



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004

CHRISTINA HENDERSON
Councilmember, At-Large
Chairperson, Committee on Health

Committee Member
Hospital and Health Equity
Judiciary and Public Safety
Transportation and the Environment

Statement of Introduction
Climatizing Our Overheated Living Spaces Regulation Amendment Act of 2023
April 28, 2023

Today, I am introducing the Climatizing Our Overheated Living Spaces Regulation Amendment Act of 2023, along with Councilmembers Charles Allen, Janeese Lewis George, Zachary Parker, Brianne K. Nadeau, and Brooke Pinto.

May 15 is the day that tenants in the District who cannot control access to air conditioning in their home expect that their air conditioning will be turned on. Current regulations¹ speak only to the obligation of landlords who provide air conditioning either through individual air conditioning units or a central air conditioning system to inspect air conditioning units or systems each year between September 1 and May 1 and correct any defects by June 1, and maintain units so that it provides inside temperatures 15° Fahrenheit (F) less than outside temperatures.

The District has some of the most robust energy efficiency goals in the nation, but changes to local weather trends depends on global energy policies and renewable energy take-up. The United Nations' Intergovernmental Panel on Climate Change issued a report in March 2023 predicting that global average temperatures are estimated to rise 1.5° Celsius, or 2.7°F, above preindustrial levels before 2040.² In the District, average annual temperatures have increased 2°F over the last 50 years.³ Historically, the District's average high summer temperature was 87°F, but it is expected to rise up to 97°F by 2080.⁴ Within the District, there are also disparities of up to 17°F in the high temperature on a given summer day due to heat island effects.⁵ Climate change in the District means that several, if not dozens, of days with temperatures exceeding 80°F will occur prior to May 15 in the future. For tenants, failure to act would mean that they would experience days of oppressive interior temperatures with relief provided from an open window or a fan. Such situations are uncomfortable at minimum, and can become dangerous for people who are seniors, are medically vulnerable, or are physically disabled. The District must update its regulations to reflect this new climate reality and ensure safe internal temperatures for those residents dependent upon their landlords for access to air conditioning.

¹ DCMR 14 § 510

² [AR6 Synthesis Report Climate Change 2023](#)

³ [Sustainable DC, DOEE](#)

⁴ *Ibid.*

⁵ [Climate.gov](#)



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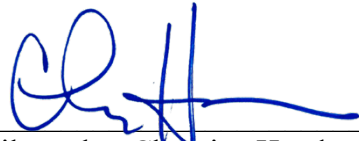
This bill would amend section 510 of Title 14 of the District of Columbia Municipal Regulations to require landlords to maintain air conditioning units or systems to provide inside temperatures 15° F less than outside temperatures between April 15 and October 31 of each year. Units would be maintained between September 1 and April 1, and any defects discovered would have to be corrected by May 1. The bill also clarifies that landlords must report to the Department of Buildings regarding air conditioning unit or system maintenance.

While we must ensure that tenants can rely on comfortable indoor temperatures in the face of rising temperatures, it would be counterproductive to respond to the impacts of climate change by requiring additional non-renewable or inefficient energy usage. Therefore, this bill would also require the Department of Energy and Environment, the Sustainable Energy Utility, and the Green Finance Authority to establish a Cooling Energy Offset program to provide to grants and financing to owners of rental buildings who are subject to the air conditioning regulations, in order to increase the energy efficiency and renewable energy-generating capacity of the buildings and to offset the required increased energy use.

The District is a leader on climate issues and serves as a model for other jurisdictions, but we are still vulnerable to longer periods and higher peaks of elevated heat. A tenant who cannot individually control the internal temperature of their home due to the design or age of their building should not swelter in their home while waiting for May 15 to arrive. I look forward to working with my Council colleagues and the public to refine and advance this legislation during this Council Period, so that, by the first hot day in April 2024, tenants will be certain of access to air conditioning inside of their homes.

