

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 9-26: RENTAL HOUSING - MAINTENANCE STANDARDS AND ESSENTIAL SERVICES - AIR-CONDITIONING

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 9-26 would have a positive impact on racial equity and social justice (RESJ) in the County. Black and Latinx renters would disproportionately benefit from a requirement for landlords to provide air conditioning in single-family homes and accessory dwelling units (ADUs). This could help reduce racial disparities in access to air conditioning and negative health outcomes from extreme heat.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF BILL 9-26

Extreme heat and heat waves pose a serious risk to public health. Prolonged exposure to heat can lead to heat stress, heat exhaustion, and even death.³ Access to air conditioning can keep residents safe during heat waves and prevent heat-related illnesses and deaths.⁴

In 2020, Bill 24-19 was enacted. This law requires landlords to provide air conditioning in rental units from June 1st – September 30th. Specifically, the units are required to maintain a temperature no higher than 80 degrees Fahrenheit, whether the unit has a thermostat controlled by the landlord or one controlled by the tenant.⁵

Under current County law, there are two exemptions for the types of rental units required to provide air conditioning: detached single-family homes and units located on sites listed in the National Register of Historic Places.⁶

If enacted, Bill 9-26 would make the following changes to air conditioning requirements in the County Code:⁷

- Changing the period for air conditioning requirements in rental properties from June 1st – September 30th to May 15th – September 30th; and
- Requiring detached single-family home rentals, regardless if the thermostat is controlled by the landlord or by the tenant, to meet air conditioning requirements.

The Council introduced Bill 9-26 on February 10, 2026.

This RESJIS builds on the one for Bill 7-24, which OLO published in March 2024.⁸ Please refer to this RESJIS for background on housing quality and racial equity.

RESJ Impact Statement

Bill 9-26

EXTREME HEAT, AIR CONDITIONING AND RACIAL EQUITY

According to Ready.gov, extreme heat "is a period of high heat and humidity with temperatures above 90 degrees for at least two to three days."⁹ Because of climate change, extreme heat events are becoming more frequent and more severe, and are expected to worsen in the coming years.¹⁰ Exposure to extreme heat can lead to heat-related illnesses that can be deadly, such as heat exhaustion and heat stroke. As a result, thousands of people in the U.S. die from heat exposure every year.¹¹ In 2025, heat-related deaths in Maryland reached their highest point in over ten years.¹²

The County's Climate Action Plan identifies extreme heat as one of the greatest climate threats to the County.¹³ While all community members are impacted by climate change and consequences like extreme heat, structural racial inequities make BIPOC and low-income community members most susceptible to its most harmful effects.¹⁴ The term "climate gap" refers to the unequal impact that climate change has on BIPOC and low-income communities. As noted by researchers at the University of Southern California, the climate gap means that BIPOC and low-income communities will likely suffer more from extreme heat waves and increased air pollution; pay more for basic necessities; and have reduced or shifting job opportunities because of climate change.¹⁵

Across the U.S., BIPOC are more likely to live in communities that are at higher risk of extreme heat. Structural racial inequities such as segregation – created by racist policies like redlining – have shaped the built environment of BIPOC communities to make them hotter, including having more impervious surfaces and less tree canopy and green space.¹⁶ One national study found that BIPOC experience greater heat exposure across several metrics, including higher summer temperatures, more heat waves, and more heat island days.¹⁷ Locally, a 2022 community heat-mapping initiative found BIPOC and low-income neighborhoods experienced higher temperatures than other communities in the County. This was due to "a higher concentration of impervious surfaces, such as parking lots, roads and buildings, compared to areas with more green spaces" in BIPOC and low-income neighborhoods.¹⁸ Because of these and other racial inequities, BIPOC are most impacted by the health consequences of extreme heat.¹⁹ In Maryland, Black people experience the highest rate of heat-related emergency room and urgent care visits.²⁰ In 2025, following White people, Black people experienced the second highest number of heat-related deaths in the state.²¹

As noted by UNICEF "[a]ir-conditioning is a lifesaving solution to excessive heat."²² However, because of economic disparities – rooted in structural racial inequities such as the racial wealth gap and occupational segregation – BIPOC often have limited access to air conditioning. For example, a KFF analysis of the nationally representative 2020 Residential Energy Consumption Survey found, compared to White households:²³

- Black, Latinx, and Asian households are more likely to say they lack air conditioning;
- Black, Latinx, and Asian households are more likely to say they keep their homes at temperatures they identified as unsafe or unhealthy;
- Black and Latinx households are more likely to report not using their air conditioning due to financial challenges; and
- Black and Latinx households are more likely to report reducing or foregoing basic needs due to their home energy bills in the past year.

