bills.[95] [96] [97] CBOs also shared about programs that help reduce monthly utility bills, including the California Alternate Rates for Energy Program (CARE), Family Electric Rate Assistance Program (FERA), and Low-Income Home Energy Assistance Program (LIHEAP).[98] They emphasized that it is important for low-income tenants to be enrolled in discount programs like these, which can help offset the new rate increases and lower utility bills so tenants can use their cooling systems without worrying about costs.

Although these programs can help address utility costs, CBOs and tenants noted that these programs have low participation rates among their communities because they are underpromoted and have high barriers to entry.[99] [100] [101] [102] One of these barriers is that the applications for these programs often require sensitive personal information that tenants, especially undocumented tenants, may be hesitant to share. CBOs added that these factors, in addition to the time required to complete these forms, could discourage low-income households from applying to discount programs. Several CBOs shared that they have experience helping tenants overcome these obstacles.[103] [104] Therefore, the County can contract with CBOs to host workshops or clinics where they can provide application assistance and direct tenants to subsidies that fit their needs.

**Tenants and CBOs were concerned about the costs of relocating temporarily while their buildings undergo major retrofits.** Many different participants shared that retrofitting the older building stock in unincorporated LA County may require more than

[92] Workgroups: Landlord Large Group Meeting
[93] Workgroups: Tenants Large Group Meeting (July 30, 2024).
[94] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024).
[95] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[96] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024).
[97] Petersen, M. (2024, May 9). Regulators approve sweeping change to the way most Californians are billed for electricity. *LA Times*. *https://www.latimes.com/environment/story/2024-05-09/cpuc-approves-controversial-change-in-electricity-billing*
[98] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024).
[99] *Ibid.*
[100] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[101] Workgroups: Tenants Large Group Meeting (July 30, 2024).
[102] Jasset, A. and Rivera, T. (July 9, 2024). Interviewed by Estolano Advisors.
[103] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[104] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)

just weatherization upgrades.[105] [106] [107] Retrofitting may uncover a need for lead or asbestos abatement or electrical upgrades, which might make rental units uninhabitable for an extended period and require tenants to relocate temporarily. Tenants and CBOs were concerned about who would pay for temporary relocation costs.[108] Given that existing buildings may need additional retrofits, and these upgrades may produce associated relocation costs, tenants and CBOs urged the County to consider where those costs will fall. The County's RSTPO requires landlords to pay tenants who need to relocate temporarily due to repairs that require the tenant to vacate the unit.[109] The County should provide clarity regarding whether relocation costs will be covered for buildings outside of the RSTPO or if there will be separate assistance available to help landlords cover the costs of temporary relocation for tenants.

**The County should ensure accessible education and outreach and should partner with CBOs to help disseminate information about the policy to tenants.** CBOs and a legal services provider stressed that the County should conduct outreach to tenants using multilingual materials and diverse mediums, such as social media, print media, canvassing, and workshops to reach as many residents as possible.[110] [111] [112] They also suggested that the County can extend its reach by presenting during community meetings hosted by partner CBOs. CBOs also strongly recommended that the County contract with CBOs to conduct outreach to and educate tenants on the policy and its benefits.[113] [114] Partnering with CBOs that have experience communicating technical concepts to tenants in multiple languages and formats can lead to effective tenant engagement and promote buy-in for the policy. CBOs suggested that the County partner with CBOs by providing them with flyers, content for presentations, and other educational materials to distribute to their community members.[115]

## C. Climate Resilience and Infrastructure

Participants identified potential climate impacts of this policy and strategies to address them. More specifically, they shared considerations for (a) supporting the electric grid, and (b) combining active and passive cooling strategies. This section describes takeaways within each of these themes.

