

HOUSE BILL REPORT

SSB 5921

As Reported By House Committee On:
Economic Development, Housing & Trade

Title: An act relating to the disclosure of fire protection and building safety information.

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

Sponsors: Senate Committee on Judiciary (originally sponsored by Senator Kohl-Welles).

Brief History:

Committee Activity:

Economic Development, Housing & Trade: 3/30/99, 4/2/99 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Requires landlords to provide tenants with a written statement disclosing the fire protection and building safety information for the building.
- Exempts single-family residences from this requirement.

HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, HOUSING & TRADE

Majority Report: Do pass as amended. Signed by 11 members: Representatives Van Luven, Republican Co-Chair; Voloria, Democratic Co-Chair; Dunn, Republican Vice Chair; Eickmeyer, Democratic Vice Chair; Ballasiotes; Gombosky; Miloscia; Radcliff; Skinner; D. Sommers and Wolfe.

Staff: Jean Ann Quinn (786-7310).

Background: Under the state fire protection statutes, all dwelling units occupied by persons other than the owner, or built after 1980, must be equipped with smoke detection devices. Installation of the device is the owner's responsibility, and the owner is also required to ensure that a device is operational after a vacancy. The tenant is responsible

for maintaining the smoke detection device, including the replacement of batteries. Noncompliance by a landlord or a tenant is punishable by a fine of up to \$200.

Under the state Residential Landlord-Tenant Act, the landlord is required to provide written notice to a tenant: (1) that the unit has a smoke detection device; (2) that the tenant is responsible for maintaining the device in working condition; and (3) of the penalties for noncompliance. The notice must be signed by the landlord and the tenant with copies provided to both parties.

Summary of Amended Bill:

Except with respect to single-family residences, the written notice must also include whether the smoke detectors are battery-operated or hard-wired, whether the building has a sprinkler system and fire alarm system, and the smoking policy, if any. The notice must also disclose whether there is an emergency notification plan, an emergency relocation plan, and an emergency evacuation plan for the occupants and, if so, a copy of these plans must be provided to occupants. New tenants must receive this notice at the time the lease or rental agreement is signed, and it must be provided to existing tenants no later than January 1, 2000.

Amended Bill Compared to Substitute Bill: The amended bill reorganizes the section to require that the fire safety information be included as part of the notice regarding smoke detectors that is already required under existing law. It also clarifies what the notice must include, and requires that tenants be given a copy of any emergency plans for the building. The amended bill deletes the requirement that information must be provided on other monitoring and detection systems. It changes the date that existing tenants must be notified to January 1, 2000.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: (In support): Following several serious fires in the state over the last several years, the Governor appointed a Fire Protection Task Force. The group directed its study mainly toward fire safety in boarding homes, but its application is also relevant to other multi-unit dwellings, such as apartment complexes. The bill as introduced in the Senate essentially reflects the recommendations of the task force. The primary goal of the legislation is to ensure that prospective and existing tenants simply know the fire safety features of the buildings they live in. It does not require anything new from

landlords and owners and it can also help protect owners from liability. All multi-unit housing should be safe, particularly public housing.

(In support with concerns): There is concern on the behalf of some apartment owners that the legislation could put them at risk for liability if the notice requirement is not more clearly specified. There is also some concern that the requirement to include information on the smoking policy will raise additional liability issues.

Testimony Against: None

Testified: Senator Kohl-Wells, Prime sponsor; Paul O’Conner, FSARPC; and Dan Sexton, Washington State Association of Plumbers and Pipefitters.

(In support with concerns): Doug Neyhart, AASK.