

Carbon Monoxide Alarms or Detectors in HOPWA-Assisted Housing Recording

Heather Rhoda: Welcome to today's HOPWA Office Hours about notice CPD-22-15, Carbon Monoxide Alarms or Detectors in HOPWA Assisted Housing. Our presenters today include from HUD's Office of HIV Housing, Amy Palilonis and Lisa Steinhauer. Also from the Cloudburst Group, we have Steve Ellis and Branden Ananis. Before we move on to today's agenda, I just wanted to bring up a few housekeeping tips and information.

The presentation today is being recorded and the slides will be made available along with a transcript. All of this information will be made available to the HOPWA landing page on the HUD Exchange website shortly after the presentation. We also realize that there will be many questions about today's topic. Please remember to submit any questions to the Q&A box and not the chat box. That way we can pay and focus a lot of our attention on the Q&A box to make sure we are able to answer your questions as best as we can. Also, note we are only going to be focusing on questions that are related to today's topic. If we do not get to your question today, we will make sure to follow up after today's presentation.

Moving onto the agenda, the presentation today is in two parts. First, OHH will provide a summary of the notice CPD-22-15. In the second part of the agenda, Cloudburst TA providers will describe the key elements for operationalizing carbon monoxide alarms or detector requirements in your HOPWA program. Now let us begin. At this point, I am going to turn it over to Amy, OHH's Deputy Director.

Amy Palilonis: Thanks, Heather. Good afternoon, everyone. Lisa and I are going to walk through a summary of notice CPD-22-15 that was issued last month. I will start with the purpose and give you some background information on the new requirements. Then I will pass it over to Lisa to discuss implementation.

Before I start, I just wanted to thank you all for participating in this webinar and for the questions that many of you have asked already. We know that the notice and the new requirements raised a lot of concerns and questions. We hope this webinar will help to answer those questions and provide you with a path forward for complying with the new requirements. We know you all have a lot on your plate, and that any changes or new requirements can cause stress and uncertainty. Please know that OHH and TA providers are here to provide information and support to help you operationalize and implement this important life-saving requirement in your programs.

On December 8, 2022, the Office of HIV/AIDS Housing issued notice CPD-22-15 which addresses carbon monoxide or CO poisoning risks and



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housing. It identifies resources for preventing and detecting CO exposure and alerts grantees to an important new statutory requirement under the HOPWA program.

The notice stresses the important role that grantees and project sponsors have in preventing potential loss of life and severe injury associated with carbon monoxide in HOPWA-assisted housing. Under the new statutory requirement which took place on December 27, 2022, grantees are responsible for ensuring that applicable dwelling units assisted under HOPWA contain installed carbon monoxide alarms or detectors that meet or exceed the standards described in chapters 9 and 11 of the 2018 publication of the International Fire Code. Those standards will be discussed in much more detail later on in this presentation.

The notice provides guidance for grantees and project sponsors on how to comply with this new requirement. The notice remains in effect until amended, superseded, or rescinded. Next slide, please.

What are carbon monoxide alarms or detectors? Both alarms and detectors alert occupants to dangerous levels of CO in the home. Although they each operate differently, both are types of CO detection. A carbon monoxide alarm is a single or multiple-station alarm intended to detect carbon monoxide gas and alert occupants by a distinct audible signal. It incorporates a sensor, control components, and an alarm notification appliance all in a single unit. A carbon monoxide detector is a device with an integral sensor to detect carbon monoxide gas and transmit an alarm signal to a connected alarm control unit. Next slide, please.

Why are CO alarms or detectors now required in dwelling units assisted under HOPWA? A law was passed by Congress that amended the HOPWA program legislation as well as legislation for various other HUD programs to require CO alarms or detectors in certain assisted dwelling units as of December 27, 2022. The law updated the HOPWA statute as well as the Section 8 statute and statutes of other high programs such as 202 and 811 programs to require CO alarms or detectors consistent with the standards in the International Fire Code. This new requirement does not only apply to the HOPWA program. It applies to some other major HUD programs as well. Next slide, please.

How does this law apply to HOPWA? The law amended the HOPWA statute to add a new requirement for HOPWA grantees that each applicable dwelling unit assisted under the program must contain installed carbon monoxide alarms or detectors that meet or exceed the standards



described in chapters 9 and 11 of the 2018 publication of the International Fire Code.

Or the law says that any other standards may be adopted by HUD through a federal register notice, including any relevant updates to the International Fire Code. Basically, applicable units must meet the standards in the 2018 publication of the International Fire Code unless or until HUD adopts different standards. For example, if the International Fire Code is updated and HUD wants to adopt the updated version of the fire code as the requirement for HOPWA, HUD can do that, but they would have to put out a federal register notice publicizing those changes before they are implemented. For now, HUD is adopting what the law states and what it describes in the Chapters 9 and 11 of the 2018 publication of the International Fire Code. Next slide, please.

As previously mentioned, the new carbon monoxide requirements took effect on December 27, 2022. The requirement applies to all units where housing assistance payments are made to or on behalf of eligible HOPWA households. Basically, that means all HOPWA housing assistance types, and we will get into that in a little bit more detail later on. There are links to the applicable fire code standards, chapters 9 and 11 of the 2018 International Fire Code. Those links are provided on this slide, and they are also in the notice for your reference.

You must familiarize yourself with these standards as you work to implement this new requirement and assess whether specific units in your portfolio require CO detection based on the conditions of the unit. Also just as a reminder, many of your communities already have state or local laws requiring CO alarms or detectors. You need to make sure that you know what laws already apply locally. The new HOPWA statutory requirement does not pre-empt or limit any state or local law that imposes more stringent standards. If the CO laws in your community are more stringent than the 2018 International Fire Code, then you must still comply with state or local law. Next slide, please.

