

# HOUSE BILL REPORT

## EHB 1096

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*As Passed Legislature*

**Title:** An act relating to smoke detection devices.

**Brief Description:** Increasing the fine for failing to install smoke detectors.

**Sponsor(s):** Representatives Winsley, Nelson, Ballard, Wineberry, Mitchell, Franklin, Leonard, Ogden, Riley, Roland, Jones and Sheldon.

**Brief History:**

Reported by House Committee on:  
Housing, January 24, 1991, DPA.  
Passed House February 7, 1991, 92-0;  
Passed Legislature, 92-0.

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**HOUSE COMMITTEE ON  
HOUSING**

**Majority Report:** *Do pass as amended.* Signed by 8 members: Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

**Staff:** Kenny Pittman (786-7392).

**Background:** The State Fire Protection law requires owners to install smoke detection devices inside all dwelling units: (1) occupied by persons other than the owner on and after December 31, 1981; or (2) built or manufactured in this state after December 31, 1980. Tenants are responsible for the maintenance of the smoke detection devices in the dwelling unit. Failure of the owner or the tenant to comply with these provisions will result in a fine of not more than fifty dollars.

The State Residential Landlord-Tenant law requires the landlord to comply with any requirements of city, county or state regulations. This includes the installation of smoke detection devices and ensuring that they operate properly when a tenant moves into the dwelling unit.

**Summary of Amended Bill:** The State Fire Protection law is amended to include the replacement of batteries for the

proper operation of the smoke detection device as part of required maintenance by the tenant. The fine for the failure of an owner to install or a tenant to maintain the smoke detection device is increased from not more than fifty dollars to not more than two hundred dollars.

The State Landlord-Tenant law is amended to require landlords to provide a written notice to the tenant stating that the dwelling is equipped with a smoke detection device. The notice must inform the tenant of: 1) his or her responsibility to maintain the smoke detection device in proper operating condition; and 2) the fine for failure to comply with the law. The notice must be signed by the landlord or the landlord's authorized agent and tenant with copies provided to both parties.

Tenants are required to maintain the dwelling's smoke detection device in accordance with the manufacturer's recommendations, including the replacement of batteries where required for proper operation.

**Fiscal Note:** Not requested.

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

**Testimony For:** This bill will address the problem of tenants removing the batteries from smoke detectors. It should highlight to both landlords and tenants how important it is to have operating smoke detectors in buildings.

**Testimony Against:** None.

**Witnesses:** Arnold Fox, Washington Apartment Association (in favor of bill); and Rick Slunaker, Yakima Valley Rental Association (in favor of bill).