

**CARBON MONOXIDE ALARMS
REQUIRED IN HOMES,
CONDOMINIUMS AND TOWNHOMES
WITH FUEL-FIRED HEATERS OR
APPLIANCES**

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Summary of House Bill 09-1091/Carbon Monoxide Alarms Required. On and after July 1, 2009, carbon monoxide alarms are required in:

- Homes for sale
- Homes for rent
- Certain remodels of single-family homes and ‘multi-family residences.’ ‘Multi-family residences’ include condominiums and townhomes or other attached homes.

Installation Locations

Carbon monoxide alarms must be installed within fifteen feet of the entrance to each room legally used for sleeping purposes or in a location specified by any applicable building code.

Application to Condominiums, Townhomes and Attached Homes Used for Rental Purposes

Condominiums, townhomes and attached homes used for rental purposes are subject to the same carbon monoxide alarm installation requirements as other homes. This includes installation requirements upon changes in rental occupants and remodels after July 1, 2009.

There is an exception regarding installation location of the carbon monoxide alarms in any multi-family residence used for rental purposes. As long as there is a centralized alarm system or other mechanism for a responsible person to hear the alarm at all times, the multi-family residence may have an operational carbon monoxide alarm installed within twenty-five feet of the fuel-fired heater or appliance, fireplace or garage in a location specified by the applicable building code.

Responsibility for Maintenance and Back-up Power

The law requires that alarms have back-up power.

Owners of rental property must replace any alarm that is stolen, removed or found not operational after the previous occupancy, and ensure that batteries necessary to make the alarm operational are provided to the tenant at the time the tenant takes residence.

Owners of rental property must also replace any alarm if notified by the tenant that the alarm was stolen, removed, found missing or found not operational, and fix any deficiency of which the owner receives notice.

Except as provided above, owners of single-family dwellings or units in multi-family dwellings used for rental purposes are not responsible for the maintenance, repair or replacement of an alarm or the care and replacement of batteries for such alarm.

The tenant of any rental property is required to keep, test and maintain all alarms in good repair and notify the owner in writing if the alarm needs to be replaced or if there is any deficiency in the alarm that the tenant cannot correct.

Liability Limitations for Proper Installations

If a carbon monoxide alarm is installed according to the manufacturer's instructions and the new law, then the owner of the home, their agents, persons in possession and the installer, are immune from liability for damages resulting from operation, maintenance or effectiveness of the alarm.

Application

This law became effective May 14, 2009, with the alarm required after July 1, 2009.