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# Maximum Indoor Residential Temperature Threshold Ordinance

Presenter: Christine De Rosa

Office of Environmental Justice and Climate Health

January 10, 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, 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)




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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 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 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
<b>Total number of units</b>		<b>72,665</b>

# 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: [Agendas – Los Angeles County](#)
- 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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