Before I turn things over to Lisa to discuss in more detail the implementation of this new requirement, I want to briefly touch base and discuss what carbon monoxide is. It is an odorless, colorless, and toxic gas. It is impossible to see. It is a tasteless gas produced by the incomplete combustion of fuel burned in vehicles, small engines, stoves, lanterns, grills, fireplaces, gas ranges, or furnaces. It can build up indoors and poison people and animals who breathe the toxic fumes.



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Effects of CO exposure can vary depending on age, overall health, and the concentration and length of the exposure. Exposure can cause harmful health conditions, permanent brain damage, life-threatening cardiac complications, fetal death, miscarriage, and death in a matter of minutes. Individuals who are asleep or intoxicated may die from CO poisoning before experiencing any symptoms.

CO poisoning is an extremely important safety issue for families in HUD-assisted housing. According to the National Center for Environmental Health, each year more than 400 Americans die from carbon monoxide poisoning not linked to fires. More than 20,000 visits to the emergency room. More than 4000 are hospitalized. For these reasons, we cannot stress enough the important role that HOPWA grantees and project sponsors play in ensuring units have carbon monoxide detection if they meet the conditions outlined in the 2018 International Fire Code. I will now turn things over to Lisa to tell you more about how this new requirement must be implemented.

Lisa Steinhauer: Thanks, Amy. Can we go to the next slide, please? All right. As Amy said, I am going to be discussing the implementation of this new requirement. As Amy mentioned, the new requirement for HOPWA grantees is fully applicable and enforceable by HUD as of December 27, 2022. HUD is encouraging HOPWA grantees to adopt standards at or above standards in chapters 9 and 11 of the 2018 IFC as soon as possible. As Amy had just mentioned, if you are already living in an area where there are more stringent CO alarm or detector requirements, then you may already be in compliance with this new requirement.

In chapters 9 and 11 of the 2018 IFC, as described there, CO alarms and detectors must be placed in HOPWA-assisted units with the following specifications. There are some carveout exceptions, and those include a unit containing a fuel-burning appliance of a fuel-burning fireplace, a unit served by a fuel-burning or forced air furnace, a unit located in a building that contains a fuel-burning appliance of fuel burning fireplace even if outside of the unit with some exceptions there, and then a unit in a building with an attached private garage.

This means that there may be HOPWA-assisted housing units that do not require a CO alarm or detector based on the applicable standards provided by chapters 9 and 11 of the 2018 IFC. However, there still needs to be verification that all HOPWA-assisted housing units are meeting the new requirements. Documentation of that determination will need to be added to client files to show compliance with the CO detector or alarm requirement. Next slide, please.



As Amy mentioned, all housing activities provided through HOPWA are covered under this new requirement. On this slide, I am going to talk about housing activities that are covered by HOPWA housing quality standards at 24 CFR.310. These are the housing activities covered by this new requirement that are subject to those HQS standards and require physical inspection of units already. These activities include tenant and project-based rental assistance, facility-based housing which could include budget line items, and housing assistance covered by budget line items including operating, acquisition, rehabilitation, conversion, repair, leasing, and master leasing.

For these housing activities that are already covered by HOPWA housing quality standards, grantees and project sponsors should assess for applicable CO detection whether that is alarms or detectors when completing those inspections. To document the presence of the functioning CO alarms or detectors, a question should be added to the inspection forms, and documentation of compliance with the CO detection requirements should be kept in the assisted household's file.

Again, even if it is determined that a CO detector or alarm is not required in the HOPWA-assisted unit, there should be documentation of an inspection and determination of compliance with CO detection requirements in the assisted household's file. You all are doing inspections already. This would really be adding that CO detection to that inspection as a component of that physical inspection. Next slide, please.

This is where this new statutory requirement gets a little nuanced and different from what is currently being done with inspections. This new requirement also covers the HOPWA housing activities not subject to HOPWA HQS standards, meaning HOPWA regulations that do currently require physical inspections of units. These activities include short-term rent, mortgage, and utility or STRMU assistance and permanent housing placement, PHP, so a security deposit.

For these housing activities not subject to HQS requirements, grantees and project sponsors may rely on the self-certification of the tenant or owner to document compliance that the unit meets the CO detection requirements. This can look like the grantee or project sponsor developing and providing training, a standard checklist, or other reasonable procedures to make sure that the owner or tenant understands and applies the applicable criteria when making a self-certification. It is still the responsibility of the grantee and project sponsor to ensure compliance here. You would be helping that tenant or owner of the unit be able to make the determination that



compliance is occurring in that unit. There will be more TA resources to assess with this self-certification process coming soon. If that is something that is going to affect your program, know that there will be more coming out on that. Next slide, please.

Okay, so how can HOPWA funding be used to implement this requirement? There are a few ways that HOPWA funding can be used for this new requirement. The first HOPWA grantees and project sponsors may bill staff time, conducting landlord outreach and education on the CO detector and alarm requirements to the applicable housing assistance line item. For example, if your HOPWA program offers TBRA assistance, staff time to reach out and provide information to landlords about the new requirement could be billed to TBRA. If you are offering a different type of housing assistance, you could bill that outreach to that particular budget line item.

Staff time could also be billed for performing HQS or habitability inspections to assess for compliance with the requirements to the applicable housing assistance line item. This would be billed in the same way that you are already billing for inspection, applicable units covered by HOPWA HQS. You can also bill for staff time to assess for and self-certify compliance with requirements to units that would be assisted with STRMU and PHP where self-certification of compliance would be used.

An important reminder as we are talking about landlord outreach and interactions, this new CO detector and alarm requirement affects more than the HOPWA program as Amy mentioned earlier. The HOPWA program should not be identified during landlord interactions to ensure client confidentiality. As always, the landlord should not have knowledge that the tenant's assistance is being paid through the HOPWA program. Grantees and project sponsors can simply state that this is a new HUD requirement when talking to landlords.

