



Commonwealth of Massachusetts
 DEPARTMENT OF HOUSING &
 COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

PHN 2021-10

To: All Local Housing Authority (LHA) Executive Directors
 From: Rob Garrett, Facilities Management Supervisor
 Re: Air Conditioner Policies
 Date: June 8, 2021

The Department of Housing and Community Development (DHCD) strongly recommends that every local housing authority (LHA) develop and implement a Board-approved policy that addresses air conditioner use and installation. Additionally, DHCD recognizes that every LHA has unique challenges that impact its operation and policies. The decisions that help to determine air conditioner policy development are best made locally and at the discretion of the LHA.

Please review the following recommendations and best practices that will guide your LHA in the development of a sound policy. The following should be considered for inclusion:

1. **Process:** LHA policy should clearly outline process and permission requirements for residents to install an air conditioner. Best Practice: LHA policy requires written request from tenant followed by written authorization from Local Housing Authority (LHA). LHAs should consider safety risks such as improperly installed air conditioners falling from a height and injuring someone. Policies may be different from development to development depending on building characteristics and resources.
2. **Installation Dates:** LHA policy should outline installation and removal dates for air conditioner units.

These dates may be based around the state-sanitary code “cooling season” of June 15-September 15, but LHAs may also adopt a wider range of dates based on changing climate conditions and in any event policy should be flexible in event of unseasonably warm or cool weather.

Please be advised: every board adopted LHA Air Conditioning Policy should allow for flexibility on installation and removal dates and every LHA should review and be familiar with MA State Sanitary Code [410.201](#): Temperature Requirements which states:

The owner shall provide heat in every habitable room and every room containing a toilet, shower, or bathtub to at least 68°F (20° C) between 7:00 A.M. and 11:00 P.M. and at least 64°F (17° C) between 11:01 P.M. and 6:59 A.M. every day other than during the period from June 15th to September 15th, both inclusive, in each year except and to the extent the occupant is



required to provide the fuel under a written letting agreement. **The temperature shall at no time exceed 78°F (25° C) during the heating season.** The temperature may be read and the requirement shall be met at a height of five feet above floor level on a wall any point more than five feet from the exterior wall. The number of days per year during which heat must be provided in accordance with 105 CMR 410.000 may be increased or decreased through a variance granted in accordance with the provisions of 105 CMR 410.840 notwithstanding the prohibitions of the first clause of the first sentence of 105 CMR 410.840(A).

The state sanitary code sets minimum and maximum temperature standards for residential units during the “heating season”, but does **NOT** require building managers to keep heat on in a building until June 15 no matter the circumstance. Building managers must be mindful of weather conditions and the maximum temperature standard as well as the minimum temperature standard. See [Department of Public Health clarifying guidance](#).

3. **Authorized Installers:** Policy should state who is authorized to install and/or remove air conditioners.
 - In general, for liability and workload reasons, DHCD recommends that LHA maintenance staff avoid installing and/or removing air conditioners. After weighing the benefits and risks, however, your LHA may determine it is operationally efficient to have maintenance staff install air conditioners. These types of policies should list any specific conditions that must be met prior to installation, an outline of resident responsibilities and a process that requires residents requesting installation to sign off on the policy and a waiver releasing the LHA from any liability.
 - If your LHA hires contractors or volunteer groups, they must carry liability insurance and workers compensation if a contractor employing workers.
 - If using outside vendors, it is a best for the LHA to solicit quotes for AC installation prior to the cooling season, following Chapter 30B procurement regulations.
 - If using an outside vendor the LHA may provide for an inspection by the LHA of the vendor’s installation of the air condition units to ensure that the installation was done correctly.

4. **Air Conditioner Type and Number:** Policy should list the following:
 - Allowable types of air conditioning units. (window, portable, in-wall sleeve)
 - The maximum allowable BTU size based on LHA development and unit type. (BTU maximums may vary depending on size of unit.)
 - Whether there is an Energy Star Rating requirement
 - Extension cords should be avoided, but, if unavoidable, must be a heavy duty appliance-rated cord with ground and must not create a tripping hazard, (i.e. minimum length to reach outlet and secured to floor or against wall.)
 - Total number of AC units allowed. (Unit and development type may allow for variations)

5. **Proper installation instructions.** The policy should list the specific steps that every installer should adhere to.

Examples:

 - a. Wood Sash:
 - An “L” bracket is to be used for securing both the top sash and lower sash together so they are not able to be opened.
 - Weather stripping to be installed between the upper and lower sash.

- No duct tape, cardboard, cloth or other absorbent material will be used as side panels.
 - b. Vinyl Sash:
 - A wood dowel, block or other suitable material is to be placed on top of the lower sash and directly under the handle (if present) of the upper sash to secure both sashes from being opened.
 - An “L” bracket can be used when there is no upper sash handle.
 - Weather stripping to be installed between the upper and lower sash.
 - No duct tape, cardboard, cloth or other absorbent material will be used as side panels.
 - c. Proper pitch of AC unit to direct condensation away from the inside of the apartment.
6. Policy should require that tenants maintain A/Cs in good working order and keep them clean.
 7. When a room only has one (1) window, a window mounted AC is prohibited as it blocks emergency egress. A portable AC that does not prevent an emergency escape may be used. Portable AC units that use condensation reservoirs may flood the apartment and are therefore not recommended.
 8. The LHA should contact their DHCD Construction Advisor (CA) **BEFORE** allowing the installation of any window air conditioning unit (regardless of their type), if the unit windows were installed within the last year, in order to ensure that the warranty is not voided. The DHCD CA will provide guidance to the LHA regarding the proper installation.

LHA should provide a copy of the policy to all residents.

Please contact your assigned Facilities Management Specialist (FMS) for further assistance.