

SURCHARGE FOR SMOKE DETECTORS

Rent Adjustment Commission (RAC) Regulations • Section 340.00 • Effective November 17, 1982 • Amended November 20, 2008; March 7, 2024

Rent Adjustment Commission Regulations & Guidelines

- 340.00 SURCHARGE FOR SMOKE DETECTORS**
- 340.01** Rent adjustments implemented pursuant to this Regulation constitute a temporary surcharge which must be terminated once the full cost of the purchase and installation of smoke detectors have been recovered.
- 340.02** Alternatively, a landlord may recover the cost of purchase and installation of a smoke detector pursuant to the provisions of the Capital Improvement Program (Regulations 210.00 et. Seq.)
- 340.03** A landlord does not need to apply to the Los Angeles Housing Department to implement a temporary surcharge pursuant to the provisions of this Regulation.
- 341.00 AUTHORITY FOR REGULATION**
- 341.01** The Los Angeles Building Code requires smoke detectors within dwelling units, efficiency dwelling units or guest rooms (Los Angeles Municipal Code (LAMC) Sections 91.310.9.1 and 91.8603).
- 341.02** The Rent Stabilization Ordinance (RSO) provides for rent adjustment by a landlord who installs a smoke detector pursuant to the requirements of the Building Code (LAMC Section 151.06.1).
- 342.00 PERMITTED RENT ADJUSTMENTS**
- 343.01** A landlord may implement a temporary increase in the rent pursuant to this Regulation only if the landlord gives written notice to any affected tenants within two months after installation of the smoke detectors (LAMC Section 151.06.1.C).
- 343.02** The written notice must indicate the actual costs for purchase and installation of the smoke detectors and the month and year when these costs shall have been completely amortized (LAMC Section 151.06.1.C).
- 343.03** A landlord may temporarily increase the monthly rent by 50 cents (\$0.50) for each battery operated smoke detector installed in the rental unit, or three dollars (\$3.00) for

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each permanently installed hard wired smoke detector in the rental unit (LAMC Section 151.06.1.A)

- 343.04** to comply with the Building Code’s smoke detector requirements in a rental unit subject to the RSO (LAMC Chapter XV), a landlord may install battery-operated smoke detectors only if the rental unit is a single family dwelling (LAMC Section 91.8603.2.1). A landlord must install hard-wired smoke detectors in all buildings that contain two or more dwelling units (LAMC Section 91.8603.2.2).
- 343.05** A landlord must obtain a permit from the Department of Building and Safety for Installation of a permanently installed hard-wired smoke detector (LAMC Section 91.106).
- 344.00** **ELIGIBLE COSTS**
- 344.01** A landlord may temporary increase the rent pursuant to Regulation 343.03 only until all of the eligible costs for the purchase and installation of a smoke detector have been recovered.
- 344.02** Eligible costs consist of the following:
- Total cost of a smoke detector, including the actual cost of the smoke detector as well as the cost of wiring, junction boxes, electrical moldings, required permit, and all other materials needed for the installation of the smoke detector;
 - Cost of the battery placed in the smoke detector at the time of installation;
 - Labor costs actually paid to independent contractors for installing the smoke detector;
 - Labor costs actually paid to independent contractors for any plastering or painting required as part of the installation of the smoke detector;
 - Actual cost of plaster or paint purchased for the specific purpose of installing the smoke detector.
- 344.03** Eligible costs shall not consist of any of the following:
- Tools and equipment purchased for the purpose of installing a smoke detector which have a continuing usefulness to the landlord following installation of the smoke detector;
 - Cost of replacement batteries;
 - Cost of replacement of a defective smoke detector;
 - Self-labor performed by the landlord, the landlord’s agent, the manager, any full-time employee of the landlord or any relative of the landlord.

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345.00 DETERMINING COST RECOVERY TERMINATION DATE

346.01 A landlord shall determine the cost recovery termination date separately for each building in which the landlord installed a smoke detector.

346.02 A landlord shall determine the termination date for battery operated smoke detectors by dividing the total recoverable cost by the number of smoke detectors installed and then dividing by \$0.50.

346.03 A landlord shall determine the termination date for permanent hard-wired smoke detectors by dividing the total recoverable cost by the number of smoke detectors installed and then dividing by \$3.00.

346.04 In determining the number of months that a surcharge may continue, a landlord shall round off to the nearest whole number of months (less than .50 to the lower whole number; .50 or more to the next higher whole number).

346.05 Example determination of cost recovery termination date:

Cost of 50 permanently wired smoke detectors = \$ 500.00

Cost of Labor = \$ 1,650

Total eligible cost = \$ 2,150

Total eligible cost / number of smoke detectors = \$43.00 per smoke detector

Number of months for surcharge = 14.33 (\$43.00/\$3.00) which is rounded down to 14 months.

347.00 NOTIFICATION TO THE TENANTS

347.01 The landlord may implement a temporary increase in rent pursuant to this Regulation only if the landlord notifies the affected tenant(s) within two months after installation of the smoke detectors.

347.02 The notice shall provide the actual cost of purchase and installation of each smoke detector in the tenant's unit determined pursuant to this Regulation.

347.03 The notice shall also indicate the amount of the surcharge, the total number of months the surcharge will be in effect, the cost recovery termination date and how the surcharge and cost recovery termination date were calculated.

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347.04 Example notification to tenants:

December 1, 2008

Dear Ms. Jones

Pursuant to Section 151.06.1 of the Los Angeles Municipal Code and Rent Adjustment Commission Regulation 340.00 et. Seq., this is to notify you that a temporary surcharge of \$3.00 shall be added to your rent to recover costs for installation of smoke detectors in your unit for the first time. This temporary surcharge will be charged for 14 months.

The costs were determined as follows:

Cost of 50 permanently wired smoke detectors = \$500.00

Cost of Labor = \$1,650

Total eligible cost = \$2,150

Total eligible cost / number of smoke detectors = \$43.00 per smoke detector

Number of months for surcharge = 14.33 (\$43.00/\$3.00) which is rounded down to 14 months.

The surcharge shall be effective January 1, 2009 and shall remain in effect until February 28, 2010.

347.05 Upon a tenant's request, the landlord shall provide copies of all documents showing costs and calculations for the temporary surcharge.

347.06 Tenants who believe that their landlord did not comply with this Regulation in implementing a temporary surcharge may file a complaint with the Los Angeles Housing Department's Rent Division at (866) 557-7368.

THIS INFORMATION IS OFFERED FREE OF CHARGE TO THE GENERAL PUBLIC.

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