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HB 1295 - Real Property - Residential Rental Apartments - Air Conditioning Requirements

Hearing of the Environment and Transportation Committee, March 5, 2023

Position: FAVORABLE

The Public Justice Center (PJC) is a nonprofit public interest law firm that stands with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing and their rights to fair and equal treatment by Maryland's landlord-tenant laws, courts, and agencies. We represent or advise over 800 renter households each year, and we advocate to change laws regarding evictions and to demand the development of equitable and sustainable affordable housing.

HB 1295 is a necessary step to ensuring Maryland renters have a safe home. Currently in Maryland, air conditioning is not considered essential to life, health, and safety under Maryland's escrow law and is not a required feature that landlords must offer tenants. This is dangerous and puts thousands of renters, particularly older adults, tenants with disabilities and children, unnecessarily at risk.¹

In Baltimore City, where most of Public Justice Center's clients reside, there is minimal tree cover and green spaces. In that environment higher temperatures create a deadly situation for those who do not have air conditioning. Because there is no requirement to provide air conditioning generally, approximately 55% of Baltimore households have no guarantee that their homes will protect them from hazardous summer heat. We have left many tenants throughout the state open and exposed to heat-related illnesses and complications. While HB 1295 will not address the need for air conditioning in properties that are not new or undergoing substantial rehabilitation, it will ensure going forward that any apartments built or rehabbed in Maryland will have air conditioning.

There is precedent for HB 1295. Montgomery County already requires air conditioning in rental housing units if the building is not a single-family dwelling or on the National Register of Historic Places.² HB 1295 is more modest in that it only applies to new or rehabbed buildings. Particularly in light of climate change and global warming, the need to ensure that Maryland's renting families have some protection from heat stroke and other health risks due to heat has never been greater.

¹ See, e.g., <https://www.hsph.harvard.edu/news/hsph-in-the-news/the-dangers-of-extreme-heat/> ; https://www.cdc.gov/climateandhealth/pubs/extreme-heat-final_508.pdf; <https://www.weather.gov/ffc/heat2>

² <https://www3.montgomerycountymd.gov/311/Solutions.aspx?SolutionId=1-6VX9W2>

Public Justice Center asks that the Committee **issue a FAVORABLE report on HB 1295**. If you have any questions, please contact Matt Hill, Esq., hillm@publicjustice.org (410) 625-9409 Ext. 229.