

T. SMOKE DETECTORS

1. Background

On October 26, 1992 the Fire Administration Authorization Act of 1992 (P.O. 102-522) was enacted, which added a new Section 31 to the Federal Fire Prevention and Control Act of 1997, Section 31 prohibits the use of housing assistance in connection with certain assisted and insured properties, unless various fire protection and safety standard are met. The law became effective on April 14, 1993 and on May 19, 1994 the Housing Rehabilitation Program received a copy CPD -94 05, which implemented this requirement for the State Program.

2. Impact on Owner Occupied Housing Rehabilitation (OOHR)

Housing assistance is defined as including “grants, loans, loan guarantees, interest subsidies, insurance or direct appropriations.” Thus all funded housing rehabilitation, both single family residential and multifamily, is covered by this revised Section 31, as to new construction.

Therefore, OOHR funds can only be provided to a unit that is protected by a hard wired or battery operated smoke detector installed in accordance with NFPA 74.

Owners of units who installed smoke detectors before April 24, 1993 in compliance with HUD’s smoke detector requirements, including 57 CFR 33846 (published July 30, 1992) will not be subsequently to comply with additional requirements of the Act.

3. OOHR Funds for Compliance

Please note that OOHR funds can be used to acquire and install the required smoke detectors and such actions are encouraged!!!!

4. Smoke Detectors and 504/ADA

To comply with Section 504, two actions must be taken. During installation of hard wired smoke detectors (both for new construction and rehabilitation), appropriate wiring must be installed which makes it possible to install visual and/or sensory alarm systems if need arises. Further, where there are alarms already existing in common areas, visual and sensory alarms should be provided as well, and may need to be added to other areas, including dwelling unit.