Resident education can also be billed for HOPWA. For HOPWA grantees and project sponsors funded to provide housing information services, staff time can be spent conducting outreach and education on CO detectors and alarms to HOPWA-assisted households through that budget line item. I do want to note importantly that HOPWA funds cannot be used to purchase and maintain CO detectors or alarms. The only exception to that is for programs using operating funds for project or facility-based housing. CO detectors or alarms can be purchased and maintained with operating costs for facility-based housing as equipment and maintenance are eligible costs under that line item. That is the only line item where you can actually purchase the physical detector or alarm. Next slide, please.



Finally, this slide is a reminder that CO alarms and detectors are not a replacement for the proper installation, use, and maintenance of fuel-burning appliances or for well-ventilated garages. They can help avoid fatalities. Amy provided some pretty significant statistics about how often unintentional carbon monoxide poisoning is happening here in the US. Rental property owners, managers, and residents all play an important role as do all of you in preventing CO intrusion and responding quickly when it occurs where sources of CO exist. Resident education, informing how CO exposure can be prevented, is strongly encouraged particularly during seasonal increases in heating or during periods of electric or heat outages. As previously discussed, this type of resident education can be paid for by the housing information services budget line item. With that, I am going to turn it over to Heather who is going to talk about how to operationalize all of this.

Heather Rhoda: Hello again everybody. Welcome to part two of today's office hours. We know this is a lot of information, and we hope that the second part will work toward answering several of the questions that have been submitted to the Q&A box. As a reminder, please remember to do the best you can to submit questions specifically to the Q&A box. What now? Right? What are some key elements of operationalizing these requirements in your HOPWA program? At this point, I am going to turn it over to my colleague Steve Ellis. Steve?

Steve Ellis: Thank you, Heather. Heather reiterated the chat and Q&A, but also to reiterate we will make sure to share some of the Q&A with everyone. It will also be published to the HUD exchange. We strongly encourage all of your questions that end up in Q&A, even if you think it has already been addressed, just so we can make sure it is encapsulated and shared with everyone in the future.

Heather Rhoda: To add to that Steve so everybody knows, I mentioned a few times that the slides will be available in a recording and transcript. We are also working on what I think are cool tools that will help grantees and project sponsors navigate this. Hopefully, we will have a checklist – a CO detector checklist available soon, as well as some common questions and answers and fact sheets that can address some of the questions. Take it away.

Steve Ellis: All right. Let us operationalize some of this. OHH just went over the notice, and you will see here the first paragraph talks about the HOPWA-funded activities for which this requirement applied. Right? Basically, all of the HOPWA-funded activities for housing, including PHP, but particularly for PHP when you are assisting with the security deposit. That



means that HOPWA, this carbon monoxide screening and detection requirement applies to single-family or multiple-unit buildings. This also applies to single-room occupancy like SROs. It applies to hotels and motels for those of you that do hotel and motel emergency assistance. This applies to master lease units and all other types of facility-based housing. As you think about the housing activities that are in your contract and that are in your portfolio that you deliver in your community, basically all types of housing activities. You are going to need to think through this notice and think about how you document, screen, and potentially make sure it meets these requirements.

As a reminder, I think a lot of people are feeling like this is new. For a lot of communities, as part of any habitability of HQA inspection, you have always been required to meet state or local requirements. For some of you, this is not necessarily new. It is just now documenting it in the file for a different reason. This will be another place that will all still strongly encourage you that when this presentation is done, reach out to the grantee, and do some research to try to figure out what your state or local requirements or laws are for this as well. Make sure that you have been meeting them if you should or if there are any more stringent requirements that you need to follow.

Before we go any further, we thought it was important to break down some key terms and definitions of what you are going to see. Everything that we are talking about is coming from chapter 9 and chapter 11 of the International Fire Code. The terminology and the definitions are really key to thinking through how you meet this requirement for the HOPWA program. We are going to focus for a moment on the definition and difference between a dwelling and sleeping unit because that will affect how you implement this. It is as well once again to reiterate the difference between alarm and detector so we are all sort of clear on all the slides going forward what we are talking about.

The difference between a dwelling and a sleeping unit is you will see here the definition of a dwelling unit is a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation. Basically, a dwelling unit can be an entire single-family home. It can be a multi-unit apartment building. It can be a home that is split up into different apartments. It can also be an efficiency – the zero bedroom. You are focusing on the idea that this dwelling unit contains everything that is needed for one individual to live there.



This is slightly different than a sleeping unit. A sleeping unit is a single unit that provides rooms or spaces for one or more persons, including permanent provisions for sleeping. It can provide provisions for living, eating, and sanitation or kitchen facilities, but not both. Such rooms and spaces are also part of a dwelling unit and are not sleeping units. What this means is a sleeping unit is basically a single room occupancy or SRO, or a hotel or motel room. Right? There is a place to sleep. Maybe it has one of the functions like a kitchenette or a bathroom, but not both. If it has both, it is now a dwelling unit.

Another important idea to pull out in this definition is that these rooms and spaces that are also part of a dwelling unit are not sleeping units. Right? A dwelling unit encapsulates all the bedrooms. If you have a three-bedroom dwelling unit, you do not have to worry about it now having three sleeping units as well. The entire three-bedroom unit is your dwelling unit.

The difference between these two is important as it affects where your carbon monoxide detection must be located. In one of the later slides, we are going to talk about where it needs to be located depending on the type of unit. Just remember these definitions as we move forward on the next slides.