### (a) Considerations for the Electric Grid

**To address concerns about the policy's potential to increase air conditioning reliance, participants recommended that the County conduct a study on the**

[105] Workgroups: Building Technical Experts Large Group Meeting (July 29, 2024)
[106] Workgroups: Tenants Large Group Meeting (July 30, 2024)
[107] Gagnon, J. (July 12, 2024). Interviewed by Estolano Advisors.
[108] Workgroups: Tenants Large Group Meeting (July 30, 2024)
[109] Los Angeles County Code. Rent Stabilization and Tenant Protections §8.52.110. (n.d.) https://library.municode.com/ca/los_angeles_county/codes/code_of_ordinances?nodeId=TIT8COPRBUWARE_DIV3HO_CH8.52RESTTEPR_8.52.110REAS
[110] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting
[111] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[112] Lopez, L. (June 20, 2024). Interviewed by Estolano Advisors.
[113] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting
[114] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[115] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting

**energy impacts of this policy and promote heat pumps as an energy-efficient solution.** Building and energy technical experts and landlords emphasized concerns that more air conditioners would require more energy use and emit more fossil fuels compared to other cooling strategies.[116] [117] [118] These participants emphasized that the existing electric grid has energy limitations and does not provide sufficient power needed to maintain day-to-day power usage at current levels. Extreme weather further affects grid reliability, putting the power system at risk.[119] These effects can further impede efforts to combat extreme heat.

Some participants offered strategies to address potential challenges with increased energy use on the electric grid. One landlord urged the County to conduct a study that evaluates the power grid's capacity alongside the energy that a policy like this would require in order to address potential grid limitations.[120] Another participant also suggested that the County conduct this study with a focus on equity to determine what proportion of increased energy use would be among low-income and vulnerable households as compared to existing energy demands.[121]

Building and energy technical experts and CBOs also urged the County to promote the use of heat pumps, given that they are more energy efficient compared to air conditioners and have grid-stabilizing properties.[122] [123] [124] [125] This would align with the state's draft 2025 Building Energy Efficient Standards recommendations to promote a wider use of heat pumps.[126] Heat pumps are more energy efficient than other cooling and heating systems because they transfer air movement rather than generating it.[127] This results in lower energy consumption which can help improve the resilience of the electric grid. While heat pumps require more up-front costs than other cooling strategies, they can also supply more extensive energy savings over time.[128] Heat pumps also operate at high efficiency all year as they provide cooling during summer and heating during winter.[129] This broad applicability supports building and energy technical experts' emphasis that the policy should apply all-year given the risk of high temperatures in every season, which aligns with how the City of Dallas implements its policy.[130] [131] Given the grid-stabilizing and energy-efficiency benefits of heat pumps, building and energy

[116] Workgroups: Landlord Large Group Meeting
[117] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[118] O'Neill, T.; Rhodes, M.; and Wright, J. (August 12, 2024). Interviewed by Estolano Advisors.
[119] Walsh, C. (2022, June 14). *Building a Climate-Resilient Grid*. NRDC. https://www.nrdc.org/bio/christy-walsh/building-climate-resilient-grid (accessed August 19,2024).
[120] Workgroups: Landlords Large Group Meeting (July 25,2024)
[121] Turner, V. K. (August 20, 2024). Interviewed by Estolano Advisors.
[122] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[123] Friedman, I. and Walker, O. (June 18, 2024). Interviewed by Estolano Advisors.
[124] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[125] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting
[126] Borgeson, M. (2024, April 26). *Heat Pumps are Coming to New CA Homes. What About Existing Homes?*. NRDC. https://www.nrdc.org/bio/merrian-borgeson/heat-pumps-are-coming-new-ca-homes-what-about-existing-homes
[127] Lang-Ree, C., & Velez, K. (2022, October 5). *Want to cut heating costs? Replace your AC!*. NRDC. https://www.nrdc.org/bio/kiki-velez/want-cut-heating-costs-replace-your-ac-0 (accessed August 13,2024).
[128] Borgeson, M. (2024, April 26). *Heat Pumps are Coming to New CA Homes. What About Existing Homes?*. NRDC. https://www.nrdc.org/bio/merrian-borgeson/heat-pumps-are-coming-new-ca-homes-what-about-existing-homes
[129] Lang-Ree, C., & Velez, K. (2022, October 5). *Want to cut heating costs? Replace your AC!*. NRDC. https://www.nrdc.org/bio/kiki-velez/want-cut-heating-costs-replace-your-ac-0 (accessed August 13,2024).
[130] Workgroups: Building Technical Experts Large Group Meeting (July 29, 2024)
[131] Garcia, A.; Savic, R.; and Secoundiata, C. (June 20, 2024). Interviewed by Estolano Advisors.

technical experts and CBOs wanted the County to promote this strategy over traditional air conditioners to support climate goals, grid resilience, and cost efficiency.

