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Testimony Before the District of Columbia Council  
Committee of the Whole  
January 27, 2026

Public Hearing:  
B26-0285 - Climatizing Our Overheated Living Spaces Regulation Amendment Act of  
2025

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## **Introduction**

Good morning, Chairman Mendelson, and members of the Committee. My name is Patrick Cothorn. I am a Policy Attorney at Children's Law Center and a resident of Ward 8. Children's Law Center believes every child should grow up with a strong foundation of family, health and education and live in a world free from poverty, trauma, racism and other forms of oppression. Our more than 100 staff – together with DC children and families, community partners and pro bono attorneys – use the law to solve children's urgent problems today and improve the systems that will affect their lives tomorrow. Since our founding in 1996, we have reached more than 50,000 children and families directly and multiplied our impact by advocating for city-wide solutions that benefit hundreds of thousands more.

Children's Law Center attorneys routinely represent tenants living in housing with serious habitability concerns, including exposure to excessive indoor heat due to broken, malfunctioning, or otherwise inoperable air conditioning systems. These cases frequently arise during periods of elevated outdoor temperatures, including during the spring and fall months that fall outside the current cooling season defined in District regulations.

Our practical experience working with families in the District informs our testimony, which we submit today in support of Bill B26-0285, the Climatizing Our Overheated Living Spaces Regulation Amendment Act of 2025. We recommend its

passage, enactment, and implementation as it relates to extending the annual period during which cooling must be provided in affected residential buildings.

### **To Ensure Tenants Are Protected from Heat Exposure, Air Conditioning Regulations Must Be Updated to Be Consistent with Climate Realities**

Extreme heat is a serious and increasing public health hazard in Washington, D.C.,<sup>1</sup> with disproportionate impacts on children.<sup>2</sup> Neighborhoods without adequate shade or green space can be up to 16°F hotter than surrounding areas due to the urban heat island effect, exacerbating exposure for residents in high-heat conditions.<sup>3</sup> National pediatric and public health authorities emphasize that access to cool, shaded, or air-conditioned environments is a key protective factor against heat-related morbidity.<sup>4</sup> Functioning air conditioning systems mitigate these risks by lowering indoor temperatures to safe ranges, reducing strain on the body, improving children's ability to rest and learn, and decreasing incidences of heat-related medical emergencies.<sup>5</sup>

Bill B26-0285 proposes to amend 12G D.C.M.R. § 608.1 to extend the annual period during which landlords who provide air conditioning are required to do so.<sup>6</sup> From a habitability and enforcement perspective, this change would meaningfully strengthen tenant protections. Tenants seeking to challenge a lack of cooling services must do so through a legal challenge that their landlord does not meet their obligations. Currently, tenants face a legal barrier to enforcing cooling obligations because 12G D.C.M.R. § 608.1 utilizes a trigger that is no longer consistent with our increasingly hotter climate.<sup>7</sup> Because dangerous heat does not reliably conform to narrow seasonal windows,<sup>8</sup> tenants may

otherwise experience unsafe conditions without a clear enforcement mechanism. To effectively enforce that obligation, tenants need legal standards consistent with climate reality.<sup>9</sup> The defined annual cooling determines when a landlord who offers air conditioning as an amenity has a clear legal obligation to provide cooling and when a failure to do so constitutes a violation subject to enforcement.<sup>10</sup>

Bill B26-0285 would improve the District's housing regulatory framework by extending the annual period during which cooling must be provided by landlords who offer air conditioning. From the perspective of Children's Law Center's direct representation work, this change would meaningfully strengthen habitability protections, reduce enforcement gaps, and support better outcomes for children and families exposed to excessive indoor heat.

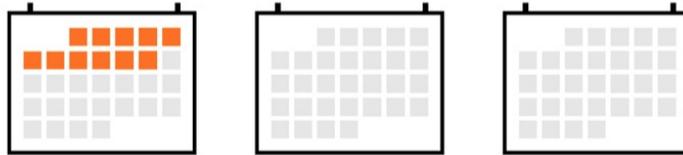
For these reasons, Children's Law Center supports the passage, enactment, and implementation of Bill B26-0285 as it relates to extending the annual cooling period, and we urge the Council to approve this legislation.