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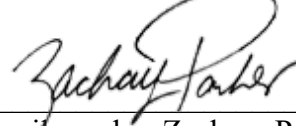
2 Councilmember Charles Allen



Councilmember Christina Henderson

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6 Councilmember Janeese Lewis George



Councilmember Zachary Parker

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10 Councilmember Brooke Pinto



Councilmember Brianne K. Nadeau

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15 A BILL

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20 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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25 To amend section 510 of Title 14 of the District of Columbia Municipal Regulations to
26 require owners of rental habitations who provides air conditioning to tenants to have individual
27 air conditioning units or central air conditioning systems inspected by April 1 of each year, to
28 require the owner to correct defects to individual air conditioning units or central air conditioning
29 systems by May 1 of each year, and to require owners to ensure that individual air conditioning
30 units or central air conditioning systems are operating by no later than April 15 of each year and
31 through October 31 of each year; and to require the Department of Energy and Environment to
32 work with the Sustainable Energy Utility and the Green Finance Authority to establish an
33 Cooling Energy Offset grant and financing program for such owners to make available grants
34 and financing to increase the energy efficiency and renewable energy generating capacity of the
35 building to offset the building’s energy usage due to required air conditioning usage.

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37 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
38 act may be cited as the “Climatizing Our Overheated Living Spaces Regulation Amendment Act
39 of 2023”.

40 Sec. 2. Section 510 of Title 14 of the District of Columbia Municipal Regulations is
41 amended as follows:

42 (a) Subsection 510.1 (DCMR 14 § 510.1) is amended to read as follows:

43 “510.1 The owner of a rental habitation, who provides air conditioning as a service either
44 through individual air conditioning units or a central air conditioning system, shall maintain such
45 unit or system in safe and good working condition so that it provides an inside temperature at
46 least fifteen degrees Fahrenheit (15° F.) less than the outside temperature by no later than April
47 15 of each year and through October 31 of each year.”.

48 (b) Subsection 510.2 (14 DCMR § 510.2) is amended by striking the phrase “May 1st”
49 and inserting the phrase “April 1st” in its place.

50 (c) Subsection 510.3 (14 DCMR § 510.3) is amended by striking the phrase “Department
51 of Consumer and Regulatory Affairs” and inserting the phrase “Department of Buildings” in its
52 place.

53 (d) Subsection 510.4 (14 DCMR § 510.4) is amended by striking the phrase “June 1st”
54 and inserting the phrase “May 1st” in its place.

55 Sec. 3. Energy efficiency improvements in residential buildings

56 The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-
57 0250; D.C. Official Code § 8-1774 *et seq.*), is amended by adding a new section 217 to read as
58 follows:

59 “Sec. 217. Cooling Energy Offset program.

60 “(a) DOEE shall, in conjunction with SEUs and the Green Finance Authority, establish a
61 cooling energy offset grant and financing program, which shall provide funds or financing to
62 owners of rental habitations that provide air conditioning to tenants subject to 14 DCMR § 510
63 to increase the energy efficiency and renewable energy generating capacity of the building

64 containing the rental habilitation to offset the building’s energy usage due to required air
65 conditioning provision.

66 “(b) DOEE shall establish the eligibility, funding, and administrative guidelines for the
67 program.

68 “(c) Acceptable expenditures by eligible owners of rental habitations under this program
69 shall include:

70 “(1) Renewable energy generating systems, including solar thermal and solar
71 photovoltaic panels and geothermal heating and cooling systems; and

72 “(2) Improvements that increase the energy efficiency of buildings, including
73 weatherizing, adequate insulation, and energy efficient doors and windows.”.

74 Sec. 4. Fiscal impact statement.

75 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
76 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
77 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

78 Sec. 5. Effective date.

79 This act shall take effect following approval by the Mayor (or in the event of veto by the
80 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
81 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
82 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
83 Columbia Register.