**(b) Active and Passive Cooling Strategies**

**Combining weatherization and passive cooling elements with active cooling is critical for effective heat reduction and cost and energy efficiency.** Building and energy technical experts and a CBO noted that upgrading the building envelope by installing passive cooling strategies will help offset some of the need for active cooling devices.[132] [133] [134] Passive cooling mechanisms, including ventilation, cool roofs, insulation, window shutters, window tints/films, operable windows, and other updates to the building envelope are critical to have in place before introducing active cooling elements.[135] This is because passive cooling strategies can reduce the amount of active cooling needed, thereby reducing utility bills, relieving stress on the electric grid, and expanding heat resilience.[136] These participants emphasized the importance of combining passive cooling and active cooling strategies to ensure more effective heat reduction along with utility cost savings.

**Costs and geographic location will determine which passive cooling strategies are most effective for a given building, so landlords will need to understand these factors when making decisions about retrofits.** A building and energy technical expert noted that passive cooling costs can vary widely.[137] Building owners will need to consider these factors when making decisions about what types of upgrades to implement. For example, window tints/films, which block out or reflect solar energy to reduce heat transfer, are particularly effective and affordable.[138] [139] Other strategies like cool roofs often cost more, though they can also produce effective results.

Further, building owners will need to understand factors like the air quality around their buildings and the directions their buildings face to select the most appropriate upgrades. For example, building and energy technical experts shared that while open windows can be effective for cooling down units in areas with good air quality, areas that experience poor air quality cannot use operable windows as a reliable cooling solution.[140] Further, landlords and building and energy technical experts noted that building owners will need to consider from which direction their buildings receive sunlight in order to determine where to position shade structures or whether window coverings will be effective.[141] [142] Therefore, these participants emphasized that building owners will need to understand the costs and unique location of their buildings when determining which passive cooling

[132] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[133] Jasset, A. and Rivera, T. (July 9, 2024). Interviewed by Estolano Advisors.
[134] Stapleton, B. (June 24, 2024). Interviewed by Estolano Advisors.
[135] *Ibid.*
[136] Specian, M. (2023, June 14). *Weatherization is Key to Effective, Low-Cost Building Electrification*. ACEEE. https://www.aceee.org/blog-post/2023/06/weatherization-key-effective-low-cost-building-electrification (accessed August 14,2024).
[137] Stapleton, B. (June 24, 2024). Interviewed by Estolano Advisors.
[138] *Ibid.*
[139] Progressive. (2023, September 27). *Benefits of Tinted House Windows*. https://www.progressive.com/answers/benefits-of-tinted-house-windows/ (accessed August 14, 2024).
[140] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[141] *Ibid.*
[142] Workgroups: Landlord Large Group Meeting

strategies to implement; technical assistance could support landlords with this information.

**Shading, urban greening, and other large-scale cooling strategies provide broader community benefits that the County should support alongside this policy.** Landlords, CBOs, and building and energy technical experts agreed that cooling strategies need to go beyond the building envelope to fully address the impacts of extreme heat on communities.[143] [144] [145] These participants emphasized that trees, shade structures, permeable land cover, and cool pavement can cool down public spaces which are under the County's jurisdiction. Implementing these strategies at the neighborhood level can provide additional spaces for residents to cool off. Some strategies such as shade can also reduce temperatures in rental units when cast on buildings.[146] [147] One participant highlighted Phoenix's Tree and Shade Master Plan as an example of how cities can prioritize shade and tree plantings at a larger scale.[148] [149] While these participants understood that the policy would not address community-wide cooling strategies, they strongly encouraged the County to consider how it can promote these broader approaches to cooling alongside a maximum indoor temperature threshold policy.

## D. Collaboration with Other Policy Efforts

Participants shared about several decarbonization, energy efficiency, and maximum indoor temperature policy and funding efforts at the local, state, and federal levels. Aligning the County's maximum indoor temperature policy with these efforts can further strengthen the policy and provide additional resources to support the policy's success.

