

# Climate Assessment

## Office of Legislative Oversight

### Bill 7-24: Landlord-Tenant Relations – Tenant Protection and Notification

#### SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 7-24 could have a positive impact on the County's community climate resilience as it is proposing changes intended to improve outcomes of emergency situations and ensure proper cooling of buildings during summer months.

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#### BACKGROUND AND PURPOSE OF BILL 7-24

Landlord-tenant relationships are governed by County and state laws as well as lease agreements which outline each party's rights and responsibilities.<sup>1</sup> Local jurisdictions can pass laws to provide tenants with additional protections and specify requirements for landlords.<sup>2</sup>

According to the introduction staff report for Bill 7-24, tenants in the County have raised concerns about the lack of transparency and poor communication between management and tenants during emergency situations in their building.<sup>3</sup>

The intended purpose of the Bill is to enhance communications and expand protections for tenants during emergency situations. The Bill would:

- Expand the contents required in a lease agreement, such as insurance information, the existence of automatic sprinkler systems, and an emergency safety plan;
- Require 24/7 availability of a building representative during certain emergency situations and for air conditioning temperature control;
- Require notification at least seven days prior to a planned interruption of essential services or within 24 hours of an unscheduled interruption of essential services in a rental building; and
- Require an emergency safety plan and approval of the plan by the Department of Housing and Community Affairs (DHCA).<sup>4</sup>

Bill 7-24 – Landlord – Tenant Relations – Tenant Protection and Notification was introduced by the County Council on March 5, 2024.

## ANTICIPATED IMPACTS

Emergency planning and preparation can improve overall community climate resilience by mitigating hazards posed by natural disasters and improving recovery after a disaster.<sup>5</sup> Improving communication tools and specifying representatives for emergencies can also help the community know who to contact for information during an emergency and how to best respond to an emergency.<sup>6</sup> The development of an emergency plan, along with improving communication during emergencies, increases the capacity of a community to respond and recover more quickly.<sup>7</sup>

Extreme heat exposure can also threaten community climate resilience. According to U.S. Census Bureau data released in 2023, almost 1 in 4 people in the United States have low resilience to extreme heat exposure and Black, Indigenous, and People of Color are disproportionately affected by heat-related deaths and illnesses compared to White people.<sup>8</sup> Further, low-income households, especially cost-burdened households, are more susceptible to extreme heat exposure as they are more likely to (1) have difficulty affording energy bills and (2) live in less energy-efficient buildings that are more expensive to cool.<sup>9</sup> As extreme heat days continue to increase due to climate change, monitoring air conditioning and ensuring a building is cooled enough in the summer to be safe for habitation improves community resilience and can prevent heat-related illnesses and deaths.<sup>10</sup>

Bill 7-24 proposes changes to improve communication between tenants and landlords during an emergency, such as requiring 24/7 availability of a building representative in case of an emergency and the development of an emergency safety plan for the building. Bill 7-24 would also require landlords to provide an emergency contact who is available 24/7 that can adjust a tenant's thermostat if the cooling system fails to maintain a temperature below 80 degrees Fahrenheit between June 1 through September 30. These actions would likely improve emergency responses and overall community climate resilience.

OLO anticipates Bill 7-24 could have a positive impact on the County's overall community climate resilience.

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## RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.<sup>11</sup> OLO does not offer recommendations or amendments as Bill 7-24 is likely to have a positive impact on the County's overall community climate resilience.

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## CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

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## PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's overall community climate resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

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## CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

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<sup>1</sup> [Landlord - Tenant Handbook](#), Montgomery County, MD Department of Housing and Community Affairs, January 2024.

<sup>2</sup> ["Housing - Local Laws"](#), The People's Law Library of Maryland, Accessed March 7, 2024.

<sup>3</sup> [Introduction Staff Report for Bill 7-24](#), Montgomery County Council, Introduced March 5, 2024.

<sup>4</sup> [Introduction Staff Report for Bill 7-24](#), Montgomery County Council, Introduced March 5, 2024.

<sup>5</sup> ["Planning for a Resilient Community"](#), Federal Emergency Management Agency, November 2017.

<sup>6</sup> ["Applying a community resilience framework to examine household emergency planning and exposure-reducing behavior among residents of Louisiana's industrial corridor"](#), Reams, M.A., et. al, Journal of Emergency Management, July 4, 2014.

<sup>7</sup> ["Community Resilience Planning Guide for Buildings and Infrastructure Systems: Volume I"](#), National Institute of Standards and Technology, May 2016.

<sup>8</sup> ["Almost a Quarter of U.S. Population Vulnerable to Rising Heat"](#), U.S. Census Bureau, July 11, 2023.; ["Racial Disparities in Climate Change-Related Health Effects in the United States"](#), Berberian, A. G., et. al., Current Environmental Health Reports, May 28, 2022.

<sup>9</sup> ["Heat Islands and Equity"](#), U.S. Environmental Protection Agency, Accessed 3/18/2024.; ["Equity in Resilience: Addressing the unequal health impacts of extreme heat"](#), Center for Climate and Energy Solutions, September 13, 2021.

<sup>10</sup> ["Continued Rises in Extreme Heat and Implications for Health Disparities"](#), KFF, August 24, 2023.

<sup>11</sup> Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022