

Office of the Fire Marshal



# MAINTENANCE OF SMOKE ALARMS GUIDELINE

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#### **4.0 RESPONSIBILITY OF THE LANDLORD IN RENTAL UNITS**

As indicated previously, the landlord is responsible for smoke alarm maintenance in rental residential units. This includes the obligation to take action when a tenant or occupant reports a problem or files a complaint respecting operability of smoke alarms. The testing and maintenance schedule identified in Section 3 of this guideline is also the landlord's responsibility. Such testing can only be carried out with the full cooperation of the tenant or occupant since access to the smoke alarm must be available. The lease agreement should therefore include provisions for access to carry out the necessary testing and maintenance. Unless it is an emergency, the Tenant Protection Act requires that landlords give 24 hours written notice to enter a tenant's premises and the time of entry must be between 8 a.m. and 8 p.m. Although the Fire Code does not specifically require that written records of smoke alarm maintenance be maintained, a general requirement in Sentence 1.1.2.1.(1) states that written records of "corrective measures" must be maintained for a period of two years after they are made. It is in the landlord's interest to keep written records as they will help to demonstrate due diligence in maintaining the smoke alarms in operating condition. The checklist attached to this guideline can be used for this purpose.

In addition to the above, the Fire Code requires that the landlord provide a copy of the smoke alarm manufacturer's maintenance instructions or approved alternative to the occupant in each rental unit. A sample tenant/occupant information sheet is provided with this guideline. This information sheet may be used in lieu of the manufacturer's instructions to satisfy the intent of Article 6.3.3.3. of the Fire Code. Once again, it is in the landlord's interest to keep a written record to demonstrate that this information has been provided to the occupant of each rental unit.