### (a) City and County of Los Angeles' Decarbonization Policies

**Participants wanted to see coordination between the County's maximum indoor temperature policy and the City's and County's decarbonization policies.** In 2022, the City of Los Angeles passed its residential building decarbonization policy, which requires newly constructed residential buildings within the city's limit to be all-electric starting in 2023.[150] In the same year, the LA County Board of Supervisors passed the motion "Ensuring the Equitable Decarbonization of Buildings," which directs various County departments to develop a strategy for equitable decarbonization through community engagement, determine infrastructure needs and the energy grid's capacity, and identify funding sources that support decarbonization.[151] Because the County's maximum indoor temperature policy and Los Angeles' decarbonization goals overlap, building and energy technical experts, CBOs, and tenants wanted the County to think

[143] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[144] Workgroups: Landlord Large Group Meeting
[145] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[146] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[147] Turner, V. K. (August 20, 2024). Interviewed by Estolano Advisors.
[148] *Ibid.*
[149] City of Phoenix. (2010). *Tree and Shade Master Plan.* https://www.phoenix.gov/parkssite/Documents/PKS_Forestry/PKS_Forestry_Tree_and_Shade_Master_Plan.pdf
[150] City of Los Angeles. (2022). *Ordinance No. 187714*. https://clkrep.lacity.org/onlinedocs/2022/22-0151_ord_187714_1-23-23.pdf
[151] LA County Board of Supervisors. (2022, March 15). *Ensuring the Equitable Decarbonization of Buildings.* https://assets-us-01.kc-usercontent.com/0234f496-d2b7-00b6-17a4-b43e949b70a2/32a59209-9328-4010-a52d-fc8b6ea5d628/167238.pdf

about these policies in tandem with the proposed maximum indoor temperature threshold ordinance.[152] [153] [154] [155] [156] [157]

### (b) City of Los Angeles' Motion to Require Indoor Cooling in Residential Units

**Participants wanted to see coordination between the County's maximum indoor temperature threshold policy and the City of Los Angeles' proposed indoor cooling requirement.** In 2023, the Los Angeles City Council passed a motion to begin the process of establishing a city-wide indoor cooling requirement.[158] Building and energy technical experts and CBOs emphasized the need to coordinate on the policies at both the city and county levels given the overlaps.[159] [160] The County should continue to follow the City's indoor cooling policy as it develops and coordinate with relevant City staff.

### (c) State of California's Decarbonization and Energy Efficiency Policies

**Participants wanted to see alignment between this policy and the AB 209 Maximum Safe Indoor Air Temperature Policy Recommendation Report.** In June 2024, HCD released a draft AB 209 report that outlined a set of recommendations for maximum indoor temperature thresholds in new construction. CBOs emphasized the need for the County to coordinate with HCD as it continues to refine this report and its recommendations.[161]

**Participants wanted to see alignment between this policy and the new State Building Energy Efficient Standards.** In 2024, the California Energy Commission proposed a set of changes in the draft 2025 Building Energy Efficient Standards that will include updates to its heat pump requirements for newly constructed residential buildings starting in 2026.[162] One CBO recommended aligning the County's maximum indoor temperature policy with these upcoming Building Energy Efficient Standards to streamline and encourage the installation of heat pumps.[163]

### (d) Federal Policies and Funding for Decarbonization and Energy Efficiency

**Participants underscored that there are federal policies and funding opportunities that promote decarbonization and energy efficiency and that could support this policy.** CBOs and other participants pointed to the 2022 Inflation Reduction Act (IRA) as an important source of funding for decarbonization and energy efficiency upgrades.[164] [165]

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[152] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting
[153] Workgroups: Building/Energy Technical Experts Large Group Meeting (July 29, 2024)
[154] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[155] Stapleton, B. (June 24, 2024). Interviewed by Estolano Advisors.
[156] Friedman, I. and Walker, O. (June 18, 2024). Interviewed by Estolano Advisors.
[157] Workgroups: Tenants Large Group Meeting (July 30, 2024)
[158] City of Los Angeles. (2023). *Housing and Homelessness Committee Report.* https://clkrep.lacity.org/onlinedocs/2023/23-0453_rpt_hh_05-17-23.pdf
[159] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting (July 22, 2024)
[160] Stapleton, B. (June 24, 2024). Interviewed by Estolano Advisors.
[161] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting
[162] Borgeson, M. (2024, April 26). *Heat Pumps are Coming to New CA Homes. What About Existing Homes?*. NRDC. https://www.nrdc.org/bio/merrian-borgeson/heat-pumps-are-coming-new-ca-homes-what-about-existing-homes
[163] Kirk, C. (July 2, 2024). Interviewed by Estolano Advisors.
[164] Workgroups: Tenants Rights' Groups/CBOs Large Group Meeting
[165] Stapleton, B. (June 24, 2024). Interviewed by Estolano Advisors.