What does carbon monoxide detection mean? The phrase carbon monoxide detection can refer to either carbon monoxide alarms or to carbon monoxide detection systems. Throughout the rest of our slides, when we talk about detection we are referring to both. According to chapter 9 of the International Fire Code which focuses on new construction, carbon monoxide detection can be provided by an alarm that complies with the regulations outlined in the International Fire Code which we will focus on that. Or it is a detection system that also complies with other parts of the International Fire Code.

According to chapter 11 of the International Fire Code which focuses on currently existing structures, carbon monoxide alarms shall be required although a carbon monoxide detection system that complies is an acceptable alternative. So what? Right? You read those and think that they are a little bit confusing. They cross-reference each other. How does this apply to what you are doing? Unless there is a more stringent state and local requirement, either properly installed alarms or detectors are an acceptable way to meet the requirements outlined in this notice. As you think through how you operationalize this for your HOPWA program, either of these is adequate to meet the notice. Once again, please do some local research to make sure that you do not have more stringent requirements that do specify one or the other.



The other thing to help break this down is to read. I know this was gone over a little earlier. Define again the carbon monoxide alarm and carbon monoxide detector and provide some visuals to help people think through this. I think everyone has an idea of what these are, but to really make sure people understand, we are going to go over that in these next slides.

A carbon monoxide alarm is a single or multiple-station alarm intended to detect carbon monoxide gas and alert occupants by a distinct audible signal. It incorporates a sensor, control components, and alarm notification appliance in that single unit. What is important to note about carbon monoxide alarms is they should receive primary power from the building. When primary power is interrupted, it should receive power from a backup battery. A carbon monoxide alarm could be in theory hard-wired to a building or plugged into an outlet that is hard-wired into a building. It should also have a battery backup. That way if the power goes out and there is a carbon monoxide issue, the residents of that dwelling or sleeping unit will still be notified and warned of the potential danger.

That alarm is different than a detector. A detector is a device with an integral sensor to detect carbon monoxide gas and transport an alarm signal to a connected alarm control unit. Here is one thing to help you sort of think through what a carbon monoxide detector and its system really looks like. If you think through maybe what you have seen in some buildings, spaces, and some apartment buildings. If you do not see carbon monoxide alarms attached to different places, you will notice that they are all over the place. Right? It has got this whole system, and that all leads back to some box, to some sensor, to somewhere where that is being screened and checked. Right? Someone could go to that box to make sure it is working and make sure it is adequately functioning, and make sure it is powering. For a carbon monoxide alarm, you can test it right at the plug. Right? On that previous picture, there is a button you can hit. You can test if it is working. For a system, a carbon monoxide detector system, testing might be a little more difficult. In these examples, you are going to want to find that central box and make sure that it says that it is working and it is powered up.

I know you keep hearing chapter 9 and chapter 11 of the International Fire Code. As a reminder, then when we talk about detection it can mean either. In this slide again we have used that. We have cited the websites where you can find the International Fire Code that you need, 2018. We stress this again because some programs might inadvertently fall into old versions or might find local or state codes. Make sure that you are using



the correct links when you are trying to make sure your program is meeting the 2018 International Fire Code requirements.

For the rest of the presentation, we are going to focus a lot on chapter 11 which is really focusing on existing units. Even though they cross-reference each other, we just want to put that out there as a condition for what we do going forward. If any of your programs are doing some new construction and you have any specific questions about how this might be different for new construction, please throw those into the Q&A and we can make sure that they get addressed. Since most of the programs out there are really going to worry about this for existing units, that is where we are going to spend the rest of our time.

Carbon monoxide alarms should be installed in existing dwelling units and sleeping units where those units include any of the four conditions outlined. For a lot of the presentation, we are going to focus on those four conditions. Those four conditions are key for what you are screening. We have seen some questions where people are talking about is a unit exempt if it has an electric appliance. As you have heard about before, you will see on these next slides you are going to want to screen units for the four conditions and exemptions, not just because it only has an electric appliance. There might be other conditions that still require it.

I think for a lot of you, you might have units that carbon monoxide detection is not required. Just make sure you are screening it for the right reasons. That way you are sure that you are meeting this notice requirement and you are sure that it does not need detection. These alarms also have to be installed in locations specified in these sections of the International Fire Code. That installation shall be in accordance with other parts of the International Fire Code. We have slides on this coming up. It is sort of that thing to think about that it is not just carbon monoxide required or carbon monoxide detection required. Also, where is it? Does it meet certain requirements to make sure it is adequate?

There are some exceptions that are found directly from International Fire Code to what I just went over. Carbon monoxide alarms are permitted to be solely battery operated where the code that was in effect at the time of construction did not require carbon monoxide detectors to be provided. Particularly when you think about new construction, if it was built a while ago or started a while ago and they were not required to use detectors, alarms are fine. Carbon monoxide alarms are permitted to be solely battery-operated in dwelling units that are not served by a commercial power source.



If you have a particular unit that is not plugged into the commercial electrical grid, it is okay that they are only battery-operated. A carbon monoxide detection system in accordance with International Fire Code shall be an acceptable alternative. Once again, even if it is an existing unit and you go to do an inspection say as part of HQS or you are screening it for compliance for STRMU or PHP. They have a carbon monoxide detection system that is a-okay. You are still meeting this requirement even if it is an existing unit. Thank you, everyone. Now I am going to turn it over to my co-worker Branden who can start to break down some of the conditions.

Branden Ananis:

Thanks, Steve. I know everybody has probably got a lot of questions about the conditions, when, where, how, and why. We are going to start digging into that a little bit. I just wanted to point out as we get into this section, while the International Fire Code does refer to dwelling rooms, sleeping rooms, and classrooms. I just want to stress that this presentation is only focusing on dwelling units and sleeping rooms.

