



**HB0339 – Real Property - Residential Rental Apartments - Air-Conditioning Requirements**  
Hearing before the Senate Judicial Proceedings Committee  
March 26, 2025

**Position: Favorable**

*Maryland Legal Aid (MLA) submits its written testimony on HB0339 at the request of the bill sponsor Delegate Mary Lehman.*

MLA is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. Our 12 offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, including for Marylanders struggling with housing insecurity. MLA advocates for the right of low-income renters to live in safe housing. We urge the Committee's favorable report on HB0339.

HB0339 provides a targeted policy to tackle an increasingly dangerous aspect of rental: heat hazards in apartment buildings that lack air conditioning.

- HB0339 requires air conditioning only in apartment buildings of four or more units that are newly constructed or have been renovated. Renovation is defined in the bill as requiring "replacement or substantial upgrade" of electrical or heating "systems."
- The requirements of HB0339 do not apply to single-family rental properties.
- For properties covered by this bill, HB0339 requires provision of air-condition capable of maintaining a temperature of 80°F or lower in each habitable space of the dwelling unit (e.g., not kitchens, bathrooms).
- The provision of air conditioning would be required only seasonally, during the period of June 1 to September 30.

***Heat hazards are highest in market-rate multi-family housing.***

A 2022 study demonstrated that "[m]arket-rate multifamily rental housing had, on average, the greatest overall heat risk, followed by subsidized multifamily rental housing, owner-occupied multifamily housing, and single-family housing."<sup>1</sup> That study further showed that

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<sup>1</sup> National Low Income Housing Coalition, "Study Finds Households in Multifamily Rental Housing Face Greatest Heat Risk," Aug 08, 2022, <https://nlihc.org/resource/study-finds-households-multifamily-rental-housing-face-greatest-heat-risk>; C. J. Gabbe et al., "Housing and Urban Heat:

- Access to central air conditioning “appeared to be the largest driver of disparities in heat risk among the housing types.”
- The average likelihood of not having central AC was 44.9% for single-family housing, 50.5% for subsidized multifamily rental housing, 52.4% for owner-occupied multifamily housing, and 73.7% for market-rate multifamily rental housing.
- Average land surface temperatures were 110.1 degrees for owner-occupied multifamily parcels, 111.4 for subsidized multifamily rental housing, 111.6 for single-family parcels, and 112.1 for market-rate multifamily rental parcels.<sup>2</sup>

***Air conditioning is necessary to mitigate extreme heat zones.***

Without the aid of air conditioning, urban rental housing stock is inadequate and unsafe as unmitigated extreme heat endangers older adults, young children, and people with health conditions ranging from asthma to cardiovascular disease.<sup>3</sup> Extreme heat predominantly impacts urban residents. For instance, in Baltimore City, the “[a]verage annual temperatures... have gone up more than 3 degrees over the last century, nearly twice as much as the rest of the country.”<sup>4</sup> Approximately 30% of Baltimore City’s occupied rental housing was built before 1940.<sup>5</sup>

Baltimore City exemplifies how urban heat zones disparately impact low-income residents and residents of color.<sup>6</sup> According to a recent analysis of U.S. census data and air temperature data, Baltimore’s hottest areas tend to be the poorest and can differ by as much as 10 degrees from the coolest.<sup>7</sup> Urban heat zones are also concentrated in formerly redlined sections of U.S. cities, including Baltimore.<sup>8</sup>

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Assessing Risk Disparities,” Housing Policy Debate (2022), <https://doi.org/10.1080/10511482.2022.2093938>.

<sup>2</sup> *Id.*

<sup>3</sup> Harvard Chan School of Public Health, “Health-harming extreme heat, driven by climate change, on the rise,” June 24, 2022, <https://www.hsph.harvard.edu/news/hsph-in-the-news/health-harming-extreme-heat-driven-by-climate-change-on-the-rise>; see also *id.*, “The dangers of extreme heat,” July 26, 2022, <https://www.hsph.harvard.edu/news/hsph-in-the-news/the-dangers-of-extreme-heat/>.

<sup>4</sup> Ian Round et al., “In urban heat islands, climate crisis hits harder,” Howard Center for Investigative Journalism, Sept. 3, 2019, <https://cnsmaryland.org/interactives/summer-2019/code-red/neighborhood-heat-inequality.html>.

<sup>5</sup> U.S. Census Bureau, S2504 Physical Housing Characteristics for Occupied Housing Units, 2021 American Community Survey, <https://data.census.gov/table?q=Baltimore+City,+housing&tid=ACSST1Y2021.S2504>.

<sup>6</sup> Meg Anderson, “As Rising Heat Bakes U.S. Cities, The Poor Often Feel It Most,” National Public Radio, Sept. 3, 2019, <https://www.npr.org/2019/09/03/754044732/as-rising-heat-bakes-u-s-cities-the-poor-often-feel-it-most>.

<sup>7</sup> *Supra* note 2.

<sup>8</sup> Meg Anderson, “Racist Housing Practices From The 1930s Linked To Hotter Neighborhoods Today,” National Public Radio, Jan. 14, 2020, <https://www.npr.org/2020/01/14/795961381/racist-housing-practices-from-the-1930s-linked-to-hotter-neighborhoods-today> (“In a study of 108 urban areas nationwide, the formerly redlined neighborhoods of nearly every city studied were hotter than the non-redlined neighborhoods, some by nearly 13 degrees.”).

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*Comparison to local laws:*

Montgomery County and Prince George's County each have adopted local requirements on air conditioning for rental properties.<sup>9</sup> Those local laws are like HB0339 in requiring certain properties to provide air condition between June 1 and September 30 and use the 80°F-threshold temperature. The Prince George's County law applies to all dwellings whereas HB0339 applies only to apartment buildings that are newly reconstructed or renovated.

HB0339 would help to mitigate the dangerous impacts of extreme heat in our renting communities. Failure to address this environmental hazard exposes Maryland renters to continued risk of physical and other harms and perpetuates economic and racial disparities. For these reasons, **Maryland Legal Aid urges the Committee's favorable report on HB0339.**

If you have any questions, please contact:

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<sup>9</sup> Montgomery County Code § 26-7; Prince George's County § 13-162.02.