



## PROPERTY MANAGEMENT **CONNECTION**

### **NO AIR POLICY**

In accordance with Tennessee's Landlord-Tenant Act, air conditioning is not listed as an essential service to be provided by the Landlord. This policy is in place to (a) identify when no air is an emergency vs non-emergency, and (b) to establish a uniform system for providing a tenant credit in times of no air in the unit.

#### **General Principal**

When the outside air temperature is above 90 degrees for four (4) or more consecutive hours, no air conditioning is considered to be an emergency.

#### **Example 1**

Tenant places a work order when outside temperature is 95 degrees and the low for the day is 90 degrees. Result: Emergency

#### **Example 2**

Tenant places a work order at 10 am when outside temperature is 87 degrees, but the external temperature is expected to rise above 90 degrees at Noon and stay above 90 degrees until after dark that evening. Result: Emergency

#### **Example 3**

Tenant places a work order at 4 pm when outside temperature is 93 degrees, but the external temperature is expected to drop to 87 degrees by dusk. Result: Non-Emergency

#### **Example 4**

Tenant places a work order at 10 am when outside temperature is 85 degrees, but the external temperature is expected to rise to 91 degrees in the afternoon and the forecast is for the temperature to be above 90 degrees for two hours that afternoon. Result: Non-Emergency

#### **Multiple AC Units**

For a home with multiple AC units where one unit is functioning fine but the other unit is broken, PMC's standard policy is that the service call should be non-emergency as the home is receiving partial cooling.

#### **Non-Emergency Response**

For situations deemed to be a non-emergency, a work order will be issued to an HVAC contractor to be performed during normal business hours (generally, Monday through Friday from 8 AM to 4 PM). PMC will not pay for overtime rates (evening, weekend and/or holiday) rates in non-emergency situations.

## **Emergency Response**

For situations deemed to be an emergency, a work order will be issued to an HVAC contractor and PMC will authorize work to be performed on overtime. This means work may be performed in the early evenings, weekends and holidays.

In situations where emergency work has been authorized, it is likely the HVAC companies will be experiencing very high workloads. Our expectation is a vendor will be able to make an initial visit to the property within 36 hours of the work order being assigned to a vendor. Any work order submitted after 5 PM will be assigned to a vendor the following morning, and thus starting the 36-hour timeline in the morning.

If the assigned vendor is not able to meet this schedule, we will work to identify a backup company who can meet this schedule. Depending on the availability of parts and the complexity of the situation, the HVAC company may or may not be able to resolve the issue on the first visit.

## **Rent Credit**

Rent credits are based on the daily rent rate of the property which will be calculated as Monthly Rent (include pet rent but excluding insurance) divided by 30. For example, a home that rents for \$1,500 per month has a daily rent credit of \$50.

Rent credits are not allowed for *non-emergency* situations unless the no air situation extends past seven calendar days. If the no air continues, PMC may consider a daily rent credit starting in the 8<sup>th</sup> day. This will be decided by PMC's management based on the entirety of the situation (temperature, previous HVAC issues, complexity of repair, contractor response time).

In *emergency* situations, a credit for the daily rent rate will be issued starting on the 3<sup>rd</sup> calendar day if the situation has not been resolved. For calculations of the first calendar day, a calendar day will only be counted if a work order is placed before 8 AM.

Example 1: Work order placed at 5 PM on Sunday and the issue is fixed on Wednesday, a rent credit is issued for 1 day.

Example 2: Work order placed at 7 AM on Monday and the issue is fixed on Wednesday, a rent credit is issued for 1 day.

Example 3: Work order placed at Noon on Monday and the issue is fixed on Wednesday, no rent credit will be issued.

Oftentimes, there are a mix of *emergency* days and *non-emergency* days over the course of a repair. In these situations, a rent credit would only be issued if there are more than three *emergency* days over the period.

Example: A non-emergency work order is placed on Monday and the HVAC contractor performs a visit on Wednesday and determines a part is necessary which will not arrive for install until Monday. On Thursday the temperature drops sharply to emergency levels and stays at that temperature through Saturday. Temperatures warm up for Sunday and Monday. Result: There are 3 emergency days (Thursday, Friday, Saturday) and a rent credit is issued for Saturday.

### **Temperature Readings**

PMC uses Weather.com to based on Nashville, TN (37204 zip code) for all temperature readings and forecasts no matter which part of town the actual property is located. PMC uses Weather Underground to look at historical temperatures.

### **General Safety and Reasonable Accommodations**

If a tenant has a medical condition where no air conditioning at a temperature below 90 degrees would be considered an emergency, the tenant should place a medical doctor's note on file with PMC so we can make reasonable accommodations up to and including running all no air conditioning calls as an emergency.

Nothing in this policy precludes a tenant from making alternative living arrangements at the tenant's cost while without air conditioning.