What are the four conditions when carbon monoxide detection is required? It is only required when under these four conditions. Either the unit contains a fuel-burning appliance or fuel-burning fireplace inside the unit itself or inside the sleeping room. If the unit is served by a fuel-burning forced air furnace with one exception. If the unit is located in a building that contains a fuel-burning appliance or fireplace, even if it is outside the unit with some exceptions. We will go over those a little later. If the unit is located in a building with an attached private garage – again there are also some exceptions there as well. Next slide, please.

All right. When do we need to do the detection? One of the first things I want to stress about when carbon monoxide detection is required is first and foremost that it must be in dwelling units where the fuel-burning appliance is inside the unit itself. There are no exceptions. This is the one part of the fire code that they do not provide any exceptions for. A fuel-burning appliance is defined again as anything that runs on combustible fuel. It does not matter if it is natural gas, bottled gas, propane, heating oil, wood, wood pellets, or kerosene. Basically, if it can make a flame, some sort of carbon monoxide detection is required in the unit. Like we said earlier, the detection inside the unit can be provided either as an alarm or a detector.

I just wanted to put some emphasis on the detection is required in the unit itself if the fuel-burning appliance is located in the unit. There are no exceptions there. Then another quick reminder is that living rooms are considered sleeping areas in a dwelling unit. If alarms are used in the unit,



they should also be within the vicinity of the living room and the other sleep areas and bedrooms.

In a lot of cases in a situation like this, we are going to start getting into some of the exceptions, and it can get a little bit confusing about whether or not an alarm is required here or a detector over there. In a lot of cases, a single alarm situated in the immediate vicinity of the bedrooms or sleeping areas within the unit will suffice regardless of whether or not there is detection or detectors elsewhere in the building. Next slide, please.

All right. Jumping into when the detection is required again. It shall be provided in dwelling units that are served by a fuel-burning forced-air furnace. The exception for this is that if the furnace is located outside the unit, for example, and there is ductwork that comes off that furnace to service the unit. Whatever any main duct coming off the furnace leading to the unit, the room that the duct ends up in would require some sort of carbon monoxide detection in that room. Now if that branches off elsewhere from that first room to service other rooms, detection may not be required in the other areas where that ductwork reaches. That first main duct that comes off the furnace and leads to a room, detection is required in that room.

We have a little example scenario here. Vince receives HOPWA tenant-based rental assistance and lives in a unit where the following conditions exist. There is a fuel-burning forced-air furnace located in the basement with a single main duct that leads first to the living room within Vince's unit, and then it branches off from there with additional ducts that serve the kitchen, bathroom, and other sleeping areas of the unit. There are no other fuel-burning appliances located within the unit. His unit is not attached to a garage. There is a carbon monoxide detector or alarm in the living room itself. It is a detector rather in the living room itself. In this example, no additional carbon monoxide detection would be required in the unit because there is a detector in the living room.

Not to sound redundant but getting back to what was said earlier just trying to keep in mind the difference in the definitions between a detector and an alarm. In this scenario, the fire code specifically states that a detector is required in the living room, not an alarm. An alarm would not suffice in this situation.

As we start to move further into this when and where things need to be located, just a reminder to focus on the requirement. The primary requirement is detection in the unit. Try to focus on that and not the exceptions so much, because it can be a little bit confusing trying to hunt



down around the building looking for exceptions and stuff. Ideally, there will be alarms and detectors in the unit. If there are, then that is it. You are done unless there is some other local code that is more strict requirement detection elsewhere in the building. Next slide, please.

In our next scenario here, carbon monoxide detection shall be provided in dwelling units and sleeping units located in buildings that contain fuel-burning appliances or fuel-burning fireplaces. This is regardless of whether or not that appliance is in the unit. If it is somewhere in the building it is required. However, there is an exception in this case as well. It is not required if there are no communicating openings between that fuel-burning appliance or fireplace and the dwelling unit or sleeping unit itself. A communicating opening is described as a pathway by which air can freely flow from one room to another. That could be like a transfer duct. It could be ventilation braiding, a door, a window, a pass-through, or a hallway. Anything that would allow a free air exchange between the unit and that appliance would be considered a communicating opening.

In the example here with Lacey who lives in a unit with a fuel-burning hot water heater that is located in a fully enclosed mechanical room outside of her unit, there is a solid wall with no communicating opening between her unit and the mechanical room. There are no other fuel-burning appliances, furnaces, or fireplaces within her unit or the building. She is not attached to a garage. Then carbon monoxide detection would not be required in her unit because there is not a communicated opening between that mechanical room and her unit. The key here is the communicating openings between that appliance and the unit.

Just a reminder, it is easy to identify the obvious like whether or not there is a window, a door, or something that is a really direct route into that mechanical area. The emphasis I want to make is just making sure that there are no access panels from within the unit that somebody could access that mechanical area from inside the unit or the sleeping area. How we define that, is it inside the unit, outside the unit, mechanical room versus a concealed containment area within the unit? We sometimes see places where there is a walled-off section within the unit that has an access panel that could be removed to get to the water heater. That would be considered to be within the unit. When we are talking about outside the unit, we are talking more like an attached mechanical room that is attached to the exterior of the building or is located someplace else in the building. It is not directly inside the unit. Next slide, please.

I am going to turn that one over to Heather who is going to keep us rolling along with all of these examples.



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Heather Rhoda: We are just breaking this one up a little bit because it is a long one. This is the continuation of that same condition. What we are looking here at is a second exception for the same condition. CO detection shall be provided in dwelling and sleeping units located in buildings that contain fuel-burning appliances or fuel-burning fireplaces. This is another exception. CO detection shall not be required in the dwelling unit or sleeping unit -- there is another distinction there -- where a CO detector is provided in one of the following locations as listed below. Either it is in an approved location between the fuel-burning appliance or the fuel-burning fireplace and the dwelling or sleeping unit, or on the ceiling of the room containing the fuel-burning appliance or fireplace. Yeah, okay right? That is a lot. Let us take a look at an example.

