



## State Senator Kayse Jama

Senate District 24 (D-East Portland)

Native land of Multnomah, Wasco, Cowlitz, Kathlamet, Clackamas, Bands of Chinook, Tualatin Kalapuya, Molalla, and many other tribes that made their homes along the Columbia and Willamette Rivers

### POLICY SUMMARY

Apr. 20, 2022

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### Senate Bill 1536 - Renter Rights and Access to Cooling

In the summer of 2021, Oregon experienced a record heatwave, the 2nd worst natural disaster in our state's recorded history. Many people were made more vulnerable because they did not have access to life-saving, cooling technologies like air conditioning and heat pumps.

Most people who passed away are seniors, people with disabilities, or people with underlying medical conditions, especially those living in upper-level multifamily units or manufactured homes. To help protect more families, we must remove barriers to installing these appliances and incentivize the most efficient and effective devices.

**On 3/24/2022, Governor Brown signed SB 1536 into laws. Effective immediately, this bill will:**

1. Allow residential tenants to install and use portable cooling devices unless devices would:

- Damage premises;
- Violate building codes, state or federal law, or device safety guidelines; or
- Create power service constraints, fire risk, or the risk of a device falling from a window.

2. Specify that landlords may not execute termination notices during extreme heat and must provide cooling assistance to tenants in manufactured dwellings, recreational vehicle parks, and multifamily structures with five or more dwelling units where fewer than half of units can install and use portable cooling devices, not including fans.

3. Require landlords to provide written notice to tenants articulating their rights and if restrictions on installation or use of devices apply.

4. Clarify landlord immunity from liability for damages, injury, or death caused by devices installed by tenants.

5. Clarify landlords restricting installation or use of devices must prioritize allowing devices for people who require them to accommodate a disability.
6. Prohibit planned community and condominium governing documents, and local ordinances regulating historic properties, from restricting installation or use of portable cooling devices under comparable conditions to landlords.
7. Allow tenants in manufactured dwellings and recreational vehicles owned by landlords to make reasonable modifications for installation and use of cooling technology at tenants' expense.
8. Allow tenants with medical vulnerabilities or mobility challenges, including children and youth with special health care needs and people with disabilities, plus tenants over the age of 65 or under the age of 10, to make reasonable modifications for installation and use of cooling technology at tenants' expense.
9. Require Oregon Housing and Community Services, during extreme heat events, to post dates, counties affected, and information about relevant programs landlords may use to provide adequate cooling to tenants.
10. Require landlords of dwelling units in which construction permits are issued on or after April 1, 2024 to provide adequate cooling facilities as part of habitability requirements.

**Notes:**

Included in SB 1536 is a mix of both one-time and ongoing funds:

- \$0.5M to the Department of Energy for Cooling Strategies in Affordable Housing Study.
- \$2M to the Department of Energy for Voluntary Landlord Cooling Centers.
- \$2M to the Department of Human Services for Cooling Center Grants.
- \$5M to the Oregon Health Authority to distribute emergency air conditioners and air filtration devices.
- \$15M to the Department of Energy for Rental Heat Pump Rebate Fund which includes funding for necessary mechanical, electrical, or other upgrades that will facilitate heat pump installation.
- \$10 million to the Department of Energy for heat pump deployment to low-income and other environmental justice communities, and communities who primarily use bulk fuels (oil, propane, wood, etc.), electric resistance heating, or have no heating source.

The Oregon Health Authority and the Oregon Department of Energy **are still in the process** of implementing these programs and we don't have further information at this moment.