



OFFICE OF COMMUNITY PLANNING
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

Special Attention of:

CPD Field Office Directors and Deputy
Directors

HOPWA Program Grantees and Project
Sponsors

NOTICE CPD-22-15

Issued: December 8, 2022

This notice remains in effect until amended,
superseded, rescinded.

Cross References: Section 856 of the
Cranston-Gonzalez National Affordable
Housing Act (42 U.S.C. 12905)

Subject: Carbon Monoxide Alarms or Detectors in Housing Opportunities for Persons With
AIDS (HOPWA)-Assisted Housing

I. Purpose

Housing Opportunities for Persons With AIDS (HOPWA) grantees have an important role in preventing potential loss of life and severe injury associated with carbon monoxide (CO) in HOPWA-assisted housing. This notice addresses CO poisoning risks in housing, identifies resources for preventing and detecting CO exposure, and alerts grantees to a related and important new statutory requirement under the HOPWA program.

Under the new statutory requirement, which takes effect on December 27, 2022, grantees will be responsible for ensuring each dwelling unit assisted under the HOPWA program contains 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, as published by the International Code Council.

This notice remains in effect until amended, superseded, or rescinded.

II. Definitions

Carbon Monoxide Alarm: 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 in a single unit.

Carbon Monoxide Detector: A device with an integral sensor to detect carbon monoxide gas and transmit an alarm signal to a connected alarm control unit.

III. Requirement of CO Alarms or Detectors in Dwelling Units Assisted under HOPWA

Section 101 of Title I of Division Q of the Consolidated Appropriations Act, 2021, Pub. L. 116–260, div. Q, title I, §101 (2020) (“the Act”) amended the program legislation for various HUD programs, including the Section 8 and HOPWA programs, to require CO alarms or detectors in certain Federally assisted dwelling units as of December 27, 2022.¹

Section 101(e) of the Act amends section 856 of the AIDS Housing Opportunity Act (42 U.S.C. 12905) to add the following new responsibility for HOPWA grantees:

(i) Carbon monoxide alarms

Each dwelling unit assisted under [the HOPWA program] shall contain installed carbon monoxide alarms or detectors that meet or exceed—

- (1) the standards described in chapters 9 and 11 of the 2018 publication of the International Fire Code, as published by the International Code Council; or
- (2) any other standards as may be adopted by the Secretary, including any relevant updates to the International Fire Code, through a notice published in the Federal Register.

This amendment takes effect on December 27, 2022, and consistent with the Act’s specific inclusion of the tenant-based assistance in section 101(b), the new requirement encompasses even those units where housing assistance payments are made to or on behalf of eligible HOPWA households.

Until such time as HUD adopts other standards (which HUD must announce through the Federal Register), HUD advises grantees that the applicable standards are those provided by chapters 9 and 11 of the 2018 International Fire Code, which are available at:

- <https://codes.iccsafe.org/content/IFC2018/chapter-9-fire-protection-and-life-safety-systems>; and
- <https://codes.iccsafe.org/content/IFC2018/chapter-11-construction-requirements-for-existing-buildings>.

However, neither the new statutory requirement nor this notice preempts or limits the applicability of any State or local law that imposes more stringent standards relating to the installation and maintenance of carbon monoxide alarms or detectors in housing.

CO poisoning is an 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

¹ <https://www.congress.gov/116/bills/hr133/BILLS-116hr133enr.pdf#page=981>.

unintentional CO poisoning not linked to fires, more than 20,000 visit the emergency room, and more than 4,000 are hospitalized.”²

CO is an odorless, colorless, and toxic gas. It is impossible to see, and is a tasteless gas produced by 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. The effects of CO exposure can vary from person to person depending on age, overall health, and the concentration and length of exposure. Exposure can cause harmful health conditions, permanent brain damage, life-threatening cardiac complications, fetal death or miscarriage, and death in a matter of minutes. Individuals who are asleep or intoxicated may die from CO poisoning before experiencing any symptoms.³

IV. Implementation of the New Requirement

The new requirement for HOPWA grantees will be fully applicable and enforceable by HUD as of December 27, 2022. However, HUD encourages HOPWA grantees to adopt standards at or above the standards in chapters 9 and 11 of the 2018 International Fire Code (IFC) as soon as possible for the health and safety of residents in dwelling units assisted under the HOPWA program.

As of December 27, 2022, HOPWA grantees and project sponsors must ensure CO alarms or detectors are installed as required in all HOPWA-assisted units. This includes units assisted with acquisition, rehabilitation, conversion, lease, and repair of facilities to provide housing and services (24 CFR 574.300(b)(3)); new construction (24 CFR 574.300(b)(4)); project or tenant-based rental assistance (24 CFR 574.300(b)(5)); short-term rent, mortgage, and utility payments (24 CFR 574.300(b)(6)); permanent housing placement (24 CFR 574.300(b)(7)); and operating costs (24 CFR 574.300(b)(8)).

For housing activities subject to the HOPWA Housing Quality Standards (HQS) at 24 CFR 574.310(b) (acquisition, rehabilitation, conversion, lease, and repair of facilities; new construction; project or tenant-based rental assistance; and operating costs), grantees and project sponsors should assess for CO alarms or detectors when completing HQS/habitability inspections. A question regarding the presence of functioning CO alarms or detectors should be added to HQS/habitability inspection forms utilized by grantee or project sponsor staff. The documentation of compliance with the CO detector and alarm requirements should be kept in the assisted household’s file.

For housing activities not subject to HQS requirements (short-term rent, mortgage, and utility (STRMU) payments and permanent housing placement (PHP)), grantees and project sponsors may rely on the self-certification of the tenant or owner that the dwelling unit meets the CO detector and alarm requirements, provided that the grantee or project sponsor develops and

² CDC. Carbon Monoxide FAQs <https://www.cdc.gov/co/faqs.htm>, July 1, 2021.

