

Carbon Monoxide Detectors in Apartments

The Pennsylvania Apartment Association encourages strict compliance with property codes that protect resident safety. There are times when we must take issue with the particulars of individual bills, but we have always supported the purpose and spirit of fire and safety initiatives.

Senate Bill 29, PN 13 (D-Washington) would require carbon monoxide sensor devices in “every unit of a dwelling space in a dwelling” (the definition includes apartments) if a carbon monoxide hazard exists for that unit. Detectors can be an immensely helpful early warning to occupants of the presence of deadly carbon monoxide. But it must be recognized that detectors can be prone to failure because of misuse by tenants who remove the batteries or the detector itself, ignore the need to replace worn out batteries or fail to report a damaged detector. Clear provisions must be included in SB 29 to:

- ❖ Assure that no person shall have a claim for relief against a property owner or an owner’s agent for any damages resulting from the operation, maintenance or effectiveness of carbon monoxide alarms if the alarm was installed in accordance with the manufacturer’s published instructions and the provisions contained in SB 29.
- ❖ Clearly establish that it shall be unlawful for any person to tamper with, damage, remove or render inoperable a carbon monoxide detector installed in a dwelling unit.
- ❖ Require residents to immediately notify owners in writing if the carbon monoxide detector has been removed or damaged.
- ❖ Provide that owners will not be cited for a violation of a local code nor prevented from obtaining a certificate of occupancy for failure to provide a carbon monoxide detector if the resident has not notified the owner in writing of the damage to or absence of a detector.
- ❖ Require residents to periodically test and replace any batteries for detectors in their dwelling units.
- ❖ A provision should be included that allows owners to require payment in advance for the replacement of a damaged, discharged or removed detector if more than two detectors have been removed or damaged in a lease term.

Action item: Please oppose SB 29 in its current form.