



**Bill Title:** House Bill 1295, Real Property – Residential Rental Apartments – Airconditioning Requirements

**Committee:** Environment and Transportation

**Date:** March 5, 2024

**Position:** Favorable with Amendments

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

Under House Bill 1295, a landlord shall provide air-conditioning in each residential unit beginning June 1, 2024, for newly constructed residential rental units and beginning October 1, 2024, for residential rental units that undergo renovation that includes the replacement of electrical systems or heating systems. Each year from June 1 to September 30, a landlord shall provide air-conditioning in each residential unit for an air-conditioning system that is not under the control of the tenant, the landlord shall maintain the temperature in the unit at not greater than 75 degrees Fahrenheit at 3 feet above the floor level in each habitable space in the unit. And, for an air-conditioning system that is under the control of the tenant, the landlord shall ensure that the air-conditioning system is in good working order and is capable of maintaining the temperature in the unit at not greater than 75 degrees Fahrenheit at 3 feet above the floor level in each habitable space in the unit.

MMHA has no objection to air conditioning in newly constructed rental units. Our concern is with renovations.

Mandates to reduce greenhouse gas emissions in the Climate Solutions Now Act will require any covered building to replace gas furnaces and convert them to electric heat pumps. This could eventually result in replacing gas fired water heaters and gas fired dryers as properties must ultimately achieve net zero emissions by 2040. Such renovation, which comes at a cost of about \$22,000-\$25,000 per dwelling unit, then triggers the requirement in House Bill 1295 that every multi-family property larger than 35,000 square feet will also have to outfit the units with air conditioning. If House Bill 1295 passed, property owners will have an additional cost of at least \$12,000-\$24,000 per dwelling unit. This is dependent on the condition and age of the building.

According to the National Low Income Housing Coalition, Maryland has a dearth of 146,000 affordable housing units. This bill will exacerbate the challenge and result in increased housing costs for housing providers and their residents. Costs that we cannot easily absorb.



Further, Md Code Ann. Real Property § 8-211 allows residents to bring a rent escrow action to compel housing providers to supply air conditioning, if a lack of air conditioning creates a substantial threat to the life, health, or safety of the occupants. The rent escrow statute also allows housing providers to assess cooling solutions on a case-by-case basis, free of the limitations prescribed in the bill such as temperature requirements and types of spaces that must be kept cool.

MMHA requests that House Bill 1295 is amended to strike page 2, beginning with line 2, “AND” through and including “SYSTEMS” in line 5.

For these reasons, we respectfully request a favorable report with amendments on House Bill 1295.

**Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992**