Researchers broadly agree improving access to air conditioning – especially among BIPOC, low-income and other impacted communities – is an important solution for addressing racial disparities in negative health outcomes from extreme heat.²⁴

RESJ Impact Statement

Bill 9-26

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 9-26 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

OLO identified the following groups who would be impacted by Bill 9-26:

- **Tenants who rent single-family homes and ADUs** would benefit from having air conditioning provided for their homes.²⁵ This could help mitigate negative health outcomes from extreme heat. According to data on licensed rental properties, one-third of rental units in the County are single-family homes or ADUs that would benefit from removing the exemption on air conditioning requirements.²⁶ Most tenants in the County would also benefit from extending the period for landlords to provide air conditioning by two weeks.

As shown in Table A (Appendix), Black and Latinx households in the County are overrepresented among renter households. White and Asian households are underrepresented among renter households, while Native American and Pacific Islander households are proportionately represented.

As previously noted, Black and Latinx people in the U.S. are generally less likely to have air conditioning. Black people in the state are also highly impacted by negative health outcomes from extreme heat. Because Black and Latinx households are overrepresented among renter households, ensuring that renters in the County have access to air conditioning – regardless of their housing type – could help reduce racial disparities in access to air conditioning and negative health outcomes from extreme heat.

- **Landlords who rent out single-family homes and ADUs** would be burdened by increased costs from providing air conditioning. As shown in Table B (Appendix), White people are largely overrepresented among landlords and other real estate business owners in the County.

Therefore, OLO anticipates Bill 9-26 would have a positive impact on RESJ in the County. Black and Latinx renters would disproportionately benefit from a requirement for landlords to provide air conditioning in single-family homes and ADUs. This could help reduce racial disparities in access to air conditioning and negative health outcomes from extreme heat.

RECOMMENDED AMENDMENTS

The County's RESJ Act requires OLO to consider whether to recommend amendments to bills that could reduce racial and social inequities and advance RESJ.²⁷ OLO anticipates Bill 9-26 would have a positive impact on RESJ in the County. As such, OLO does not offer recommended amendments. However, should the Council seek to improve the RESJ impact of this Bill, OLO offers one policy option for Council consideration:

- **Require targeted outreach and education to Black and Latinx communities on Bill 9-26 and energy assistance programs.** High electricity bills from air conditioning can increase energy burdens for households with lower incomes, who are disproportionately Black and Latinx. This can cause community members to use less air conditioning than they need or forgo using it altogether. To ensure households are informed of their rights under Bill 9-26 and of resources to help offset their energy costs, the Council could require targeted outreach and education on the Bill and on energy assistance programs to Black and Latinx communities.

RESJ Impact Statement

Bill 9-26

CAVEATS

Two caveats to this RESJIS should be noted. First, predicting the impact of bills on RESJ is challenging due to data limitations, uncertainty, and other factors. Second, this RESJIS is intended to inform the Council’s decision-making process rather than determine it. Thus, any conclusion made in this statement does not represent OLO’s endorsement of, or objection to, the bill under consideration.

APPENDIX

Table A. Renter Occupied Households by Race and Ethnicity, Montgomery County

Race or ethnicity ²⁸	Percent of Renter-Occupied Households	Percent of All Households
Asian	12.3	14.8
Black	31.1	18.7
Native American	0.4	0.5
Pacific Islander	0.1	0.1
White	34.2	48.8
Latinx	20.2	15.5

Source: [Table 2502](#), 2024 American Community Survey 5-Year Estimates, Census Bureau.

