

OREGON SMOKE ALARM LAW REQUIREMENTS WHEN SELLING OR RENTING A HOME

Oregon laws require all homes being sold or rented to have working smoke alarms.

WHAT TYPES OF SMOKE ALARMS ARE AVAILABLE?

There are two types of smoke alarms: photoelectric and ionization. There are also dual-sensing ionization and photoelectric, and combination smoke and carbon monoxide alarms available.

- If ionization alarms are solely battery-operated, they shall be packaged with a 10-year battery and include a hush mechanism.

ARE BATTERY OPERATED OR HARDWIRED SMOKE ALARMS REQUIRED?

Smoke alarm power source (battery or hardwired) requirements are based on the applicable building codes at the time of construction or alteration.

- If battery only alarms were installed at the time of construction, they can be replaced with battery only alarms.
- If hardwired alarms were installed at the time of construction, they must be replaced with hardwired alarms.

WHEN SHOULD SMOKE ALARMS BE REPLACED?

Replace smoke alarms when recommended by the manufacturer, when they fail to respond to operability tests, or 10 years from the date of manufacture.

WHERE SHOULD SMOKE ALARMS BE INSTALLED?

Smoke alarms should be installed:

- On each level of the home, including the basement.
 - Where sleeping areas are located on an upper level, the smoke alarm shall be installed as close as practical to the center of the ceiling directly over the stairway.
- Outside sleeping areas, within the immediate vicinity of each bedroom or within 21 feet of the bedroom.
 - Where sleeping areas are widely separated and/or where a single smoke alarm will not adequately service all sleeping areas, a smoke alarm shall be installed adjacent to each sleeping area.
- In each sleeping room as per the requirements of the applicable building codes at the time of construction.
- In accordance with the manufacturer's instructions.
- Some local ordinances have additional requirements.

SMOKE ALARMS IN RENTALS - LANDLORD AND TENANT RESPONSIBILITIES

The landlord is responsible for installing properly functioning smoke alarms per the requirements above, maintaining them, providing written testing instructions, and providing working batteries at the beginning of tenancy.

The tenant is responsible for testing the smoke alarms at least once every six months, replacing batteries as needed, notifying the landlord in writing of operating deficiencies, and is prohibited from removing or tampering with the alarms. Tenants should refer to the lease/rental agreement for specific instructions on battery replacement.



Oregon State Police
OFFICE OF STATE FIRE MARSHAL
503-934-8228
oregon.gov/osp/sfm | osfm.ce@state.or.us
 [fb.com/OregonStateFireMarshal](https://www.facebook.com/OregonStateFireMarshal)
 twitter.com/OSFM

SMOKE AND CO ALARM ADVISORY

1 When buying, selling, or renting residential property in Oregon, it is important to learn the laws pertaining to smoke and carbon monoxide alarms.

2 **Alarms are required** before most existing homes and manufactured dwellings can be sold, in all newly constructed homes and in many remodels.

3 **Alarm type, installation location, power source, maintenance, testing, and replacement** are controlled by local and state laws and rules, as

4 well as alarm manufacturers' instructions.

5 **In rental properties**, working alarms must be installed in units before they can be rented. State law describes the requirements for alarm

6 information that landlords and tenants must provide, testing intervals, responsibility for batteries and replacement of faulty units.

7 **Most importantly, properly functioning alarms save lives.** It is illegal to tamper with a working smoke or carbon monoxide alarm.

8 **Your agent is providing this advisory to raise awareness of the importance of alarms.** Buyers and sellers need to do their due diligence to

9 determine what the law requires and whether the requirements have been met. Real estate licensees are not experts on these matters, and alarm

10 laws change frequently. **Get the latest information from these sources:**

11 **State Fire Marshal**

12 (503) 378-3473

13 <https://www.oregon.gov/osp/programs/sfm/Pages/default.aspx>

14 **Multifamily NW**

15 (503) 213-1281

16 <https://www.multifamilynw.org/oregon-sample-forms>

17 **Oregon Construction Contractors Board**

18 (503) 378-4621 18

19 <https://www.oregon.gov/ccb/Pages/index.aspx>

20 **Oregon Building Code**

21 <https://www.oregon.gov/bcd/codes-stand/Pages/index.aspx>

22 **Oregon Fire Code**

23 <https://codes.iccsafe.org/content/OFC2019P1>

24 **Oregon Structural Specialty Code**

25 <https://www.oregon.gov/bcd/codes-stand/Pages/index.aspx>

26 **Oregon Statutes**

27 https://www.oregonlegislature.gov/bills_laws/pages/ors.aspx

28 **Oregon Administrative Rules**

29 https://sos.oregon.gov/archives/pages/oregon_administrative_rules.aspx

30 **National Fire Protection Association**

31 <https://www.nfpa.org/>

32 **Additional Resources:** _____

33 Phone number: _____ Email: _____

34 Website: _____

35 **Additional Resources:** _____

36 Phone number: _____ Email: _____

37 Website: _____

38 **Additional Resources:** _____

39 Phone number: _____ Email: _____

40 Website: _____

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