SENATE BILL SB-87

Introduced by Senator Caroline Menjivar (D-20)

An act relating to Safe Indoor Temperature for Renters Act.

LEGISLATIVE COUNSEL'S DIGEST

SB-87, Caroline Menjivar (D-20). Safe Indoor Temperature for Renters Act.

Existing law establishes minimum standards for residential dwelling units in California to protect the health and safety of occupants. Existing law also declares it to be the policy of the state that all dwelling units should be able to attain and maintain a safe maximum indoor temperature and requires relevant state agencies to consider that policy when developing certain programs, policies, criteria, and regulations. Existing law does not establish a specific statewide maximum indoor temperature that residential rental dwelling units are required to be capable of maintaining.

In 2025, the Department of Housing and Community Development recommended that the state consider 82 degrees Fahrenheit as a general indoor temperature limit. This recommendation alone does not require landlords to meet that limit.

This bill would require rental homes to meet an indoor temperature limit of 82 degrees Fahrenheit. Landlords would have time to make improvements and could apply for state assistance. The bill would also protect tenants from extra charges for these improvements. It would require the Department of Housing and Community Development to adopt regulations implementing this standard, with different compliance deadlines based on the number of rental units a landlord owns.

The Department of Housing and Community Development would carry out this bill with assistance from the State Department of Public Health and the California Energy Commission. The bill would provide $50 million from the General Fund for assistance, administration, and enforcement.

Vote: 2/3rds. **Appropriations/fiscal:** yes. **Local program:** no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Purpose of the bill.

(a) This bill shall be known as the Safe Indoor Temperature for Renters Act.

(b) The purpose of this bill is to protect renters from excessive heat inside their homes. It would also help landlords make improvements without placing the full cost on tenants.

SEC. 2. Temperature requirements.

(a) Rental homes shall be able to keep bedrooms and living rooms at or below 82 degrees Fahrenheit when cooling equipment is used properly. This bill covers rented apartments and houses, but not short-term hotel stays.

(b) By July 1, 2027, the Department of Housing and Community Development shall develop rules for measuring indoor temperatures and checking whether a rental home meets the requirement. The department shall consult with public health and energy officials about humidity, power outages, and safe cooling methods.

(c) Landlords who own five or more rental units in California shall meet the requirement by July 1, 2029. Landlords who own four or fewer units shall meet it by July 1, 2030.

(d) Landlords may use air conditioning, insulation, window shading, or other improvements that keep rooms within the limit. A fan alone would not meet the requirement if the room stays above 82 degrees.

(e) The department may allow one extra year if a landlord shows that permit delays, equipment shortages, or necessary electrical work prevent completion on time. The landlord must provide a plan for finishing the work.

SEC. 3. Temporary protection and tenant rights.

(a) Beginning July 1, 2027, if a tenant reports that a bedroom or living room has stayed above 82 degrees for two hours, the landlord shall provide temporary cooling within 24 hours. If the home cannot be cooled safely, the landlord shall offer temporary housing at no extra cost until the problem is fixed. This requirement also applies during an approved extension.

(b) Landlords shall not charge a separate cooling fee or raise rent specifically to recover the cost of meeting this bill. Regular rent increases must still follow existing state and local laws.

(c) Landlords shall not threaten, evict, or reduce services to a tenant for reporting excessive heat or requesting help.

(d) This bill does not replace stronger local protections or limit a tenant's right to request a lower temperature as a disability accommodation.

SEC. 4. Financial assistance.

(a) The department shall offer grants to help pay for cooling equipment, insulation, electrical work, and temporary heat protection. Priority shall go to homes with low-income tenants, areas with frequent extreme heat, and landlords who own four or fewer rental units.

(b) For these programs, low-income tenants are households earning no more than 80 percent of their area's median income, adjusted for household size.

(c) Grants may cover up to 90 percent of approved costs for small landlords with low-income tenants and up to 50 percent for other landlords. The same expense cannot be paid by two assistance programs.

(d) A landlord receiving a grant shall agree to maintain the improvements and not displace tenants or increase rent because of the funded work for five years. This agreement shall also apply if the property is sold.

SEC. 5. Enforcement.

(a) The department shall provide a phone and online complaint process and investigate reported violations. Local governments may voluntarily help through funded agreements, but they are not required to run the program.

(b) The department shall give landlords written notice and generally allow 30 days to correct a violation. The 24-hour temporary protection requirement in Section 3 still applies.

(c) A landlord who knowingly refuses to follow an order may face a fine of up to $500 per affected unit per day. Before imposing a fine, the department shall allow the landlord to request a hearing and consider the seriousness of the violation and efforts to fix it. Fines shall go to the General Fund.

SEC. 6. Funding and starting date.

(a) This bill appropriates $50 million from the General Fund to the Department of Housing and Community Development to carry out the rental heat safety program. The money shall be available through June 30, 2031.

(b) At least 85 percent shall go towards grants and temporary heat assistance. No more than 15 percent shall go toward administration, enforcement, and evaluation. Grants are limited to available funds.

(c) Starting December 31, 2028, the department shall submit a yearly report through 2031 describing spending, home improvements, complaints, and whether additional funding is needed.

(d) This bill shall take effect on January 1, 2027, with the later deadlines listed above for implementation and improvements.