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Ask Real Estate

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Paying for Smoke Detectors

Q. My landlord plans to install new dual smoke and carbon monoxide detectors in every apartment in our rental building, and each tenant must reimburse him for the \$50 device. I already have working detectors that were installed a few months ago. Has there been a recent change to city laws regarding carbon monoxide or smoke detectors? Is it legal for landlords to charge tenants for this?

Upper East Side, Manhattan

A. New York City has been steadily tightening rules about smoke and carbon monoxide detectors. The most recent change, which went into effect this year, requires new smoke detectors to have a nonremovable, nonreplaceable battery with an audible alarm that goes off at the end of the useful life of the detector. This safety feature alerts tenants when the detector is no longer effective.

“It’s desirable from the tenant’s point of view, because you are talking about a much more protective safety device,” said **Howard Schechter**, a real estate lawyer. “I think it’s going to save people’s lives.”

Your landlord is allowed to recoup \$25 for a new smoke detector. But if he installs a dual smoke and carbon monoxide detector, he can collect \$50 from each tenant. Your carbon monoxide detector might be perfectly adequate; however, he might have decided to replace all the alarms in the building at once to streamline the process. If you are concerned about costs, you could spread payments out over a 12-month period, paying \$4.16 a month for 12 months.

Although paying for a new device when you already have a functioning one might seem like a waste of your money, try to keep it in perspective: A working smoke alarm will reduce your chances of dying in a fire by nearly 50 percent, according to the New York City Fire Department. So your landlord may be trying to be proactive about following city rules, which would be a good thing.