

ANALYSIS

This ordinance amends Chapter 11.20 of Title 11 – Health and Safety of the Los Angeles County Code to establish a maximum indoor temperature threshold for rental housing units. The ordinance:

- Requires that rental housing units in the unincorporated areas of Los Angeles County and in cities that adopt the Los Angeles County Code must be able to maintain a maximum indoor temperature of 82 degrees Fahrenheit in all Habitable rooms;
- Allows tenants to provide additional cooling methods, if done in a safe and code-compliant way;
- Updates tenant protections to ensure code-compliant cooling practices are not a cause for eviction and restricts landlords from passing on the cost of certain equipment installation onto tenants; and
- Adopts an effective date of thirty (30) days from the date of final passage by the Board of Supervisors and an enforcement date beginning on January 1, 2027, to provide time for outreach and education efforts, or upon approval of the fee as set forth in Chapter 8.53.050 to account for cost recovery, whichever is later; and
- Allows landlords of already existing rental properties to request an extension of two years for compliance if unable to meet the maximum indoor temperature requirement through portable cooling methods by the enforcement date.

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VM:mac

Requested	8/21/24
Revised	6/10/25

ORDINANCE NO. _____

An ordinance amending Chapter 11.20 of Title 11 – Health and Safety of the Los Angeles County Code to establish a maximum indoor temperature threshold for rental housing units.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 11.20.130 is hereby added to read as follows:

11.20.130 Portable Cooling Device.

"Portable Cooling Device" means a self-contained mechanical device designed to cool a Habitable room that includes devices that are temporarily affixed or mounted and/or secured for use but can be easily removed or relocated without permanent attachment to the structure. This includes, but is not limited to, portable air conditioners, evaporative coolers, and window-mounted air conditioning units. A Portable Cooling Device may operate using electricity, water evaporation, or other methods to reduce air temperature.

SECTION 2. Section 11.20.475 is hereby added to read as follows:

11.20.475 Maximum Indoor Temperature Threshold.

A. For purposes of this Section, the terms Landlord, Tenant, Rental Housing Property, and Rental Housing Unit have the same meanings as stated in Chapter 8.53 of this Code.

B. Cooling Requirements. Every Rental Housing Unit must be able to maintain a maximum indoor temperature of not more than 82 degrees Fahrenheit in all Habitable rooms which are defined in Section 11.20.090.

C. Landlord Duty. The Landlord must provide a safe and code-compliant method in which all Habitable room(s) can be maintained at the maximum indoor temperature of not more than 82 degrees Fahrenheit.

D. Tenant Installation of Portable Cooling Device. A Landlord may not prohibit or restrict a Tenant from installing or using, at Tenant's own cost, a Portable Cooling Device or other non-mechanical cooling methods, including, but not limited to, blackout curtains, window films, or shades, to provide additional cooling below 82 degrees Fahrenheit as long as such installation and use does not:

1. Violate building codes, or State, local, or federal law;
2. Violate the manufacturer's written safety guidelines and recommendations for use for the Portable Cooling Device; or
3. Require the Tenant to alter or modify the Rental Unit as a result of such installation.

E. Prior to installing a Portable Cooling Device or other non-mechanical cooling method with the exception of a portable electric fan, the Tenant must provide five (5) calendar days advance written notice to the Landlord, either electronically or through written communication. Any Portable Cooling Device or other non-mechanical cooling method installed in a Habitable room(s) which was acquired by a Tenant, at Tenant's own cost, shall remain the property of the Tenant. The Tenant shall be responsible for any damage to a Rental Housing Unit or Rental Housing Property caused by a Tenant's installation or use of a cooling method as listed above.

F. Pass-through Costs. The installation of a Portable Cooling Device used to maintain a Habitable room(s) at the maximum indoor temperature of 82 degrees Fahrenheit is not considered a capital improvement and not allowed as a pass-through cost to Tenants who reside in a Fully Covered Rental Unit as set forth in Chapter 8.52 of this Code.

G. Temperature Measurement. All temperature measurements shall be taken at a distance three (3) feet above the floor level in the center of the Habitable room(s).

H. Tenant Protections. A Landlord must not retaliate against or harass a Tenant for exercising rights protected under this Section. Violations are subject to the remedies and penalties set forth in Section 8.52.130.

I. Enforcement. For the purposes of this Section, Rental Housing Properties and/or Units, located within the unincorporated areas of the County, that have an initial complaint filed with the department for non-compliance with this requirement will be provided with additional time to bring the Rental Housing Property and/or Unit into compliance prior to being subject to the inspection and enforcement provisions as set forth in Sections 8.53.105 and 8.53.120 of this Code.

J. Fees. Every Rental Housing unit shall be required to pay a fee as set forth in Section 8.04.720 of this Code.

K. Effective Date. The provisions of this Chapter shall go into effect thirty (30) days from the date of final passage by the Board of Supervisors. Enforcement for failure to comply with provisions of this Chapter related to maintaining a maximum indoor temperature of not more than eighty-two (82) degrees Fahrenheit in

Rental Housing Units shall commence on January 1, 2027, or upon approval of the fee as set forth in Chapter 8.53.050 to account for cost recovery for the department associated with this Chapter, whichever is later.

L. Adoption of Ordinance by Cities. This ordinance shall be effective within the territorial jurisdiction of each city that incorporates the entirety of this ordinance into its municipal code by adoption or resolution, with the exception of the protections afforded for Fully Covered Rental Units under the County's Rent Stabilization and Tenant Protections Ordinance in Chapter 8.52 of this Code, as set forth in Section F above.

M. Extensions. If a Landlord is unable to comply with this Section through the installation of a Portable Cooling Device, or other non-mechanical cooling methods, upon written application by a Landlord, an extension may be granted by the Director or their designee for up to an additional two (2) years to come into compliance for Rental Housing Units beyond the effective enforcement date of January 1, 2027.

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