b. On and after January 1, 1986, the transferor of any real property containing a single-family dwelling, as described in subdivision (a), whether the transfer is made by sale, exchange, or real property sales contract, as defined in Section 2985 of the Civil Code, shall deliver to the transferee a written statement indicating that the transferor is in compliance with this section. The disclosure statement shall be either included in the receipt for deposit in a real estate transaction, an addendum attached thereto, or a separate document.

c. The transferor shall deliver the statement referred to in subdivision (b) as soon as practicable before the transfer of title in the case of a sale or exchange, or prior to execution of the contract where the transfer is by a real property sales contract, as defined in Section 2985. For purposes of this subdivision, "delivery" means delivery in person or by mail to the transferee or transferor, or to any person authorized to act for him or her in the transaction, or to additional transferees who have requested delivery from the transferor in writing. Delivery to the spouse of a transferee or transferor shall be deemed delivery to a transferee or transferor, unless the contract states otherwise.

d. This section does not apply to any of the following:

1. Transfers which are required to be preceded by the furnishing to a prospective transferee of a copy of a public report pursuant to Section 11018.1 of the Business and Professions Code.

2. Transfers pursuant to court order, including, but not limited to, transfers ordered by a probate court in the administration of an estate, transfers pursuant to a writ of execution, transfers by a trustee in bankruptcy, transfers by eminent domain, or transfers resulting from a decree for specific performance.

3. Transfers to a mortgagee by a mortgagor in default, transfers to a beneficiary of a deed of trust by a trustor in default, transfers by any foreclosure sale after default, transfers by any foreclosure sale after default in an obligation secured by a mortgage, or transfers by a sale under a power of sale after a default in an obligation secured by a deed of trust or secured by any other instrument containing a power of sale.

4. Transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust.

5. Transfers from one co-owner to one or more co-owners.

6. Transfers made to a spouse, or to a person or persons in the lineal line of consanguinity of one or more of the transferors.

7. Transfers between spouses resulting from a decree of dissolution of a marriage, from a decree of legal separation, or from a property settlement agreement incidental to either of those decrees.

8. Transfers by the Controller in the course of administering the Unclaimed Property Law provided for in Chapter 7 (commencing with Section 1500) of Title 10 of Part 3 of the Code of Civil Procedure.

9. Transfers under the provisions of Chapter 7 (commencing with Section 3691) or Chapter 8 (commencing with Section 3771) of Part 6 of Division 1 of the Revenue and Taxation Code.

e. No liability shall arise, nor any action be brought or maintained against, any agent of any party to a transfer of title, including any person or entity acting in the capacity of an escrow, for any error, inaccuracy, or omission relating to the disclosure required to be made by a transferor pursuant to this section. However, this subdivision does not apply to a licensee, as defined in Section 10011 of the Business and Professions Code, where the licensee participates in the making of the disclosure required to be made pursuant to this section with actual knowledge of the falsity of the disclosure.

f. Except as otherwise provided in this section, this section shall not be deemed to create or imply a duty upon a licensee, as defined in Section 10011 of the Business and Professions Code, or upon any agent of any party to a transfer of title, including any person or entity acting in the capacity of an escrow, to monitor or ensure compliance with this section.

g. No transfer of title shall be invalidated on the basis of a failure to comply with this section, and the exclusive remedy for the failure to comply with this section is an award of actual damages not to exceed one hundred dollars ($100), exclusive of any court costs and attorney's fees.

h. Local ordinances requiring smoke detectors in single-family dwellings may be enacted or amended. However, the ordinances shall satisfy the minimum requirements of this section.

i. For the purposes of this section, "single-family dwelling" does not include a manufactured home as defined in Section 18007, a mobilehome as defined in Section 18008, or a commercial coach as defined in Section 18001.8.

j. This section shall not apply to the installation of smoke detectors in dwellings intended for human occupancy, as defined in and regulated by Section 13113.7 of the Health and Safety Code, as added by Senate Bill No. 1448 in the 1983-84 Regular Session.

