

***Local Government & Housing
Committee***

HB 1433

Brief Description: *Requiring disclosure of fire protection and building safety information.*

Sponsors: *Representatives Cooper, Simpson, Linville, Wood, Ruderman, McDermott and Murray.*

Brief Summary of Bill

- *Requires landlord to provide tenants with a written statement disclosing information on fire protection and safety for residential buildings.*
- *Exempts single-family residences from the reporting requirement.*

Hearing Date: *2/21/01*

Staff: *Kenny Pittman (786-7392).*

Background:

Under the state fire protection law, all dwelling units occupied by persons other than the owner, or built/manufactured after 1980, must be equipped with smoke detection devices. Installation of the smoke detection devices is the owner's responsibility, and the owner is also required to ensure that a device is operational after the dwelling becomes vacant. The tenant is responsible for maintaining the smoke detection device, including the replacement of batteries. Noncompliance by a landlord or tenant is punishable by a fine up to \$200.

The state's Residential Landlord-Tenant Act regulates the relationship between a residential property owner (landlord) and the renter of the residential property (tenant). Included in the landlord's duties is that tenant's are provided with a written notice: (1) that the dwelling unit has a smoke detection; (2) that the tenant is responsible for maintaining the smoke detection device in working condition; and (3) that there are penalties for failure to maintain the smoke detection devices in the dwelling unit.

Summary of Bill:

The state's Residential Landlord-Tenant Act is revised to require the landlord of a multifamily residential dwelling to provide a written statement to tenants that disclosing fire safety and protection information. The disclosure statement must include information on the fire protection features of the individual dwelling unit and the premises " such as fire sprinkler systems, fire alarm systems, smoke detection devices (including whether they are hard wired or battery operated), other monitoring and detection systems, fire response plans, and evacuation practices to the extent they exist " and if there is a smoking policy.

Both the landlord and the tenant must sign the statement and both parties must be provided with copies of the statement. The statement must be provided to new tenants prior to signing the initial lease, and to existing tenants no later than January 1, 2003. The requirement for the written notice does not apply to single-family residences.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.