

## Smoke alarms

### Landlords must install smoke alarms

It is a term of every residential tenancy agreement that the landlord will install and maintain smoke alarms according to the standards in the *Environmental Planning and Assessment Regulation 2000*.

### Types of buildings and types of alarms

All smoke alarms installed from 1 May 2006 must comply with Australian Standard AS 3786. The power supply and location of smoke alarms depends on the type of building.

#### **Private dwellings**

This includes:

- detached houses, terrace houses, town houses and villas
- apartments, units and flats
- caretakers flats and flats above shops
- relocatable homes.

Alarms must be hard-wired to mains electricity supply or battery powered (landlord's choice).

They must be installed on every storey. On storeys with bedrooms, an alarm must be located on or near the ceiling in every corridor associated with a bedroom. The landlord may have to install one or more alarms.

On storeys without bedrooms, a smoke alarm must be installed in the path of travel that people would likely take to evacuate the building.

#### **Boarding houses**

Smoke alarms must be hard-wired to mains electricity supply, or powered by a non-removable 10-year long-life battery (landlord's choice).

They must be installed on every storey. On storeys with bedrooms, a smoke alarm must be installed in each bedroom, and in each corridor associated with bedroom.

On storeys without bedrooms, a smoke alarm must be installed in the path of travel that people would likely take to evacuate the building.

There are additional requirements and standards for smoke alarms in large boarding houses ('Class 3' buildings). See the NSW Department of Planning and Infrastructure website ([www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)) for more information.

#### **Old smoke alarms**

Smoke alarms installed before 1 May 2006 are not required to comply with Australian Standard AS 3786. However, if the alarm is not located as required by the regulation, the landlord must move it or install a new one.

If an old alarm stops working or is removed, the landlord must replace it with an alarm that complies with the standard.

#### **Interfering with a smoke alarm**

It is a term of every residential tenancy agreement that neither the landlord nor the tenant shall interfere with the operation of a smoke alarm without a reasonable excuse.

If a smoke alarm gives 'false alarms' (e.g. triggered by cooking), do not remove the battery or disable it. Contact the landlord/agent and ask that the alarm be moved to a more suitable location or replaced with a different style of alarm.

## **Replacing batteries**

It is a term of every residential tenancy agreement that the tenant is responsible for replacing batteries in any smoke alarms during the tenancy.

NSW Fire and Rescue provides the Smoke Alarm and Battery Replacement service for people over 65 or people with disability who have no-one to assist them. Contact your local fire station for information.

## **Landlord's access to premises**

A landlord/agent/contractor, having given 2 days notice, can enter premises to:

install smoke alarms

maintain and repair smoke alarms.

## **Disputes**

You can apply to the NSW Civil and Administrative Tribunal (NCAT) for an order for the landlord to:

install smoke alarms

maintain and repair smoke alarms

stop interfering with the operation of a smoke alarm.

The landlord can also apply to NCAT for an order if you interfere with the operation of a smoke alarm or refuse to change the battery.

## **Urgent repairs**

Repair or replacement of a smoke alarm can be an urgent repair – see Factsheet 06: *Repairs and maintenance*.

## **Alarms for people with hearing impairment**

The smoke alarms required by the regulation issue an audible alarm. Devices such as flashing lights and vibrating pillow pads can be connected to some smoke alarms. Ask your landlord to install a compatible alarm.

## **Contacts and further information**

Smoke Alarms Help Line: 1300 858 812

Fire and Rescue NSW: phone 02 9265 2999, [www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Better Hearing Australia – Sydney Branch: [www.betterhearingsydney.org.au](http://www.betterhearingsydney.org.au)