

Tenants Have the Right to Install Portable Cooling Devices

Under [Senate Bill 1536](#) (2022 Regular Session), the Oregon Health Authority (OHA) is providing freestanding portable cooling devices to OHA clients through Oregon's new Air Conditioner Deployment Program.

SB 1536 also protects tenants' rights to install and use these devices as summarized below.

What devices may tenants install?

Under this law, "portable cooling devices" include air conditioners and evaporative coolers.

How may tenants install the device?

Tenants can mount the device in a window or place the device on the floor, as long as it does not damage the dwelling unit or building when installed. The devices OHA provides are only for placing on the floor.

What uses are not protected under SB 1536?

A landlord **may only prohibit or restrict** a tenant from installing or using a portable cooling device if installation or use of the device would:

- Violate building codes or state or federal law;
- Violate the device manufacturer's written safety guidelines for the device;
- Damage the premises or render the premises uninhabitable;
- Require more amperage to power the device than power service to the building, dwelling unit or circuit can accommodate; or
- For window-mounted devices:
 - Block a window that serves as the necessary egress from the dwelling unit;
 - Interfere with the tenant's ability to lock a window that is accessible from outside;
 - Damage or void the warranty of the window or frame, puncture the envelope of the building, or otherwise cause significant damages due to the use of brackets or other hardware required to securely fix the device;
 - Damage the dwelling unit or building because the device cannot be adequately drained; or
 - Risk the device falling.

What other requirements may landlords set for tenants?

Under SB 1536, a landlord may require portable cooling devices to be:

- Installed or removed by the landlord or landlord's agent;
- Subject to inspection or servicing by the landlord or landlord's agent; or
- Removed from October 1 through April 30.

Questions?

Please contact OHA at 503-752-6540 or nathan.w.roberts@dhsaha.state.or.us if you have any questions or concerns about tenant's or landlord's rights and obligations related to the cooling devices and SB 1536.