



Testimony to the Senate Judicial Proceedings Committee
Senate Bill 757: Baltimore City – Air Conditioning in Residential Rental Units
Position: Favorable

March 7, 2023

The Honorable William C. Smith Jr., Chair
Senate Judicial Proceedings Committee
2 East, Senate Office Building
Annapolis, Maryland 21401
cc: Members, Judicial Proceedings Committee

Honorable Chair Smith and members of the Committee:

Economic Action Maryland is a nonprofit organization that works to advance economic justice and equity statewide through direct service, research, education, and advocacy. Our Tenant Advocacy Program serves renters and property owners in every Maryland county. We provide information and referrals if necessary so that clients with questions about the landlord-tenant relationship can better understand their rights and responsibilities and make best use of resources available to them.

We write in Support of Senate Bill 757.

Every year as temperatures rise, we start receiving complaints about a lack of air conditioning in rental housing – whether it was working and malfunctioned or if it was never present at all. When temperatures and humidity rise to unbearable, dangerous levels, renters contact us to see if there’s something that can be done to get their air conditioning working. Too often, they’re shocked and dismayed that generally, there are few options available to them.

Unfortunately, despite rent escrow’s availability for lack of heat in the winter, air conditioning is not considered essential to life, health, and safety under Maryland’s escrow law. Instead, lack of air conditioning is listed alongside cosmetic issues, with a presumption that it does not pose a serious threat to renters.¹ This inconsistency doesn’t merely lead to discomfort – it’s dangerous, particularly for older adults, young children, and people with a number of underlying health conditions.^{2 3 4}

¹ https://mgaleg.maryland.gov/2023RS/Statute_Web/grp/8-211.pdf

² <https://www.hsph.harvard.edu/news/hsph-in-the-news/the-dangers-of-extreme-heat/>

³ https://www.cdc.gov/climateandhealth/pubs/extreme-heat-final_508.pdf

⁴ <https://www.weather.gov/ffc/heat2>

The effects of extreme heat are exacerbated by the urban heat island effect. A lack of tree cover and green spaces causes higher temperatures than in surrounding areas. At night the hard surfaces in cities radiate the heat gathered through the day – meaning nighttime temperatures drop less than in surrounding areas.^{5 6} This means that people living in cities are exposed to higher temperatures with less relief at night. The burden of consistently excessive heat and humidity makes heat-related illnesses and complication even more likely. Further, demographic With some 51% of Baltimore households renting their homes, far too many people have no guarantee that their homes will protect them from hazardous summer heat.⁷

If enacted, House Bill 757 would protect some of the most vulnerable renters from extreme heat – older adults and young children.

This legislation is measured. Montgomery County already requires air conditioning in rental housing units if the building is not registered in the National Register of Historic Places.⁸ The bill requires climate control capable of cooling a unit to 80 degrees Fahrenheit. It does not require substantial renovations for central air conditioning in every unit – window units or ductless systems provide less expensive alternatives to ensure safe temperatures. Thus, the cost burden faced by property owners can be limited.

Further, it is clear that requiring air conditioning in these limited circumstances would increase electricity use during peak hours – it could increase greenhouse gas emissions making the problem worse. But this inconsistency is not inherent. With climate change upon us and predicted to weigh disproportionately on black and brown people as well as households with lower incomes, we cannot choose to sacrifice the most vulnerable to reduce emissions.⁹ There are other options. This legislation can pair with policies that reduce emissions broadly – individual households are not those deciding how electricity is generated. We can reduce emissions while also protecting those most vulnerable from the effects of climate change.

Senate Bill 757 would serve to protect older adults and young children from the dangerous and deadly effects of extreme heat. It is measured and it is focused to protect those most at risk. It helps resolve a dangerous inconsistency in State Law and will serve to protect life, health, and safety.

For these reasons we urge a favorable report.

Respectfully submitted,

Michael C. Donnelly

Economic Action Maryland

⁵ <https://www.epa.gov/heatislands>

⁶ <https://www.nature.com/articles/s41467-021-22799-5>

⁷ <https://www.rentcafe.com/average-rent-market-trends/us/md/baltimore-city/>

⁸ <https://www3.montgomerycountymd.gov/311/Solutions.aspx?SolutionId=1-6VX9W2>

⁹

<https://www.epa.gov/newsreleases/epa-report-shows-disproportionate-impacts-climate-change-socially-vulnerable>