

Written by Lucky
Monday, 27 June 2011 18:30

As of July 1, 2011, all existing single-family dwelling units must have installed a carbon monoxide detector.

This bill deals with existing housing. (New construction standards are set by state agencies.) It covers every "dwelling unit intended for human occupancy" which means single-family housing, factory-built homes, condominiums, motels, hotels, dormitories, and dwelling units in "multiple-unit dwelling unit buildings" (apartment houses). It applies to every dwelling unit that has "a fossil fuel burning heater or appliance, fireplace, or an attached garage". "Fossil fuel" means "coal, kerosene, oil, wood, fuel gases, and other petroleum or hydrocarbon products, which emit carbon monoxide as a byproduct of combustion." In other words, unless you live in an all-electric home with a detached garage and you don't use a hibachi, you are covered by this law.

On May 7, 2010, California Governor Arnold Schwarzenegger signed into law Senate Bill 183 (Lowenthal), a bill that will require the placement of carbon monoxide detectors in all California dwelling units. The bill also requires that the presence or absence of these devices must be disclosed when residential real estate is transferred.

The bill requires that such dwelling units will have to have installed a "carbon monoxide device" that is designed to detect carbon monoxide and produce a "distinct, audible alarm." The device may be battery-powered, a plug in, or hard-wired with a battery backup. It may be combined with a smoke detector, but, if it is, it must emit "an alarm or voice warning in a manner that clearly differentiates between a carbon monoxide alarm warning and a smoke detector warning."

The devices must be ones that have been certified by the State Fire Marshall. The bill imposes a requirement on the State Fire Marshall to certify and approve both the devices and their instructions. It will then be illegal to sell detectors that have not met the Fire Marshall's certification requirements.

The devices must be installed, consistent with new construction standards or according to the approved instructions, in all existing single-family dwelling units no later than July 1, 2011. All other dwelling units (such as apartments) must have proper carbon monoxide detectors no later than January 1, 2013.

In sum, effective July 1st, 2011:

- All existing single family dwellings that contain a fossil fuel burning heater or appliance, fireplace, or an attached garage must install carbon monoxide alarms.
- All other existing dwellings (multi-family) shall comply by January 1, 2013.

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- CO alarms must be either battery powered or plug-in with battery backup.
- CO alarms must be installed outside of sleeping areas and on every level of a dwelling, including the basement.
- For Real Estate Professionals carbon monoxide detector compliance will part of the TDS
- Landlords, property managers and property management companies should plan to install detectors in the properties they manage or rent out as they will be required installation.

If you are a landlord, property manager, or property owner in Redding, Red Bluff or Chico, and have questions concerning this new law, or have other issues or questions concerning real estate law, please call the Law Office of Anand "Lucky" Jesrani. We are experienced in legal matters concerning real estate and well as landlord/tenant issues. Please call 530-241-3350 and our office will be happy to assist you.