## **Conclusion**

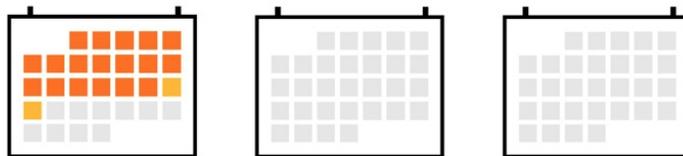
Thank you for the opportunity to submit this testimony. I would be happy to respond to any questions the Committee may have regarding my testimony.

## Appendix I

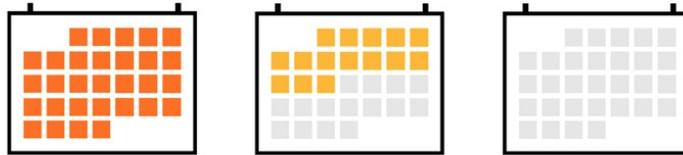
**Baseline:** 11 days / dias



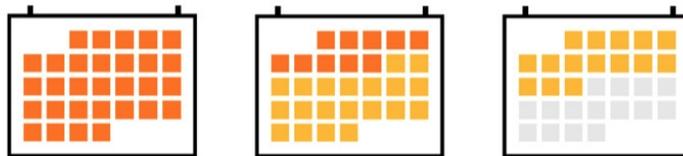
**2020s:** 18-20 days / dias



**2050s:** 30-45 days / dias



**2080s:** 40-75 days / dias



■ Above 95° (low emission scenario) | Más de 95° (escenario de bajas emisiones)  
■ Above 95° (high emission scenario) | Menos de 95° (escenario de altas emisiones)

<sup>1</sup> Average annual temperatures in the District have risen approximately 2°F over the past 50 years, and extreme heat days and heatwaves are projected to become more frequent, longer, and more intense as the climate continues to warm. See Department of Energy and the Environment, *The District of Columbia's*

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*Extreme Heat Adaptation Strategy: Keep Cool DC (2022), available at*

[https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service\\_content/attachments/2022%20Keep%20Cool%20DC\\_0.pdf](https://doee.dc.gov/sites/default/files/dc/sites/ddoe/service_content/attachments/2022%20Keep%20Cool%20DC_0.pdf) (“Like many places around the world, the average temperatures in the District have been trending dramatically warmer since the previous century ... The number of heat emergency days each year (i.e., days above 95°F) is expected to more than triple by 2050. By 2080, the District could see as many as 75 days above 95°F”) (internal citations omitted).

<sup>2</sup> See e.g., Federation of American Scientists, Collaborative Action in Massachusetts to Counter Extreme Heat, *available at* <https://fas.org/publication-term/extreme-heat>.

<sup>3</sup> *Id.* Children are uniquely vulnerable to heat for physiological and developmental reasons: they regulate body temperature less efficiently than adults, are at higher risk of heat-related illness and dehydration, and are more likely to experience adverse effects on respiratory, cardiovascular, and cognitive functioning during heat exposure. Research links high temperatures to increased emergency department visits, disrupted sleep, impaired cognitive performance, and worsened chronic conditions among children.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Under the proposed legislation, regulatory requirements for landlords would mandate air conditioning beginning no later than May 1 and continuing through at least October 1.

<sup>7</sup> Sustainable DC, *Extreme Heat Adaptation Strategy, 1-2, available at* [https://sustainable.dc.gov/sites/default/files/dc/sites/sustainable/page\\_content/attachments/Keep%20Cool%20DC.pdf](https://sustainable.dc.gov/sites/default/files/dc/sites/sustainable/page_content/attachments/Keep%20Cool%20DC.pdf) (“The number of heat emergency days each year (i.e., days above 95°F) is expected to more than triple by 2050. By 2080, the District could see as many as 75 days above 95°F! Humidity can make the temperature feel even hotter. For example, if the air temperature is 94° F with 60% humidity, the temperature will feel like 110° F.”). For a visual demonstration of the increasing number of hot days, see, Appendix I.

<sup>8</sup> Center for Disease Control and Prevention, *Climate Change and Extreme Heat Events*, 11, *available at* <https://www.cdc.gov/climate-health/media/pdfs/ClimateChangeandExtremeHeatEvents.pdf>.

<sup>9</sup> Under current District regulations, landlords who provide air conditioning are required to do so only during a limited annual period. Specifically, 12G D.C.M.R. § 608.1 currently requires air conditioning to be provided no later than June 1 and to continue until at least September 15.

<sup>10</sup> B26-0285, *Climatizing Our Overheated Living Spaces Regulation Amendment Act of 2025* § 2(b), line 47-54.