In this example, assuming there are no fuel-burning fireplaces or appliances in the unit itself and there is no attached garage to the unit, here we have Shasta. She is living in a unit where there is a fuel-burning hot water heater located in the basement. It is located in the building. It is in the basement. The landlord does not have a CO detector installed anywhere in the building. That would mean that CO detection is required in Shasta's unit before HOPWA assistance can be provided.

Branden Ananis: Exactly. Shasta's unit does not meet one of the exceptions. The landlord did not have a detector located in one of the areas that are covered by the exception.

Heather Rhoda: Correct. She could have a CO alarm installed in her unit.

Branden Ananis: In her unit.

Heather Rhoda: Right. There was a specific question actually about hot water heaters. This was perfect. It was perfect timing.

Branden Ananis: Yes. All right. Next slide, continuing along with all these exceptions. Number four, carbon monoxide detection shall be provided in the dwelling unit with buildings that have attached private garages. Again, there is an exception. The exception is that the carbon monoxide detection is not required in the dwelling unit or sleeping unit as long as there are no communicating openings between the private garage and the dwelling unit or sleeping unit. Again, there would have to be no direct access from within the unit to the garage. It would have to be a solid wall with no windows, no doors, no way to get into the garage from within the unit, no even spaces, and nothing like that.



In this example here we have Langley who is living in a house that has no fuel-burning appliances in it at all. There are no fireplaces, no forced-air furnaces, but she does have a private garage with a solid wall between her unit and the garage. There is no direct access to the garage from within the unit. Because of that solid wall between the dwelling unit and the garage, there is no CO2 detection required within the dwelling unit.

If you want to just follow up to review Section 9 regarding open parking garages versus private garages, generally private garage is sort of generally thought of the same way we think of a one or two-car garage attached to a building. It is closed. It is not used for commercial purposes or anything like that. It is sort of like that stereotype of what we think of an attached garage. Next slide. Let me see. You are on, Heather.

Heather: Okay, I was going to say you can continue. You are on a roll if you want.

Branden Ananis: Sure.

Heather Rhoda: Okay, go for it.

Branden Ananis: Again, another one of these exceptions. Carbon monoxide provided in dwelling units and sleeping units with attached private garages. Another exception is that the detection would not be required in the dwelling unit if it is located more than one story above or below a private garage. If you have an apartment building that maybe has a garage on the first floor and there were apartments above it, there is an exception in there for units that are at least more than one story above or below that garage.

Getting back to the examples, we have Vanessa who is in a three-story building. Her unit is located on the third floor. All utilities are electric. There are no fuel-burning appliances anywhere in the building or within her unit. There are dwelling and sleeping units located on both the second and third floors. The private garage is located on the first floor. In this scenario in Vanessa's unit, she would not be required to have detection in her unit because she is more than one story above that private garage. However, if we had any assisted units on the second floor of that building, detection would be required on that second floor. Next slide, please.

We are hanging in there with those garages again. We have another exception for garages. Carbon monoxide detection would not be required within the unit where that private garage connects to the building through what is defined as an open-ended corridor. An open-air corridor is an interior that is open at each end that allows for the free flow of air between the two buildings that it is connected to. It would usually have a



connection to an exterior stairway or ramp on each end with no intervening doors or separations from the corridor. In this example, we have River who lives in a house where there are no fuel-burning appliances or forced-air furnaces. There is a private garage, but there is an open-air breezeway that is between the dwelling unit and the private garage. In this case, carbon monoxide detection would not be required in the unit because we have an open-air space corridor between the two. It is because it is an open breezeway. Next slide, please.

The next exception pertains to closed breezeways specifically. When you have a connection where you have a fully enclosed area, corridor, or whatever terminology you want to use that connects the house to the garage, a carbon monoxide detection would not be required in the unit itself as long as a carbon monoxide detector is provided in an approved location between the openings of the garage and the dwelling unit.

In this example, we have Lionel in a unit where there is an enclosed breezeway between the garage and the unit. In this particular case, a CO2 detector is properly located between the garage and the unit, probably somewhere in that closed breezeway. If that is the case, then additional detection would not be required in the unit. This is an example of why it is important to understand the differences between a detector and an alarm. In this situation, an alarm would not be appropriate in this breezeway space because the International Fire Code specifically requires that in this instance if there is not an alarm in the dwelling unit itself, then there has to be a detector in this breezeway space. Next slide, please.

All right. Now we are going to move on to where the carbon monoxide detection must be located. We have gone through some of the reasons or some of the requirements for what conditions have to be present to require carbon monoxide detection. Now we are going to talk about where that detection has to be located. Again, when the unit meets any of those four conditions that we discussed earlier and also the type of the unit is going not affect where in the unit the detection must be located. In a dwelling unit, carbon monoxide detection shall be installed in the dwelling unit outside each sleeping area and in the immediate vicinity of bedrooms.

Again, just a reminder there to keep living rooms in mind as well because they are considered a sleeping area. Then also where a fuel-burning appliance is located in the bedroom or its attached bathroom, then carbon monoxide detection is required to be inside the bedroom. We have two different scenarios here. One permits for detection to be outside and in the immediate vicinity of the bedrooms and sleeping areas. The other



specifically requires it inside the sleeping area itself depending on where the fuel-burning appliances are.

For sleeping units, carbon monoxide detection shall be installed inside the sleeping unit. There is an exception that that detection can be allowed to be installed outside of the unit and in the immediate vicinity of that sleeping area or its attached bathroom. It does not contain any fuel-burning appliances, and that sleeping area is not also served by a fuel-burning forced-air furnace. Next slide, please.

