



February 4, 2025

The Honorable, Marc Korman, Chair
House Environment and Transportation Committee
250 Taylor House Office Building
Annapolis, Maryland 21401

Oppose: HB 339 – Residential Rental Apartment – Air Conditioning Requirements

Dear Chair, Korman and Committee Members:

The NAIOP Maryland Chapters represent approximately 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate. On behalf of our member companies, I am writing in opposition to HB 339 which would require that air conditioning in residential rental apartments meet performance criteria in ASHRAE Standard 55.

NAIOP has not been involved in prior year versions of this bill. Our members own and operate buildings with air conditioning but are concerned about the complexity and confusion that will result from the inclusion of ASHRAE 55 standards in HB 339.

Page 2 lines 15 – 18 require air conditioning be provided, **“at a temperature in the 90% acceptability threshold of the ASHRAE Standard 55 (Thermal Environmental Conditions for Human Occupancy) at 3 feet above the floor level in each habitable space in the unit.”**

The 90% temperature threshold in ASHRAE 55 refers to the temperature above which 90% of people would find a space thermally comfortable, given other environmental factors like humidity, clothing, and metabolic rate.

Generally, the 90% threshold is about 75 degrees. But the 80% and 90% thresholds required in the bill will fluctuate between 67 and 82 degrees depending on specific conditions.

The ASHRAE 55 standard uses measurement of six conditions that influence comfort to determine the 90% threshold temperature:

1. **Air Temperature:** The temperature of the air surrounding the occupant.
2. **Radiant Temperature:** The temperature of surrounding surfaces (e.g., walls, windows, ceiling).
3. **Air Velocity:** The movement of air within the space.
4. **Humidity:** Relative humidity (RH) plays a key role in how comfortable a space feels, as it affects sweat evaporation and heat dissipation.
5. **Clothing Insulation:** The level of clothing insulation.
6. **Metabolic Rate:** The heat generated by the body during activity.

Ensuring that the air conditioning system is in good working order is a reasonable expectation. Monitoring and responding to ensure that the conditions in ASHRAE 55 are met makes providing air conditioning complicated and cumbersome.

If the committee decides that action should be taken, a manageable alternative would be to mirror the Montgomery and Prince George's County requirements that multifamily rental properties maintain central air conditioning or individual air conditioning units that have the capacity to cool habitable spaces to 80 degrees or less from June 1st to September 30th.

For these reasons, NAIOP respectfully requests your unfavorable report on HB 339 as introduced.

Sincerely,



Tom Ballentine, Vice President for Policy

NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Environment and Transportation Committee Members

Nick Manis – Manis, Canning Assoc.