

## **FACT SHEET**

### **Residential Tenancy Smoke Alarms Bill 2012**

The *Residential Tenancy Amendment (Smoke Alarms) Bill 2012* requires owners of residential rental premises to ensure that smoke alarms are in place in those premises during the period of a residential tenancy agreement.

The Bill enables requirements to be prescribed regarding:

- The class of tenanted premises in which smoke alarms are required;
- The type of smoke alarms which must be in place;
- Any standards or codes with which such smoke alarms are to comply; and
- Where in the premises smoke alarms are to be located.

The Bill also allows for requirements to be prescribed in relation to the maintenance of smoke alarms by owners and tenants. These include requirements for:

- Maintaining, cleaning and testing alarms;
- Repairing and replacing alarms;
- Replacing smoke alarm batteries; and
- Notifying the owner where an alarm ceases to function.

The Bill makes it an offence to remove or interfere with the operation of a smoke alarm. However, the Bill includes a defence to enable alarms to be removed for repair or replacement purposes.

Penalties for failure to comply with these provisions are included in the Bill.

The Bill includes a provision to clarify that nothing in the *Strata Titles Act 1998* requires that an owner obtain the permission of the relevant body corporate to install a smoke alarm in accordance with the Bill.

Under the Bill, the Residential Tenancy Commissioner may make an order requiring a party to a residential tenancy agreement to comply with a provision of the Bill.