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HB-1091 – Ensure that you and your clients are in compliance!

HB-1091 covers all existing single-family and multi-family housing units offered for sale, transfer or rent. In addition, all new residential construction is required to comply.

A Carbon Monoxide Alarm:

- Detects Carbon Monoxide and produces a distinct, audible alarm;
- Conforms to standards recognized by independent product-safety testing laboratories;
- Is battery powered, plugs into a home's electrical outlet and has a battery backup, or is connected to an electrical system via an electrical panel;
- May be combined with a smoke detecting device if the combined device has signals that clearly differentiate between the two hazards.

Carbon Monoxide Alarms must be:

- Installed in all homes with a fuel-fired heater or appliance, a fireplace, or an attached garage;
- Installed within **15** feet of the entrance to each room lawfully used for sleeping.

What a REALTOR® Needs To Know!

- By July 1, 2009, the Real Estate Commission will require each listing contract for residential real property to disclose the requirements specified by HB-1091.
- The Contract to Buy and Sell will also have a provision addressing the carbon monoxide alarms if it is a residential property.
- No person shall have a claim for relief against a property owner or their authorized agent if a carbon monoxide alarm is installed in accordance with the manufacturer's published instructions.
- A seller of residential real property is responsible for assuring that an operational carbon monoxide alarm is properly installed.
- A buyer of residential real property shall have no claim for relief against any REALTOR® for damages resulting from the operation, maintenance, or effectiveness of a carbon monoxide alarm if the REALTOR® complies with the law.
- Nothing in the legislation precludes local governments from adopting or enforcing more stringent requirements for the installation and maintenance of carbon monoxide alarms.

