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Maximum Indoor Residential Temperature Threshold Ordinance

Presenter: Christine De Rosa

Office of Environmental Justice and Climate Health

December 11, 2024



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, 68 (94%) in their own homes
 - 42 (58%) of homes with heat-related deaths were multifamily buildings

SoCal broiling at night as heat wave offers little cool down



By Hannah Fry
Staff Writer

Sept. 6, 2024 Updated 11:49 AM PT

A construction worker takes a quick break while digging a trench with a shovel amid a heat wave in Irvine on Thursday. Temperatures are expected to remain high through the weekend. (Allen J. Schaben/Los Angeles Times)

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 non-mechanical 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 cooling equipment will not be allowed, but pass-through of costs to support the installation of cooling measures 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

- Virtual **stakeholder meetings** with outreach to all stakeholder groups
- Draft ordinance is undergoing final edits and County Counsel review
- Public Hearing of Draft Ordinance: Health Deputies Cluster Meeting, November 20, 2024
- Targeting February 2025 for Public Hearing
 - Link to access Board Meeting Agendas: [Board Meeting/Agendas](#)



Comments and Questions

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