Table B. Real Estate and Rental and Leasing Employer Firms by Race and Ethnicity, Montgomery County²⁹

Race or ethnicity	Percent of Real Estate and Rental and Leasing Business Owners (NAICS 53)	Percent of All Sectors (NAICS 00)	Percent of Adult Population
Asian	12.4	21.8	16.3
Black	5.1	7.6	18.4
Native American	-	1.4	0.6
Pacific Islander	-	0.1	0.0
White	82.3	69.1	44.3
Latinx	3.9	10.0	19.0

Source: OLO analysis of [Table AB2200CSA01, 2022 Annual Business Survey](#) and [Table S2101, 2024 American Community Survey 5-Year Estimates](#), Census Bureau.

¹ Definition of racial equity and social justice adopted from M. Gamblin et al., [“Applying Racial Equity to U.S. Federal Nutrition Programs,”](#) Bread for the World and [Racial Equity Tools](#).

² Ibid.

³ [“Learn About Extreme Heat,”](#) National Integrated Heat Health Information System.

⁴ S. Whillans, [“Toward a Renter’s Right to Heat-Safe Housing,”](#) Natural Resources Defense Council, June 9, 2022.

⁵ [Bill 24-19 - Landlord Tenant Relations - Obligation of Landlord - Air Conditioning](#), Legislative Information System, Montgomery County Council, Enacted March 2, 2020.

⁶ Ibid.

⁷ [Introduction Staff Report for Bill 9-26](#), Montgomery County Council, Introduced February 10, 2026.

⁸ [RESJIS for Bill 7-24](#), Office of Legislative Oversight, March 25, 2024.

⁹ [Extreme Heat](#), Ready.gov, last updated February 20, 2026.

¹⁰ [Extreme Heat and Climate Change](#), Center for Climate and Energy Solutions.

¹¹ C. Poitras, [“Warming U.S. climate linked to rising deaths from heat,”](#) Yale School of Public Health, November 7, 2025.

RESJ Impact Statement

Bill 9-26

-
- ¹² N. Pilsbury, [“Heat-related deaths reached highest number in over a decade this summer.”](#) Maryland Matters, October 25, 2025.
- ¹³ [“Montgomery County Climate Action Plan,”](#) Department of Environmental Protection, June 2021, pgs. 47-52.
- ¹⁴ Ibid, pgs. 19-43.
- ¹⁵ R. Morello-Frosch, et al, [“The Climate Gap: Inequalities in How Climate Change Hurts Americans & How to Close the Gap,”](#) Dornsife Center, University of Southern California, May 2009.
- ¹⁶ N. Ndugga and S. Artiga, [“Continued Rises in Extreme Heat and Implications for Health Disparities,”](#) KFF, August 24, 2023.
- ¹⁷ A. Clark, et al., [“Identifying groups at-risk to extreme heat: Intersections of age, race/ethnicity, and socioeconomic status,”](#) Environment International, September 2024.
- ¹⁸ [“Results of 2022 Montgomery County ‘Urban Heat Island Mapping Campaign’ Document Extreme Heat Impacts on Areas with Less Green Infrastructure,”](#) Press Releases, Montgomery County Government, March 22, 2023.
- ¹⁹ N. Ndugga and S. Artiga, [“Continued Rises in Extreme Heat and Implications for Health Disparities.”](#)
- ²⁰ [Maryland 2025 Heat-Related Illness Surveillance Summary Report](#), Maryland Department of Health, November 19, 2025, pg. 5.
- ²¹ Ibid, pg. 10.
- ²² M. Nanavati, [“The cooling dilemma amid climate change: Are air conditioners the solution to heat, or the cause?”](#) UNICEF.
- ²³ N. Ndugga, et al., [“Disparities in Access to Air Conditioning And Implications for Heat-Related Health Risks,”](#) KFF, August 16, 2024.
- ²⁴ Ibid.
- ²⁵ OLO staff received clarification from Department of Housing and Community Affairs (DHCA) staff on February 19, 2026 that ADUs would also be covered by Bill 9-26.
- ²⁶ Based on February 2026 data, of 25,807 total licensed rental units in the County, 8,719 are single family homes or ADUs. OLO Analysis of [Housing Licensing and Registration dataset](#), dataMontgomery, February 2026.
- ²⁷ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council.](#)
- ²⁸ For Tables A and B, race is inclusive of Latinx origin. Estimates for Native American and Pacific Islander community members are not available for some data points.
- ²⁹ Margins of error for data points in Table B may be large.