

ADVISORY REGARDING SMOKE AND CARBON MONOXIDE ALARMS

When buying, selling, or renting residential property in Oregon, it is important to learn the laws pertaining to smoke and carbon monoxide alarms. This Advisory Regarding Smoke and Carbon Monoxide Alarms (this “Advisory”) provides notice of those laws and resources for additional information.

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

Alarm type, installation location, power source, maintenance, testing, and replacement are controlled by local and state laws and rules, as well as alarm manufacturers’ instructions.

In rental properties, working alarms must be installed before they can be rented. State law describes the requirements for alarm information that landlords must give tenants, and notices that tenants must give landlords. State law also governs testing intervals, responsibility for batteries, and replacement of faulty units.

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

This Advisory is to raise awareness of the importance of alarms. Buyers and sellers need to do their due diligence to determine what the law requires and whether the requirements have been met. Real estate licensees are not experts on these matters, and alarm laws change frequently. Get the latest information from these sources:

SMOKE ALARM RESOURCES:

(a) State Fire Marshal
(503) 378-3473
<https://www.oregon.gov/osfm/education/fire-safe/Pages/smoke-co-alarms.aspx>

(b) Oregon Statutes
ORS 479.260 – Transfer of dwelling unit or lodging house without smoke alarm or smoke detector prohibited (public law)

https://oregon.public.law/statutes/ors_479.260

(c) Oregon Administrative Rules
Chapter 837 Division 45 – Smoke Alarms and Smoke Detectors
<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3810>

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CARBON MONOXIDE ALARM RESOURCES:

(a) Oregon Statutes
ORS 476.725 – Statewide standards for residential carbon monoxide alarms (public law)
https://oregon.public.law/statutes/ors_476.725

(b) Oregon Administrative Rules
Chapter 837 Division 47 – Carbon Monoxide Alarms and Detectors
<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3810>

Additional Resources: _____
Phone number: _____ Email: _____
Website: _____

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Phone number: _____ Email: _____
Website: _____

ACKNOWLEDGMENT: The undersigned acknowledge they: (a) have read and understand this Advisory; and (b) have been provided with a copy for their own files.

Buyer _____ Date _____ a.m. p.m. ←
Print Name _____

Buyer _____ Date _____ a.m. p.m. ←
Print Name _____

Seller _____ Date _____ a.m. p.m. ←
Print Name _____

Seller _____ Date _____ a.m. p.m. ←
Print Name _____

Buyer's Agent _____ Seller's Agent _____

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