

HOUSE BILL REPORT

ESB 5624

As Passed House - Amended:

March 8, 2002

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

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

Sponsors: By Senator Kohl-Welles.

Brief History:

Committee Activity:

Local Government & Housing: 2/12/02, 2/28/02 [DPA].

Floor Activity:

Passed House - Amended: 3/8/02, 95-1.

Brief Summary of Engrossed Bill
(As Amended by House)

- Requires landlords to provide tenants with a written disclosure statement that provides information on fire safety and protection devices and systems in multi-family residential buildings.
- Requires the information to be provided to new tenants and to all current tenants no later than January 1, 2004.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass as amended. Signed by 9 members: Representatives Dunshee, Chair; Edwards, Vice Chair; Mulliken, Ranking Minority Member; Berkey, DeBolt, Dunn, Hatfield, Kirby and Sullivan.

Minority Report: Without recommendation. Signed by 2 members: Representatives Crouse and Mielke.

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 responsibility of the owner, and the owner is also required to ensure that the smoke detection device is operational after the dwelling unit becomes vacant. The tenant is responsible for maintaining the smoke detection device, including the replacement of batteries where applicable. Noncompliance by the 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). As part of the landlord's duties they are required to provide the tenant with a written notice that states: (a) the dwelling unit has a smoke detection device; (b) the tenant is responsible for maintaining the smoke detection device in working condition; and (c) there are penalties for the failure to maintain the smoke detection device(s) in the dwelling unit.

Summary of Amended Bill:

The state's Residential Landlord-Tenant Act is revised to require landlords of a multifamily residential dwelling to provide a written statement or a checklist to tenants that discloses fire safety and protection information. The written disclosure statement or checklist 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. In addition, the checklist must include a diagram showing the emergency evacuation routes for the occupants.

The written disclosure statement or checklist must be signed by both the landlord and tenant and copies must be provided to both parties. The disclosure statement or checklist must be provided to new tenants prior to signing of the initial lease, and to existing tenants no later than January 1, 2004. The requirement to provide tenants the written disclosure statement or checklist containing the additional fire safety and protection information does not apply to the rental of single family residences.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: This is a reasonable common sense response to making our tenants

safer in apartment buildings. Landlords are already required to provide similar information to tenants in the city of Seattle. Providing this information to the tenants will do a lot to increase their chances of getting out of the apartment building if there is an emergency.

Testimony Against: None.

Testified: Senator Jeanne Kohl-Welles, prime sponsor; Doug Neyhart, AASK/WAA; David Lynam, Washington State Association of Fire Marshals; and Bob Mitchell, Washington Commercial Association of Realtors.