Steve Ellis:

Really quick because some of the questions have come up. I really just want to encourage everyone to think through the conditions and exceptions. Some of the questions are talking about where detection is required. The first step is, is detection required? If it is, is there an exception to that? Some of the examples Branden went through are detections that were required in the unit if there was detection somewhere else that meets certain specifics. You want to think through that. Then this slide also then adds this added layer about if there is a fuel-burning appliance in the actual bedroom. There is still an additional requirement.

For a lot of the questions that are seeming to pop up about whether this is required in this very specific instance, I just want to encourage people to think through. There are many instances you need to think through. Do not just say oh, there is a carbon monoxide alarm plugged in in this one location. That might clear you of one of the four conditions, but not all of the conditions.

Branden Ananis:

Correct.

Steve Ellis:

As always, keep those questions coming. Just think through that you are scanning your units for all of the conditions, not just one.

Branden Ananis:

Thanks for that clarification, Steve.

Heather Rhoda:

Also, I just wanted to mention because somebody had a great idea about a flow chart. Right? I mention too that the checklist that was created pretty much operates like a flow chart. Right? It is if this, then this, then no. People should be able to follow that right along and determine if CO detection is even required in the unit to begin with.

Branden Ananis:

Excellent point. Next slide please, power source. The International Fire Code does have requirements for the carbon monoxide alarms. A carbon monoxide alarm has to receive its primary power from the building wiring. This wiring has to be served by a commercial source. When the power is



interrupted, it has to receive power from a battery. The wiring has to be permanent. This is what we often refer to as being hard-wired or permanent, fixed, constant connection between the circuit panel and the device or component that is being served by that connection.

You can also have the plug-in type of carbon monoxide detectors or alarms that plug into an outlet within the unit or the room. I just wanted to remind folks that they should not be plugged into what is referred to as a switched outlet. If you hit the light switch it kills the power to that receptacle. They should not be connected to a fixed power source by an extension cord. The only exception to this power source requirement is where it is installed in buildings that are not connected to a commercial power source. All right, next slide.

Another requirement for CO2 carbon monoxide alarms is that they have to be UL listed. We have all seen the little UL on lots of electronic products that we purchase. That UL listing approves the safety and longevity of that device. Under normal conditions and use, that device will function properly, and that it has the correct wire gauge and things like that within the device to make sure that it is constructed safely and function properly. You want to look for that UL code on the back of the device if you have access to it. Next slide, please.

All right. Again, getting back to locations. Carbon monoxide alarms should only be installed inside dwelling units and inside sleeping units. They cannot be installed in locations where the International Fire Code or local or state code requires a detector to be installed. There are some places where there are requirements that it specifically has to be a detector and that an alarm will not suffice. Part of the reasoning there is that an alarm all the way down in the basement is not going to alert somebody on the second floor that there might be a CO2 leak down in the basement. The alarm is only going off in the basement. That is why they have some of these specific requirements around detectors that are sending that signal to a central location that in turn sends an alert or alarm to the appropriate areas of the building that need to know.

Carbon monoxide combination smoke alarms are an acceptable alternative to carbon monoxide alarms. They should also be listed in accordance with the underwriter's laboratory 2034 and 2017. Again, I just cannot stress the difference between those detectors and alarms. I know it is probably getting a little redundant at this point, but it does make a difference depending on what is required in different locations. With that, I am going to hand it over to Heather, and she is going to pick up again on getting into compliance.



Heather Rhoda: How should HOPWA programs document compliance with CO detection requirements? I know we talked a lot about a checklist. HOPWA programs must add questions to the HOPWA habitability HQS forms. Here we are really talking about the HOPWA habitability form. I know the HUD HQS form is really lengthy. It is pretty long even if you are using the checklist. We are working on creating some more tools for grantees and project sponsors. Also, create and use a CO detection checklist for self-certification. The areas for which Branden and Steve talked about earlier where you can do self-certification of CO detection requirements.

Programs can use the same questions for both the habitability HQS forms and the self-certification checklist. Generally, what types of questions and information should be on a checklist? Let us take a look at the next slide. This is really high-level because we do have a form that will hopefully be released shortly after this training too. There are some key elements to include on the form.

Obviously, the date. Right? Your HQS form or your habitability form will already have places for some of these things. Right? That is the date and the name of the person conducting the inspection. Thinking about a checklist specifically, you should definitely have the date that you are confirming CO requirements and the address of the unit. You want to know for which unit you are determining requirements for. The name of the person either conducting the inspection or the self-certification. If it is program staff, you can put the title of the program staff doing that. If it is a landlord doing a self-certification or the tenant, just have the landlord's name or the tenant's name. Obviously, there might be some situations where it would be the landlord that is doing a self-certification because the tenant has not moved into the unit yet. For example, if you are using PHP for a security deposit, the tenant is probably not in the unit yet. It would be the landlord doing a self-certification in that situation.

You would also want to have some questions or some checklists or checkboxes kind of walking you through the requirements. You would want to have things like, is there a fuel-burning appliance, or fireplace in the unit or the building? Is there a forced-air furnace? Is the unit being served by a forced-air furnace? Is there a private garage attached to the unit or the building? Then you would want to have some qualifiers to determine if any of those conditions existed. We would want to have a place to select no if none of the conditions apply. If the requirement does not apply to that unit, then you make that determination, and then you are done.



Steve pointed out earlier that in the beginning, do not worry so much about where the alarms should be placed within the unit. You first really need to determine if CO detection is even required in the unit at all. In the situation, if CO detection was not required, you could write no and explain why. Then you are done. Then you maintain that documentation in the file. If CO detection is required, then you would indicate it. It is a good idea to indicate why it is required. Right? You could use this presentation as a guide to place on the checklist to say why it is required.

