

Have Residents Acknowledge Smoke Detector Policy

You can use the following policy, based on one provided by the Renton Housing Authority in Renton, Wash., to alert residents to their responsibility for maintaining the smoke detectors in their units. Have them sign the policy

to acknowledge that the site provided them with working smoke detectors and notified them of the site's smoke detector policy.

SMOKE DETECTOR POLICY

1. LEGAL/REGULATORY REQUIREMENTS. In order to meet Housing Quality Standards (HQS) and regulatory requirements after Oct. 30, 1992, at least one smoke detector is required on each level of a rental unit assisted or insured by HUD. A smoke detection device is further required by *[insert reference to state or local law]*.

At a minimum, one hard-wired or battery-operated smoke detector in proper working condition is required on each level of a rental dwelling unit. The smoke detector must be located, to the extent practicable, in a hallway adjacent to a bedroom. Units not meeting minimum requirements must be brought into compliance and shall be checked during the course of unit inspections and management reviews.

If a hearing-impaired person occupies the unit, it is the owner's responsibility to ensure that each bedroom occupied by a hearing-impaired person has a visual alarm connected to and activated by the smoke detector installed in the hall.

HUD is attempting to balance the need to protect residents from fire and the desire to keep owners' costs at a reasonable level. For that reason owners are allowed the discretion to install either battery-operated or hard-wired smoke detectors. However, smoke detectors for hearing-impaired persons must be permanently installed—that is, hard-wired. Owners may fund the purchase and installation of smoke detectors and the cost of batteries as well as the costs incurred to accommodate smoke detector requirements for hearing-impaired residents.

Smoke detectors are required in basements and attics only if these areas are used for living purposes. A smoke detector must be installed in a basement or an attic that has been converted into a recreational room or sleeping area. If the basement of a multilevel unit is not used for living purposes but houses the furnace/water heater or laundry facilities, it is not necessary for a smoke detector to be installed on that level.

Likewise, it is not necessary for a smoke detector to be installed in an attic that is used for non-living purposes, such as a storage area or a repository for the wiring for the unit. Other structural variations may exist, such as a structure with a vestibule on the lower level, instead of a basement, where people enter, in which case a smoke detector is required.

If in doubt whether a particular area constitutes a "level" requiring a smoke detector, owners and managers should apply the "area used for living purposes" concept in reaching a decision.

2. SITE OWNER'S RESPONSIBILITY. The site owner is responsible for installing smoke detectors, inspecting them once a year to ensure that the devices are in proper working condition, and replacing batteries in the smoke detectors as necessary. Owners/managers are responsible for maintaining accurate records regarding smoke detector requirements. Owners/managers are to keep records, resident certifications, etc., on hand for three years, and are to make them available upon request when HUD conducts a management review.

3. RESIDENT'S RESPONSIBILITY. The resident's responsibility under the lease to maintain and care for the unit extends to not tampering with smoke detectors and ensuring that batteries are kept in place. Residents are also responsible for informing the owner/manager of any problems with the smoke detectors, including the failure of the batteries, in the same manner that they are responsible for informing the owner/manager of any malfunction or maintenance needs in their units.

A fine of not more than \$*[insert amt., e.g. \$200]* may be imposed for failure to maintain the smoke detection device and is grounds for termination of tenancy.

The resident and site owner or managing agent is required to sign this notice. By signing, you, the resident, acknowledge that you have received a copy of this notice signed by the owner or managing agent and will comply with the resident responsibilities.

SITE NAME AND UNIT NUMBER: _____

RESIDENT'S NAME: _____

SIGNATURE: _____

DATE: _____

SITE OWNER/MANAGING AGENT NAME: _____

SIGNATURE: _____

DATE: _____