SECTION R315
CARBON MONOXIDE ALARMS

R315.1 Carbon monoxide alarms *in new construction*. For new construction, an approved carbon monoxide alarm shall be

installed in *dwelling units and in sleeping units* within which fuel-*burning appliances* are installed and in dwelling units that have attached garages. *Carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions.*

R315.1.1 Carbon monoxide detection systems. *Carbon monoxide detection systems that include carbon monoxide detectors and audible notification appliances installed and maintained in accordance with this section for carbon monoxide alarms and NFPA 720 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.*

> ***R315.1.2 Power supply.*** *Carbon monoxide alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery back-up. Alarm wiring shall be directly connected to the permanent building wiring without a disconnecting switch other than as required for overcurrent protection.*

Exceptions:

> 1. *Where there is no commercial power supply, the carbon monoxide alarm may be solely battery operated.*
2. *Other power sources recognized for use by NFPA 720.*

R315.1.3 Interconnection. *Where more than one carbon monoxide alarm is required to be installed within the dwelling unit or within a sleeping unit, the alarm shall be interconnected in a manner that activation of one alarm shall activate all of the alarms in the individual unit.*

> **R315.*1.4* Alarm requirements.** *No person shall install, market, distribute, offer for sale or sell any carbon monoxide device in the State of California unless the device and instructions have been approved and listed by the State Fire Marshal.*

> *Carbon monoxide alarms required by Section R315.1 shall be installed and maintained in the following locations:*

1. *Outside of each separate dwelling unit sleeping area in the immediate vicinity of the bedroom(s).*
2. *On every level of a dwelling unit including basements.*

R315.1.5 Multiple-purpose alarms. *Carbon monoxide alarms combined with smoke alarms shall comply with Section R315, all applicable standards, and requirements for listing and approval by the Office of the State Fire Marshal, for smoke alarms.*

R315.2 Carbon monoxide alarms in existing dwelling units and sleeping units. *An approved carbon monoxide alarm shall be installed in existing dwellings having a fossil fuel-burning heater or appliance, fireplace or an attached garage. Carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions.*

R315.2.1 Carbon monoxide detection systems. *Carbon monoxide detection systems that include carbon monoxide detectors and audible notification appliances, installed and maintained in accordance with this section for carbon monoxide alarms and NFPA 720 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.*

R315.2.2 Existing dwellings or sleeping units requiring a permit. *When a permit is required for alterations, repairs or additions with a total cost or calculated valuation exceeding one thousand dollars ($1,000), existing dwellings or sleeping units with a fossil fuel-burning heater or appliance, fireplace, or an attached garage shall have a carbon monoxide alarm installed in accordance with Section R315.2. Carbon monoxide alarms shall only be required in the specific dwelling unit or sleeping unit for which the permit was obtained.*

R315.2.3 Existing dwellings or sleeping units not requiring a permit (no construction taking place). *Pursuant to Health and Safety Code Section 17926, a carbon monoxide alarm(s) shall be installed in every existing dwelling unit or sleeping unit with a fossil fuel-burning heater or appliance, fireplace, or an attached garage as follows:*

R315.2.3.1 Carbon monoxide alarms on or after July 1, 2011. *Carbon monoxide alarms shall be installed in accordance with Section R315.2 in existing detached single-family dwellings or sleeping units intended for human occupancy that have a fossil fuel-burning heater or appliance, fireplace or an attached garage. Carbon monoxide alarms in existing buildings are permitted to be solely battery operated or plug-in type with battery back-up in areas where no construction is taking place.*

R315.2.3.2 Carbon monoxide alarms on or after January 1, 2013. *Carbon monoxide alarms shall be installed in accordance with Section R315.2 in all other existing dwelling units intended for human occupancy as defined in Health and Safety Code Section 13262(b) that have a fossil fuel-burning heater or appliance, fireplace or an attached garage. Carbon monoxide alarms in existing buildings are permitted to be solely battery operated or plug-in type with battery back-up in areas where no construction is taking place.*

R315.2.4 Power supply. *Carbon monoxide alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery back-up. Alarm wiring shall be directly connected to the permanent building wiring without a disconnecting switch other than as required for overcurrent protection.*

Exceptions:

1. *In existing dwelling units where there is no commercial power supply, the carbon monoxide alarm may be solely battery operated.*
2. *In existing dwelling units, a carbon monoxide alarm is permitted to be solely battery operated or plug-in with battery back-up where repairs or alterations do not result in the removal of wall and ceiling finishes.*
3. *In existing dwelling units, a carbon monoxide alarm is permitted to be solely battery operated or plug-in with battery back-up where repairs or*

alterations are limited to the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.

