



Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

May 15, 2024

Ms. Brooke Pinto, Ward 2 Councilmember
Office of Councilmember Brooke Pinto
John A. Wilson Building
1350 Pennsylvania Ave., NW
Suite #106
Washington, DC 20004

Re: Heating Timeline Requirements in DC Housing Code Standards

Dear Councilmember Pinto,

At its regular meeting on May 15, 2024, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With five of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission, after a motion made by Vice Chairperson Chadwick and seconded by Commissioner Comer adopted the following resolution (CR-24-023) by unanimous consent:

WHEREAS The District of Columbia Housing Code Standards require apartment complexes using a two-pipe system with a 15-day transition period to provide heating “during a period starting no later than October 15 and ending no earlier than May 1”.¹

WHEREAS The District of Columbia experiences increasingly hot temperatures throughout April and May because of climate change that residents in buildings with two-pipe systems are unable to moderate until their apartment complexes complete the heating to cooling transition.

WHEREAS Residential buildings with two-pipe HVAC systems were built predominantly in the 1960s and make up a significant portion of the housing stock in ANC2A² and also of the District’s rent-controlled housing stock³. Residents in such buildings are more likely to be people of color or disadvantaged economic means.⁴

¹ D.C. Department of Buildings, “DC Housing Code Standards,” [dob.dc.gov](https://dob.dc.gov/service/dc-housing-code-standards#:~:text=Heat%3A%20Heating%20equipment%20shall%20maintain.), accessed April 29, 2024, <https://dob.dc.gov/service/dc-housing-code-standards#:~:text=Heat%3A%20Heating%20equipment%20shall%20maintain.>

² D.C. Office of Planning and D.C. Historic Preservation Office, “HistoryQuest DC,” [planning.dc.gov](https://planning.dc.gov/page/historyquest-dc), accessed May 8, 2024, <https://planning.dc.gov/page/historyquest-dc>.

³ D.C. Department of Housing and Community Development, “Rental Accommodations Division Office of Administrative Hearings Rental Housing Commission,” 2007, <https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/publication/attachments/RentControlFactSheet.pdf>.

⁴ Doni Crawford, “Affordable Housing: All Residents, Especially Longtime Black and Brown Native DC Residents, Have a Safe and Affordable Place to Call Home,” DC Fiscal Policy Institute, February 5, 2020,



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WHEREAS Ward 2 Councilmember Brooke Pinto authored a letter in April 2023 to the Construction Codes Coordinating Board (“CCCB”) requesting a reevaluation of the timeframe set forth in the Housing Code Standards;⁵

WHEREAS Approximately 1,600 DC residents have signed a petition requesting a reevaluation of the timeframe set forth in the Housing Code Standards as of May 8th, 2024.⁶

WHEREAS At-Large Councilmember Christina Henderson introduced B25-0279, the “Climatizing Our Overheated Living Spaces Regulation Amendment Act of 2023”, on April 28, 2023 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.”⁷

WHEREAS Department of Energy and Environment Director Richard Jackson provided a climate analysis to the CCCB that suggests the best policy practice would be to eliminate “fixed air conditioning dates from the Property Maintenance Code and instead [set] indoor air temperature performance standards” to allow property owners the “flexibility to respond to weather patterns and/or tenant requests for heating and cooling.”⁸

WHEREAS CCCB Acting Chairperson Marc Fetterman committed to exploring a maximum indoor temperature concept as suggested by Department of Energy and Environment Director Richard Jackson; however, neither the CCCB nor the DC Council have taken official action to address this matter.⁹

<https://www.dcfpi.org/all/affordable-housing-all-residents-especially-longtime-black-and-brown-native-dc-residents-have-a-safe-and-affordable-place-to-call-home/>.

⁵Adrienne DiPiazza, “DC Council Member Asks City to Reevaluate Air Conditioning Codes,” FOX 5 DC, April 20, 2023, <https://www.fox5dc.com/news/dc-council-member-asks-city-to-reevaluate-air-conditioning-codes>.

⁶ Tuly Stern, “Petition to Change DC Air Conditioning Mandates,” Change.org, April 6, 2023, <https://www.change.org/p/change-dc-air-conditioning-mandates#decision-makers-heading>.

⁷ Christina Henderson, “Statement of Introduction: Climatizing Our Overheated Living Spaces Regulation Amendment Act of 2023,” April 28, 2023, <https://lms.dccouncil.gov/downloads/LIMS/52960/Introduction/B25-0279-Introduction.pdf?Id=160959>.

⁸ Richard Jackson Letter to Marc Fetterman, “Letter to Construction Codes Coordinating Board regarding Climate Change and Impact on DC Cooling Regulations,” Via Email, June 3, 2023, <https://www.dcnewsnow.com/wp-content/uploads/sites/14/2024/04/2021-ICC-CCCB-2023-Property-Maintenance-Heating-Air-Conditioning-Letter-from-DOEE.pdf>.

⁹ Daniel Hamburg, “DC Renters Sweltering before Apartment Landlords Switch to Air Conditioning,” DC News Now | Washington, DC, April 30, 2024, <https://www.dcnewsnow.com/news/local-news/washington-dc/dc-residents-sweltering-before-apartment-landlords-switch-to-air-conditioning/amp/>.



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THEREFORE, BE IT RESOLVED that ANC 2A requests that the Council of the District of Columbia renew its request to the CCCB and reevaluate the heating and cooling timeframes set forth in DC Code to allow property owners the flexibility to meet tenant needs based on the forecast weather patterns.

THEREFORE, BE IT FURTHER RESOLVED that ANC 2A requests that the Council of the District of Columbia renew its consideration of a maximum indoor temperature requirement, such as that proposed in B25-0279, the "Climatizing Our Overheated Living Spaces Regulation Amendment Act of 2023", during this Council Period.

Commissioners Luke Chadwick (2A05@anc.dc.gov) and Trupti Patel (2A03@anc.dc.gov) are the Commission's representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

Trupti Patel
Chairperson

CC:

Christina Henderson, At-Large Councilmember
Marc Fetterman, Member, CCCB
Jeff Reis, Member, CCCB
Michael Brown, Member, CCCB
Anthony Dale, Mayoral Delegate, CCCB
Matthew Borger, Council of the District of Columbia Delegate, CCCB
Casey Studhalter, District Department of the Environment (DOEE) Representative, CCCB
Jason Wright, Building Industry-Commercial and Industrial Representative, CCCB
Harrison Miller, Building Industry-Residential and Multi-Family Representative, CCCB
Gus Mehrdad, Member, CCCB
Jeffrey Viano, Member, CCCB
Joel Causey, Member, CCCB
Keith David Parsons, Member, CCCB
Mitchell Kannry, Member, CCCB