If the requirement does apply, it is a good idea to have some exceptions listed on the checklist also. If there is an exception, then you would indicate yes. You would note what the exception is. If there are no exceptions at all, then CO detection would be required and must be documented in accordance with the requirements outlined in chapters 9 and 11 of the ICF. A lot of this is going to be laid out really nicely in the example checklist. Then you could adapt it and tweak it for your own program and your own purposes.

Steve Ellis:

I just want to reiterate what Heather went over here on that third bullet point. A lot of the questions are examples. It is really hard to answer an example because there are so many different scenarios. Right? You are screening for all of the conditions. It is not just an appliance. It is all of these things including a private garage. For every example that you all type, it is fantastic to type it. The answer will constantly be, what about all the other conditions? Are there exceptions? Once again, it is encouraging everyone to move away from thinking about a very specific thing and thinking through a process. What is that process where you screen a unit for these four conditions and exceptions?

Then the example would be, a unit does not require. We screened a unit for all four conditions, and none are applicable. Is carbon monoxide detection required? We could say no because you have screened for all of the conditions. I really encourage people to move away and think about a mind shift, about screening for conditions and not just there is not a gas fireplace. Is it exempt? I want to follow up with 18 other questions to say, what about this? What about this? What about this?

Heather Rhoda:

Right. Next slide. Getting into compliance, what would that look like? For STRMU or PHP assistance, just as a reminder when we are talking about PHP, we are talking about security deposits. We are not talking about application fees. For STRMU or for PHP provided after December 27, 2022, all units must meet CO detection requirements. For TBRA leasing operations, acquisition, rehab, conversion, and facility-based housing, those are the activities that are subject to HOPWA habitability HQA. They



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require all new units to meet this requirement before providing any assistance. For units that are currently assisted with any of those activities, TBRA, leasing, acquisition, rehab, conversion, and facility-based housing you need to start making a plan to screen currently assisted units. These are just some ideas.

Review the data you have internally about your portfolio of units wherever that data is located. Is it located on a rent roll if you are using tenant-based rental assistance? You know, you have the client ID. You have the address of the unit. Look at previous inspections. Look at leases. Look at housing assistance payment agreements that might detail the types of utilities that would be included in the lease too. The type of utility could give you an indicator if you need to screen more closely. Right? Is it oil heat? Is it a gas stove, for example? Look at any other information that will help you determine if any of the units in your portfolio do not require CO detection. Then make a note to the file.

For all other units for which CO detection is required or you believe it will be, we recommend contacting the landlord and the assisted household in writing about these new federal requirements and any state and local requirements also. Then what you would need to do is determine who should complete any self-certification. You can, in the interim for TBRA, leasing, operations, and all of these activities listed above, you could have work with the landlord or the tenant to complete a self-certification for those units that do require CO detection. I would also strongly recommend, and you should also too, make sure you are documenting those units that do not require CO detection. Put that in the file also.

Do not wait until the next annual inspection to complete the screening and get into compliance. For example, say you had somebody move into a unit with TBRA in November. Do not wait until the annual next November to determine or to wait to see and screen for that unit to see if CO detection is required. You need to start working on that now. You could achieve that by using a self-certification. Next slide.

Here are some summaries and reminders. Remember states, counties, and cities may have more stringent requirements regarding CO detection. In this situation, as Amy mentioned in the beginning, the more stringent rule will apply to your HOPWA program and the units you are assisting with HOPWA funds. While HUD's notice does not specify who is responsible for providing CO detection, some state, county, and local laws may absolutely specify who is responsible. We strongly recommend grantees consult with local code enforcement offices or similar types of offices for that specific information. Regarding how to pay for or obtain smoke



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alarms in situations where a state or municipality does not require CO detection in units, but HOPWA regulations and this new notice do require them because of the conditions present in the unit, there may be free resources available in the community. We recommend searching online for potential resources, utilizing your local 211 phone number, or even contacting the local fire department. Maybe your local code enforcement offices or similar types of offices will have information about free or low-cost carbon monoxide alarms.

Remember, right now there are examples of CO detection checklists all over the internet. Right? Some are specific though, so I caution you with just going online, downloading one, and using it. Some of them are very specific for the municipality and the state itself. The one that is being developed is really fully guided based on the notice and the requirements outlined in the International Fire Code. It does not include any local requirements, but you could always add local requirements to an existing checklist.

Steve Ellis: Before we move forward, I want to thank everyone for all of the questions. We are almost out of time, so we will not be able to answer any questions live. Please continue to put questions to the Q&A, and we will follow up with individuals as well as publish some of the common Q&A when it is reviewed so that everyone will have access to that. Unfortunately, due to time, we cannot go over many. Since we are coming toward the end of our presentation, would anyone from OHH like to take us out?

Amy Palilonis: Sure. Thanks, Steve, Heather, and Branden for the very thorough presentation today. I also want to thank all of you for participating so actively and for asking so many questions. We tried to answer as many as we could through the Q&A box. As we had mentioned, these slides will be available online. We are planning to roll out some additional TA resources shortly. Please do not hesitate to continue asking your questions here in the Q&A box as Steve said, through the HOPWA Ask a Question desk, through HOPWA@HUD.gov, or really however you typically submit your questions. There is no wrong door, and we will try to get answers to you as soon as we can. Really, we understand your concern with the requirements and the timing of the requirements. We really just stress the importance of getting a plan in place to ensure compliance locally and to do that as soon as you can. We really appreciate all of the work that you do on behalf of people living with HIV in your communities. That is it. Thanks again for your participation today.



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Steve Ellis: Absolutely, thank you again, everyone. As Amy said, you know how to ask additional questions. Stay tuned to the HUD Exchange and to your email from the HUD Exchange as those materials roll out.

Branden Ananis: Thank you. Bye, everybody.

Steve Ellis: Bye everyone.

Branden Ananis: Thanks.

