

# Summary of Indiana Smoke Detector Law (Rental Units)

A dwelling must have at least one (1) functional smoke detector installed as follows:

- According to the manufacturer's instructions.
- Outside of each sleeping area in the immediate vicinity of the bedrooms.
- On the ceiling or a wall not less than four (4) inches or more than twelve (12) inches from the ceiling.
- On each additional story of the dwelling, including basements, cellars, and habitable attics. Unless there is a door between levels in dwellings with split levels, a smoke detector must be installed only on the upper level if the lower level is less than one (1) full story below the upper level.

All smoke detectors must be:

- battery operated or hard wired into the dwelling's electrical system;
- accessible for servicing and testing; and
- maintained and at least one (1) time every six (6) months tested by the occupant to ensure that the smoke detector is in operational condition.

## **Owner or manager or rental agent of the owner Obligations** (*City of Lafayette Municipal Code*)

A Landlord shall do the following:

- the installation of a required smoke detector; and
- the replacement and repair of a required smoke detector within two (2) working days after the owner, manager, or rental agent is given written notification of the need to replace or repair the smoke detector.

A person may not tamper with or remove a smoke detector except when necessary for maintenance purposes.

## **Rental Agreements**

At the time a landlord delivers a rental unit to a tenant, the landlord shall require the tenant to acknowledge in writing that the rental unit is equipped with a functional smoke detector.

A landlord and a tenant may not waive, in a rental agreement or a separate writing, the requirements under IC 22-11-18-3.5 concerning smoke detectors.

## **Tenant Obligations**

A tenant shall do the following:

- Comply with all obligations imposed primarily on a tenant by applicable provisions of health and housing codes.
- Keep the areas of the rental premises occupied or used by the tenant reasonably clean.
- Refrain from defacing, damaging, destroying, impairing, or removing any part of the rental premises.
- Comply with all reasonable rules and regulations in existence at the time a rental agreement is entered into. A tenant shall also comply with amended rules and regulations as provided in the rental agreement.
- Ensure that each smoke detector installed in the tenant's rental unit remains functional and is not disabled. If the smoke detector is battery operated, the tenant shall replace batteries in the smoke detector as necessary. If the smoke detector is hard wired into the rental unit's electrical system, and the tenant believes that the smoke detector is not functional, the tenant shall provide notice to the landlord under IC 22-11-18-3.5(e)(2).