



TDD 425/255-8373

SMOKE DETECTION DEVICE NOTICE

In order to meet Housing Quality Standards (HQS) and regulatory requirements after October 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 RCW 48.48.140(3) (Revised Code of Washington).

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 tenants 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, i.e., 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 tenants.

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 as 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/management should apply the "area used for living purposes" concept in reaching a decision.

OWNERS/LANDLORDS ARE 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/management are responsible for maintaining accurate records regarding smoke detector requirements. Owners/management are to keep records, tenant certifications, etc., on hand for three years and are to make them available upon request when HUD conducts a management review.

THE TENANT'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. Tenants are also responsible for informing the owner 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 of any malfunction or maintenance needs in their units.

A fine of not more than TWO HUNDRED DOLLARS may be imposed for failure to maintain the smoke detection unit and is grounds for termination of tenancy.

The Tenant and Owner/Landlord or Agent is required to sign this notice. By signing, you the Tenant, acknowledge that you have received a copy of this notice signed by the owner or management agent and will comply with the tenant responsibilities.

Subject Property: _____

Section 8 Tenant Name: _____

Property Owner Name: _____

Tenant Signature

_____/_____/_____
Date

Landlord/Owner Signature

_____/_____/_____
Date

RHA Representative

_____/_____/_____
Date