

# Industry Bulletin 167

## Amendments to smoke alarm regulations for dwellings made available as short-term rental accommodation

***The State Government is progressing initiatives to improve regulation around the short-term rental accommodation (STRA) sector, including the implementation of a register for STRA properties. These initiatives take effect from 1 July 2024.***

The new STRA regulations make consequential amendments to the smoke alarm provisions of the Building Regulations 2012 (the Building Regulations). These take effect on 1 July 2024 and put beyond doubt the requirement for owners to install and maintain smoke alarms in dwellings made available as STRA.

### Key changes to the Building Regulations

#### **Regulation 55(1) for 'terms used' is amended**

A new definition of **short-term rental accommodation** is inserted for the purposes of the smoke alarm provisions. The definition has the meaning given in the *Short-Term Rental Accommodation Act 2024*.

#### **Regulation 58 for 'requirements to have smoke alarms or similar prior to tenancy' is amended**

Regulation 58 requires an owner to ensure that compliant smoke alarms are installed in a Class 1, Class 2 or Class 4 dwelling that is rented, or made available for rent, under a residential tenancy agreement. This requirement is expanded to include dwellings that are used or made available as STRA.

#### **Regulation 60 for 'requirements for smoke alarms' is amended**

Regulation 60(1) includes a definition of **relevant day** for the purposes of determining whether a smoke alarm was installed less than 10 years before the transfer of ownership, rent or hire. This definition is expanded to include STRA.

Regulation 60(2)(b) requires the smoke alarms to have been installed less than 10 years from the relevant day. This has been amended to apply only where a smoke alarm does not have an expiry date provided on the alarm. Where an expiry date is provided on the smoke alarm, the amendments require that the alarm has not reached that date.

#### **Regulation 62 for 'requirement to maintain certain smoke alarms' is amended**

Regulation 62 requires smoke alarms to be maintained in dwellings that are rented. This regulation is now expanded to ensure that owners maintain smoke alarms in dwellings used as STRA or that are hired. The regulation has also been restructured to accommodate the inclusion of penalties for failure to maintain smoke alarms.

### Further information

An updated smoke alarm laws fact sheet is available from [Building and Energy's website](#).

Further information on the STRA reforms can be found on [Consumer Protection's website](#).

**Disclaimer** – The information contained in this document is provided as general information and a guide only. It should not be relied upon as legal advice or as an accurate statement of the relevant legislation provisions. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

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