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Our Valued Clients:

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Carbon Monoxide Alarms Required in Residential Buildings

Important Notice for Residential Property Owners, especially rental property... Nicole's law will increase your liability exposure if you do not install Carbon Monoxide alarms by 3/31/06.

In February the Board of Fire Prevention Regulations (BFPR) passed emergency regulations on carbon monoxide detectors which established the specific requirements of "Nicole's Law" signed by the Governor in November.

"Nicole's law" requires that every dwelling, building or structure, occupied in whole or in part for residential purposes and that (1) contain fossil fuel burning equipment or (2) incorporate closed parking within its structure, be equipped by the owner with approved carbon monoxide alarms in conformance with the requirements of the Board of Fire Prevention Regulations.

The regulations require that at least one detector with carbon-monoxide capabilities must be installed on each level of the structure that has "living areas." Such living areas include habitable areas in a building's basement or attic. On levels with sleeping areas, the alarms must be placed within ten feet of the bedroom doors.

Some highlights of the law include:

- Landlords must inspect, maintain, and replace, if necessary, required carbon monoxide alarms at the beginning of any rental period.
- Every affected residential dwelling, building or structure shall be inspected for compliance by the fire department prior to any sale or transfer.
- The effective date of compliance is March 31, 2006, for all non-hardwired occupancies, and January 1, 2007 for all hardwired occupancies under the alternative Compliance Option.

The Alternative Compliance Option with the deadline date of January 1, 2007 may be more practical for larger buildings with multiple dwelling units that contain minimal or no sources of CO inside the individual units. You must notify the local fire department that you have chosen that option.

In your efforts to comply, you should be careful of the equipment you purchase, since not all alarms will meet the requirements of the laws. For example, alarms that offer a combination of protection, both from smoke and from carbon monoxide, need to be capable of a simulated "voice" response, not just a beep, which helps identify which type of emergency the unit is responding to. A combination alarm with a beep-only response will not meet the requirements.

Since the law and its regulations are quite involved, for more detailed information about its requirements, please go to the Department of Fire Services web site at: <http://www.mass.gov/dfs>

Very truly yours,

DeSanctis Insurance Agency, Inc.