



# Fact sheet



## Residential Tenancies Act 1994

### Smoke Alarms

Both tenants and lessors have responsibilities for smoke alarms in their rental properties.

**Tenants:** Have obligations for cleaning, testing and replacing batteries for alarms during a tenancy.

**Lessors:** Have obligations for installing, cleaning and testing smoke alarms and replacing batteries before the start or renewal of a tenancy.

*(see easy reference table overleaf for specific details)*

#### Background:

Laws about smoke alarms, passed by Parliament in November 2006, are covered by amendments to the *Fire and Rescue Service Act 1990* and came into effect on 1 July 2007. Tenants and lessors have obligations in relation to:

- installation of smoke alarms
- responsibility for testing and cleaning
- responsibility for replacing batteries.

The *Residential Tenancies Act 1994* has also been amended to allow grounds for entry to the rental premises by the lessor to install and maintain smoke alarms. These amendments fall under entry provisions (s109 of the *Residential Tenancies Act 1994*) allowing lessors to give a 24 hour entry notice for the purposes of entry to comply with the *Fire and Rescue Service Act 1990* in relation to smoke alarms.

**For more information about the obligations for the installation and maintenance of smoke alarms in rental premises visit the Queensland Fire and Rescue Service website [www.fire.qld.gov.au](http://www.fire.qld.gov.au) or call their Information Hotline on 1300 369 003.**

#### Quick Tips

- It is good practice for the lessor to give their tenants the manufacturer's instructions on how to clean, test and replace batteries for smoke alarms.
- A smoke alarm is required to emit a warning signal before the battery fails, usually a chirping sound.
- Changing batteries in smoke alarms on an anniversary such as a birthday will act as a reminder to change them once a year.
- Cleaning a smoke alarm usually involves an external clean to remove dust and debris with a broom or a vacuum cleaner.
- Smoke alarms are required to have a minimum service life of at least 10 years.

**A lessor must not pass on their obligations to the tenant to act on their behalf such as asking the tenant to replace batteries at the beginning of the tenancy.**

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## Easy Reference Table for Tenants and Lessors

Find out your responsibilities for smoke alarms

| Tenant's obligations for smoke alarms                                    | During the tenancy   | Lessor's obligations for smoke alarms                          | Start of the tenancy  | During the tenancy   |
|--|--|--|---|--|
|  |  | <b>Installing alarms</b><br>(Penalties apply)*                 | Smoke alarms complying with Australian Standards must be fitted in all rental properties and in accordance with the Building Code of Australia.   | Lessors must give tenants 24 hours notice for entry to install smoke alarms.   |
| <b>Testing alarms</b><br>(Penalties apply)*                              | At least once every 12 months and according to manufacturer's instructions (for tenancies 12 months or longer).  | <b>Testing alarms</b><br>(Penalties apply)*                    | Within 30 days before the start or renewal of the tenancy and according to manufacturer's instructions.   |  |
| <b>Replacing batteries in alarms</b><br>(Penalties apply)*               | When batteries are flat or nearly flat.  | <b>Replacing batteries in alarms</b><br>(Penalties apply)*     | Within 30 days before the start of the tenancy if batteries are flat or nearly flat.  |  |
| <b>Cleaning alarms</b><br>(Penalties apply)*                             | At least once every 12 months (for tenancies 12 months or longer).   | <b>Cleaning alarms</b><br>(Penalties apply)*                   | Within 30 days before the start or renewal of the tenancy and as specified by manufacturer's instructions.  |  |
| <b>Advising lessor of any failing smoke alarms</b><br>(Penalties apply)* | As soon as possible when an alarm fails or is about to fail and/or needs replacing for a reason other than batteries failing.  | <b>Replacing failing smoke alarms</b><br>(Penalties apply)*    | Smoke alarms must be replaced before the end of their service life.   | Smoke alarms must be replaced before the end of their service life. Lessors must give tenants 24 hours notice for entry for the purposes of maintaining smoke alarms.  |
| <b>NOT interfering with smoke alarms</b><br>(Penalties apply)*           | At NO time can a tenant remove or relocate the smoke alarm or do anything to interfere with the alarm's warning sound.<br><br>At NO time can the tenant remove the batteries unless they are replacing them. | <b>NOT interfering with smoke alarms</b><br>(Penalties apply)* | At NO time can the lessor remove or relocate the smoke alarm unless it is being replaced or maintained.<br><br>At NO time can the lessor do anything to interfere with the alarm's warning sound.<br><br>At NO time can the lessor remove the batteries unless they are replacing them. | At NO time can the lessor remove or relocate the smoke alarm unless it is being replaced or maintained.<br><br>At NO time can the lessor do anything to interfere with the alarm's warning sound.<br><br>At NO time can the lessor remove the batteries. |

\* Penalties apply to both lessors and tenants under amendments to the *Fire and Rescue Service Act 1990*. For further information, the RTA strongly advises you to contact the Queensland Fire and Rescue Service by telephone on 1300 369 003 or visit their website at [www.fire.qld.gov.au](http://www.fire.qld.gov.au).