



Smoke Alarm Laws

What Victorian Landlords
Must Know about the new
Smoke Alarm Laws



Contents

Your easy-to-follow guide on the Victorian legislation changes.

Changes to Victorian smoke alarm legislation 2021.....	2
What does this mean for landlords?	3
What does this mean for property managers?	3
Demand to increase as deadline approaches.....	3
Key tips for compliance	4
Three important checks for your alarms	4
Sound too complicated to handle yourself? We are here for you.....	5
Steps J Eacher Electrical take to ensure compliance.....	5

Changes to Victorian smoke alarm legislation 2021

The Victorian State Government have announced changes to the Residential Tenancies Act (RTA) that will increase mandatory safety obligations. If you rent a house/townhouse or unit/apartment to tenants in Victoria, you are directly affected by the changes to the smoke alarm legislation and you need to know how these changes impact you.

Legislation in Victoria?

The Residential Tenancies Regulations 2019:

Smoke alarm safety activities

- (a) The rental provider must ensure that:
 - (i) any smoke alarm is correctly installed and in working condition.
 - (ii) Any smoke alarm is tested according to the manufacturer's instructions at least once every 12 months.
 - (iii) The batteries in each smoke alarm are replaced as required.
- (b) The rental provider must immediately arrange for a smoke alarm to be repaired or replaced as an urgent repair if they are notified by the renter that it is not in working order.
- (c) The rental provider, on or before the occupation day, must provide the renter with the following information in writing:
 - (i) information about how each smoke alarm in the rented premises works.
 - (ii) information about how to test each smoke alarm in the rented premises.
 - (iii) information about the renter's obligations to not tamper with any smoke alarms and to report if a smoke alarm in the rented premises is not in working order.
- (d) The renter must give written notice to the rental provider as soon as practicable after becoming aware that a smoke alarm in the rented premises is not in working order.

Note: Regulations made under the Building Act 1993 require smoke alarms to be installed in all residential buildings.

The current legislation is available here:

<https://www.consumer.vic.gov.au/housing/renting/repairs-alterations-safety-and-pets/keeping-the-property-safe/smoke-alarms-and-fire-safety>



What does this mean for landlords?

If legislation is introduced as per the current draft, landlords will need to adhere to strict additional smoke alarm compliance measures.

The legislation requires a 'suitably qualified person' to carry out the smoke alarm related activities. Although it remains a landlord's responsibility to ensure the compliance requirements are adhered to, the risk associated with doing so themselves should be carefully assessed.

What does this mean for property managers?

Property managers have an ongoing duty of care to their landlords and tenants to ensure that all legislated responsibilities have been met. Failure to meet these obligations may result in penalties and legal consequences.

As part of the proposed new legislation, it will become a requirement to report the compliance or non-compliance of smoke alarms to tenants. Landlords and property managers will be required to provide documentation that demonstrates the property meets the new smoke alarm regulations.

Demand to increase as deadline approaches.

Act now to save money and spare yourself added stress. Our \$99 package gives you the surety that:

- You will be compliant in time (to avoid the rush)
- You know the cost to ensure compliance.
- Your solution will be tailored to your rental property.
- You avoid the costs and penalties of non-compliance of unscrupulous traders.
- You save time in tenant entry negotiations and property manager liaison.
- The process is easy to get started.

With a package designed exclusively for landlords and their property managers, Smoke Alarm Solutions' experts will visit within the year as required for compliance, whether it is a tenancy change, annual inspection, or a fault.



Key tips for compliance

Know how the new legislation will affect you.

Who is responsible for installing smoke alarms in a rental property? As the landlord, you are responsible for the installation and ongoing maintenance of smoke alarms, as well as the reporting of their compliance with legislation.

Get prepared early – understand your current set-up.

Before making changes, it is important that you understand what you currently have. This is especially important for investors who have bought rental properties and are unsure of their smoke alarm installation history.

Three important checks for your alarms

1. What you will need to check:

- a. What type of smoke alarm do you currently have installed?

Ionisation smoke alarms: Carry a radiation symbol on their label.

- b. Will state on the label “Ionisation”.

- c. The label will usually be yellow

d.



- e. Photoelectric smoke alarms:



Will state on the label “Photoelectric”, or “PE” with a circle around it.

2. Are the alarms battery-operated or hard-wired?

- a. Battery or lithium powered smoke alarms can be installed by anyone, but understanding the intricate regulations regarding positioning, testing, and installing, as well as tracking and recording asset details and testing history, is critical in this new legislation reform.
- b. Hard-wired alarms are wired into the property’s main power supply. They also feature a battery backup in case the power goes out. However, only a licensed electrician can replace or install hard-wired smoke alarms.

3. Are your smoke alarms compliant?

Each alarm must:

- Be an Australian certified smoke alarm with the Australian Standard 3786:2014 label that indicates its certified and suitable for use.
- Carry an “ActivFire” symbol.

Sound too complicated to handle? JE Electrical are here for you.

If this sounds like a lot of work to do yourself, particularly if you are trying to organise entry to your property/s through your property manager or directly with your tenants, we can take care of it for you for only \$99 per property.

This is a simpler, stress-free way to ensure your obligations as a property manager or landlord are met.

Steps J Eacher Electrical takes steps to ensure compliance.

1. We track all visits and automatically schedule annual inspections, as well as lease renewals or changes.
2. We arrange a suitable time with tenants, allocate the inspection to a member of our specialised field team and send an entry notice confirming the details.
3. The day before the inspection, we send a text message as a reminder to the tenants.
4. Our expert technicians check all alarms in the property and install or replace any faulty, expired, missing or damaged smoke alarms, and ensure all meet AS 3786:2014.
5. Following the inspection, if the tenants were not home, a calling card is left informing them of our attendance.
6. We send you or your managing agent a compliance report and maintain records of all our attendances.
7. We offer ongoing access to our 24/7 Emergency Service for sounding smoke alarms outside of business hours.

Take the stress out of smoke alarm compliance call JE Electrical today

P: 61 3 9590 0825
E: info@jeelectrical.net.au
W: www.jeelectrical.net.au