³ *Ibid.*

provides training, a standard checklist, or other reasonable procedures to make sure the owner or tenant understands and applies the applicable criteria when making the self-certification that CO detectors or alarms are installed as required. The self-certification should be kept in the assisted household's file and document the method(s) used to confirm the presence of a functioning CO detector or alarm in the unit.

HOPWA grantees and project sponsors may bill staff time spent conducting landlord outreach and education on the CO detector and alarm requirements, performing HQS/habitability inspections to assess for compliance with the requirements, and/or assessing for and self-certifying compliance with the requirements to the applicable housing assistance line item. HOPWA grantees and project sponsors may bill housing information services (HIS) for staff time spent conducting outreach and education on CO detectors and alarms to HOPWA-assisted households.

V. Preventing CO Intrusion

Rental property owners, managers, and residents all play an important role in preventing CO intrusion and responding quickly when it occurs and where sources of CO exist. This section identifies common building-related sources of CO for HOPWA grantee awareness and education for landlords and HOPWA assisted households. The material in this section is drawn from guidance provided by the U.S. Environmental Protection Agency (EPA), the Centers for Disease Control and Prevention (CDC), the Consumer Product Safety Commission (CPSC), the Federal Emergency Management Agency, and the U.S. Fire Administration. Links to the source guidance documents are provided for further reference in section VI.

CO alarms or detectors are not a replacement for the proper installation, use, and maintenance of fuel-burning appliances or for well-ventilated garages. Building owners (e.g., landlords), and managers should ensure that combustion equipment is maintained and properly adjusted. Vehicle use should be carefully managed adjacent to buildings and in vocational programs through signage or policy updates. Where feasible, owners and managers can provide additional ventilation as a temporary measure when high levels of CO are expected for short periods of time.⁴

Examples of activities to prevent CO intrusion include:

- Ensure gas appliances are properly adjusted;
- Install, properly maintain, and assure through periodic inspection that exhaust fans over gas stoves are functional and vented to the outdoors;
- Ensure that flues over fireplaces are operational and capable of opening and closing by residents;

⁴ EPA. Carbon Monoxide's Impact on Indoor Air Quality. <https://www.epa.gov/indoor-air-quality-iaq/carbon-monoxides-impact-indoor-air-quality>

- Use appropriately sized wood stoves certified to meet EPA emission standards with tightly fitting doors;⁵
- Perform annual inspections, clean, and tune-up central heating systems (furnaces, flues, and chimneys) and ensure that these activities are conducted by a trained professional;
- Ensure any leaks from central heating systems are repaired promptly; and
- Provide resident CO education through policies or signage.

Sources of CO that can be found in a housing environment, as described in the EPA's webpage Carbon Monoxide's Impact on Indoor Air Quality, include:⁶

- Unvented kerosene and gas space heaters;
- Leaking chimneys and furnaces;
- Back-drafting from furnaces, gas water heaters, wood stoves, and fireplaces;
- Gas stoves;
- Generators and other gasoline powered equipment;
- Automobile exhaust from attached garages;
- Auto, truck, or bus exhaust from attached garages, nearby roads, or parking areas;
- Incomplete oxidation during combustion in gas ranges and unvented gas or kerosene heaters; and
- Worn or poorly adjusted and maintained combustion devices (e.g., boilers, furnaces) if the flue is improperly sized, blocked, or disconnected; or the flue is leaking.

Common CO exposures occur when residents introduce a CO source or result from building-related sources, such as an inadequately exhausted vent or a faulty boiler. Other CO exposures may occur during a natural disaster or utility interruption. Residents should avoid the use of portable generators, fired grills, vehicles, or fuel-burning space heaters as heat or electric sources inside homes, garages, crawlspaces, sheds, or similar areas. Deadly levels of carbon monoxide can quickly build up in these areas. 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. Examples to avoid unintentional CO poisoning include:

- A portable generator should not be used indoors; only use generators outdoors in well-ventilated areas away from all doors, windows, and vents;
- A gas-burning stove or oven should not be used for heat;
- A fuel-burning space heater that is not vented to the outdoors should not be used; and
- A car should not be left running in an enclosed garage.

VI. Resources for Additional Information

⁵ EPA. EPA Certified Wood Stoves. <https://www.epa.gov/burnwise/epa-certified-wood-stoves>.

⁶ EPA. Carbon Monoxide's Impact on Indoor Air Quality. <https://www.epa.gov/indoor-air-quality-iaq/carbon-monoxides-impact-indoor-air-quality>

- HUD’s Office of Lead Hazard Control and Healthy Homes (OLHCHH). https://www.hud.gov/program_offices/healthy_homes/healthyhomes/carbonmonoxide.
- Centers for Disease Control and Prevention (CDC). Carbon Monoxide Poisoning information webpage located at <https://www.cdc.gov/co/default.htm>.
- Consumer Product Safety Commission (CPSC). Carbon Monoxide Fact Sheet. <https://www.cpsc.gov/safety-education/safety-guides/carbon-monoxide/carbon-monoxide-fact-sheet>.
- CPSC. Carbon Monoxide. <https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Carbon-Monoxide-Information-Center>.
- Environmental Protection Agency (EPA). Protect Your Family and Yourself from Carbon Monoxide Poisoning at <https://www.epa.gov/indoor-air-quality-iaq/protect-your-family-and-yourself-carbon-monoxide-poisoning>.
- Federal Emergency Management Agency, US Fire Administration. https://www.usfa.fema.gov/prevention/outreach/carbon_monoxide.html.

VII. Contact Information

Questions concerning this Notice may be directed to the Office of HIV/AIDS Housing’s email box at HOPWA@hud.gov.