4. *In existing dwelling units, a carbon monoxide alarm is permitted to be solely battery operated or plug-in with battery back-up when work is limited to the installation, alteration or repair of plumbing or mechanical systems or the installation, alteration or repair of electrical systems, which do not result in the removal of interior wall or ceiling finishes exposing the structure.*

5. *Other power sources recognized for use by NFPA 720.*

R315.2.5 Interconnection. *Where more than one carbon monoxide alarm is required to be installed within the dwelling unit or within a sleeping unit, the alarm shall be interconnected in a manner that activation of one alarm shall activate all of the alarms in the individual unit.*

Exceptions:

1. *In existing dwelling units, interconnection is not required where repairs do not result in the removal of wall and ceiling finishes and no previous method for interconnection existed.*

2. *In existing dwelling units, carbon monoxide alarms are not required to be interconnected where no construction is taking place.*

3. *In existing dwelling units, carbon monoxide alarms are not required to be interconnected where repairs or alterations are limited to the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck.*

4. *In existing dwelling units, carbon monoxide alarms are not required to be interconnected when work is limited to the installation, alteration or repair of plumbing or mechanical systems or the installation, alteration or repair of electrical systems, which do not result in the removal of interior wall or ceiling finishes exposing the structure.*

R315.2.6 Alarm requirements. *No person shall install, market, distribute, offer for sale, or sell any carbon monoxide device in the State of California unless the device and instructions have been approved and listed by the State Fire Marshal.*

Carbon monoxide alarms required by Section R315.2 shall be installed in the following locations:

1. *Outside of each separate dwelling unit sleeping area in the immediate vicinity of the bedroom(s).*

2. *On every level of a dwelling unit including basements.*

SECTION R316
FOAM PLASTIC

R316.1 General. The provisions of this section shall govern the materials, design, application, construction and installation of foam plastic materials.

R316.2 Labeling and identification. Packages and containers of foam plastic insulation and foam plastic insulation components delivered to the job site shall bear the *label* of an *approved agency* showing the manufacturer's name, the product listing, product identification and information sufficient to determine that the end use will comply with the requirements.

R316.3 Surface burning characteristics. Unless otherwise allowed in Section R316.5 or R316.6, all foam plastic or foam plastic cores used as a component in manufactured assemblies used in building construction shall have a flame spread index of not more than 75 and shall have a smoke-developed index of not more than 450 when tested in the maximum thickness intended for use in accordance with ASTM E 84 or UL 723. Loose-fill type foam plastic insulation shall be tested as board stock for the flame spread index and smoke-developed index.

Exception: Foam plastic insulation more than 4 inches (102 mm) thick shall have a maximum flame spread index of 75 and a smoke-developed index of 450 where tested at a minimum thickness of 4 inches (102 mm), provided the end use is *approved* in accordance with Section R316.6 using the thickness and density intended for use.

R316.4 Thermal barrier. Unless otherwise allowed in Section R316.5 or Section R316.6, foam plastic shall be separated from the interior of a building by an *approved* thermal barrier of minimum $^1/_2$ inch (12.7 mm) gypsum wallboard or an *approved* finish material equivalent to a thermal barrier material that will limit the average temperature rise of the unexposed surface to no more than 250°F (139°C) after 15 minutes of fire exposure complying with the ASTM E 119 or UL 263 standard time temperature curve. The thermal barrier shall be installed in such a manner that it will remain in place for 15 minutes based on NFPA 286 with the acceptance criteria of Section R302.9.4, FM 4880, UL 1040 or UL 1715.

R316.5 Specific requirements. The following requirements shall apply to these uses of foam plastic unless specifically *approved* in accordance with Section R316.6 or by other sections of the code or the requirements of Sections R316.2 through R316.4 have been met.

R316.5.1 Masonry or concrete construction. The thermal barrier specified in Section R316.4 is not required in a masonry or concrete wall, floor or roof when the foam plastic insulation is separated from the interior of the building by a minimum 1-inch (25 mm) thickness of masonry or concrete.

R316.5.2 Roofing. The thermal barrier specified in Section R316.4 is not required when the foam plastic in a roof assembly or under a roof covering is installed in accordance with the code and the manufacturer's installation instructions and is separated from the interior of the building by tongue-and-groove wood planks or wood structural panel sheathing in accordance with Section R803, not less than