

New Law Encourages Installation of Smoke and Carbon Monoxide Detectors

- The new law takes effect for transfers taking place after **January 1, 2014**.
- The new law applies to one and two family homes built prior to October 1, 2005 to have both smoke and carbon monoxide detectors (homes built after October 1, 2005 are already required to have hardwired smoke and carbon monoxide detectors.)
- Sellers will be asked to sign an affidavit at closing concerning smoke and carbon monoxide detectors (an affidavit is a statement under oath that must be signed in front of a notary or attorney).
- The law requires that the seller provide the affidavit or allow the buyer a \$250 credit against the purchase price at closing.
- In the affidavit, the seller will swear under oath that the property is equipped with smoke and carbon monoxide detectors, and that the detectors are in working order as of the date of the closing.
- Detectors may be battery operated unless the building code at the time the house was built required the installation of hardwired smoke (10/1/1985) and/or carbon monoxide (10/1/2005) detectors.
- Any carbon monoxide detector must be capable of showing the concentration of carbon monoxide in parts per million (digital readout).
- Any smoke and carbon monoxide detector must be capable of producing alarms to warn occupants.
- Smoke and carbon monoxide detectors must be installed in accordance with the manufacturer's instructions.
- Most battery operated smoke and carbon monoxide detectors will contain instructions as to the number needed and the placement within the home.
- The closing attorney will provide the form of affidavit.