



March 30, 2026

The Honorable Tina McKinnor
California State Assembly
1021 O Street, Suite 5520
Sacramento, CA 95814

**RE: AB 2616 (McKinnor) – Hiring of real property: indoor temperature –
Oppose unless amended**

Dear Assembly Member McKinnor:

On behalf of the members of the California Apartment Association (CAA), I am writing to inform you that CAA has taken an oppose unless amended position on AB 2616, your bill that would require a landlord to allow a tenant to install or use, at the tenant's expense, a "portable cooling device" or other nonmechanical cooling method to maintain the indoor temperature of a dwelling unit below 82 degrees Fahrenheit, provided various conditions are met.

We empathize with your concerns for people across California navigating climate change. However, as currently drafted, AB 2616 can lead to more of our residents without power. As currently drafted, a room in a home anywhere in California could be inspected and deemed untenable until the full unit can maintain a temperature below 82 degrees Fahrenheit. The issue of indoor temperatures varies across California and this conversation is important to CAA members.

To address our concerns, we request the following amendments:

- Clarify that a room should be capable of reaching a temperature below 82 degrees Fahrenheit.
- Clearly distinguish between mechanical and nonmechanical cooling methods and explicitly state that tenants are responsible for the cost of purchase, installation, maintenance, and removal of nonmechanical cooling devices.
- Require that the tenant shall coordinate with the landlord regarding the installation of any window-mounted mechanical cooling device, and that a landlord may require reasonable conditions on the installation or use of a device as necessary to ensure compliance with applicable laws, prevent damage to the dwelling unit, and avoid unsafe electrical loads.
- Limit allowable mechanical cooling devices to standard 110-volt capacity to avoid electrical overload risks; devices requiring 220-240 volts may exceed circuit capacity and create safety hazards.
- Make clear that the combined electrical load of all tenant-installed cooling devices shall not exceed the rated capacity of the electrical system or circuit serving the dwelling unit.

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- Make clear that the tenant shall be responsible for any damage to the dwelling unit caused by a tenant's installation or use of a portable cooling device or other nonmechanical cooling method, including any water damage, mold, or mildew caused by the portable cooling device.
- Provide that a landlord and their agent shall be immune from liability for any claim of damages, injury, or death caused by a portable cooling device installed by the tenant.
- Remove the language from the Civil Code 1941.1 relating to substandard housing. These amendments are inconsistent with other provisions in the bill. If the tenant is responsible for the device, the landlord cannot be held responsible for untenable conditions relating to the device.

The California Apartment Association is the largest statewide rental housing trade association in the country, representing over 60,000 single family and multi-family apartment owners and property managers who are responsible for over 2 million affordable and market rental units throughout the State of California. Thank you for hearing our concerns.

Sincerely,

CALIFORNIA APARTMENT ASSOCIATION



By

Freddie J. Quintana
Vice President, State Public Affairs

cc: Assembly Judiciary Committee