[166] The IRA earmarked $369 billion for energy efficiency and climate change projects, including residential electrification through the High-Efficiency Electric Home Rebate Act (HEEHRA).[167] The HEEHRA funds states to provide rebates for landlords, such as up to 100% of electrification costs for low-income homes and up to 50% for moderate-income homes, including multifamily buildings.[168] [169] Although California has submitted their application to receive funding from HEEHRA, it has not yet received these funds.[170] Additionally, California's HEEHRA program is still under development, so it is not yet clear exactly how much funding landlords will be able to receive nor what kinds of improvements will be eligible for funding.[171] However, because this could be a funding opportunity that can directly support the implementation of this program, the County should track this program as it develops.

# IV. RECOMMENDATIONS

This section summarizes this report's recommendations based on stakeholder feedback. Recommendations are organized into: (1) policy considerations, (2) resources and support, (3) climate resilience and infrastructure, and (4) collaboration with other policy efforts.

## A. Policy Considerations

### (a) Temperature Threshold Considerations

**Continue to follow recent research to inform a temperature threshold that is based on robust data and is easily justifiable to stakeholders.** The County should reference data and other relevant sources to justify the temperature threshold. The County should also explain the rationale behind the selected temperature to ensure stakeholders fully understand the threshold, its impacts on public health, and the implications for older buildings.

**Conduct a study that evaluates the cost and energy impacts of the policy to determine funding needs.** The County should conduct a study that looks at the costs and energy-use impacts of achieving the selected maximum indoor temperature threshold. The study can focus on evaluating the costs associated with electric upgrades and retrofits and how those vary by building stock. Additionally, the study can assess the electric grid's capacity and identify strategies to mitigate the impacts of increased energy on the electric grid. The County should use this study to inform anticipated funding needs for building owners and strategies to promote grid resilience.

[166] Turner, V. K. (August 20, 2024). Interviewed by Estolano Advisors.
[167] Rewiring America. (n.d.). *The Electric explainer: Key Programs in the Inflation Reduction Act and What They Mean for Americans*. https://www.rewiringamerica.org/policy/inflation-reduction-act
[168] Rewiring America. (n.d.-a). *High-Efficiency Electric Home Rebate Act*. https://www.rewiringamerica.org/policy/high-efficiency-electric-home-rebate-act
[169] California Energy Commission. (n.d.-b). *FAQ: IRA Residential Efficiency and Electrification Rebates*. California Energy Commission. https://www.energy.ca.gov/programs-and-topics/programs/inflation-reduction-act-residential-energy-rebate-programs/faq-ira#:~:text=Under%20the%20Home%20Efficiency%20Rebates,buildings%2C%20may%20apply%20for%20rebates.
[170] *Ibid.*
[171] *Ibid.*

### (b) Tenant Protections

**Reference existing jurisdictions' policies to determine how to address unintended consequences for tenants.** The County should reference other jurisdictions' policies, such as the City of LA's Equitable Decarbonization Policy or the City of South Pasadena's Just Cause for Eviction Ordinance, which stipulate that substantial remodeling does not provide justification for evictions. These policies can provide the County with examples for addressing tenant concerns regarding potential evictions due to building upgrades. Similarly, the County should review programs such as the State of Washington's Sustainable Energy Trust Loan Program or the City of LA's Decarbonization Program to ensure the policy addresses displacement concerns for tenants and cost concerns for landlords. The County can consider researching and adapting from these models to ensure the policy addresses both landlord and tenant concerns.

### (c) Phased Implementation Timeline

**Consider a phased implementation timeline that prioritizes the most vulnerable areas and provides support for early adopters.** The rollout should be phased to prioritize heat vulnerable areas and consider the implementation needs of older buildings. The County should consider focusing early adoption in the most heat-vulnerable areas based on the County's Climate Vulnerability Assessment. The County will need to ensure that small landlords, affordable housing operators, and older buildings in these areas get funding and technical assistance to support with this early adoption. Given the scale of upgrades needed in older buildings and the unique funding structures for affordable housing, small landlords and affordable housing operators in non-heat vulnerable areas will likely need more time for compliance in addition to funding and technical assistance.

### (d) Enforcement

**Integrate this policy's enforcement into an existing County program, such as the new Rental Housing Habitability Program.** The RHHP, which will go into effect in October 2024, will conduct its own regularly scheduled inspections, which provides an opportunity to integrate inspections for this policy with this new program. Adding an additional area of inspections to the program may require additional time and therefore more staff, so the County should ensure there is sufficient dedicated staff to meet any additional inspection needs.

**Establish a transparent and accessible reporting system for residents to report landlord non-compliance.** To support enforcement of the policy, the County should ensure that residents are able to easily report landlord non-compliance. The County should ensure that the system is accessible and available in multiple languages for the reporting system to be effective. This will help establish trust among tenants and ensuring timely reporting of non-compliance issues.

### (e) Considerations for Mobile Homes

**Conduct a review of mobile home regulations in LA County to determine whether this policy could support renters in mobile homes.** While the County may not have authority to regulate construction upgrades of mobile homes, the County should conduct a study to determine whether there are opportunities for the County to support renters in this building type.

## B. Resources and Support

### (a) General Support

**Provide a central location with information on the policy and supportive resources, such as rebates and subsidies, for landlords and tenants.** The County should compile and streamline information and resources that landlords and tenants will need to comply with the policy in one central location. This could look like a dedicated website for this policy that has separate webpages for tenants and landlords. The landlords' webpage should have information on policy compliance and enforcement, technical assistance opportunities, and funding resources for market-rate and affordable housing. The tenants' webpage should be language accessible and include information on tenant protections, utility subsidy programs, and details about any town halls or other informational meetings the County will be hosting.

### (b) Support for Landlords

**Contract with experienced TA providers to support landlords with complying with the policy and applying for funding and rebates.** The County should facilitate TA for landlords, especially for smaller mom-and pop landlords and affordable housing operators, to ensure they can successfully comply with the policy. TA providers can support landlords with implementing the policy requirements, identifying funding opportunities, and selecting appropriate active and passive cooling options. The County can also provide workshops to various landlord association groups to educate them on the policy and answer questions.

### (c) Support for Tenants

**Contract with CBOs to share information regarding the policy and provide technical support to tenants.** CBOs can help tenants navigate utility subsidy applications and the policy's reporting system. They can also support the County with sharing accurate and multilingual information on the policy to tenants.

**Estimate the number of rental units that will require tenant relocation assistance and determine how to address these relocation costs.** Based on the findings from the recommended energy and cost study, the County should estimate the number of buildings that will need extensive retrofits. With this context in mind, the County should identify how many tenants may need relocation assistance and whether it will be feasible to support tenants and landlords with addressing these costs.

## C. Climate Resilience and Infrastructure

**Collaborate with other County departments pursuing relevant initiatives to promote community-wide cooling strategies in tandem with the policy**. DPH should coordinate with other County departments working on climate initiatives, such as the Chief Sustainability Office, to support funding opportunities for projects that will increase urban greening and shading in the most heat-vulnerable areas in unincorporated LA County.

## D. Collaboration with Other Policy Efforts

**Collaborate with the City of LA and HCD to align the maximum indoor temperature threshold with local and state decarbonization and temperature threshold policies.** Because there are synergies between the City of LA's and the State's decarbonization and maximum indoor temperature policies, the County should continue to identify opportunities to align its maximum indoor temperature policy with these efforts. This could look like regularly coordinating with the relevant agencies to keep up to date on policy development.

**Coordinate with SoCal Edison on the policy's implementation and access to federal and state funding to expand utility subsidies and retrofit rebates available.** The County should coordinate with SoCal Edison to share updates on the policy's implementation and progress to identify existing rebates and subsidies that can support tenants and landlords. The County can also collaborate with SoCal Edison to promote expansion of existing discount and rebate programs through additional funding from federal and state government.

**Track the progress of the proposed California 2025 Building Energy Efficient Standards and its guidance around heat pumps.** Although the 2025 Building Energy Efficient Standards are still in draft form, guidelines around heat pumps for new and existing buildings are in the proposal. The County should track the progress of these standards to stay up to date on potential requirements and whether there will be stipulations for heat pumps in new buildings. This will help the County determine how the state's heat pump guidance will affect policy implementation.