

Chapter 6: Rehab Standards

Table of Contents

	<u>Page</u>
HOUSING REHABILITATION STANDARDS For City of Greensboro, Planning & Community Development	3
Federal Housing Quality Standards	13

**CITY OF GREENSBORO'S
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
HOUSING REHABILITATION STANDARDS**

Adopted October 23, 1998

Since each structure is unique, repairs or improvements are made as the individual structure requires. Rehabilitation activities must correct any deficiencies present on this list.

I. Exterior Repairs:

A Repair of major structural deficiencies: (foundation repair/replacement, ventilation, and insect treatment)

1. The following provisions apply to the foundation: [Ref.: GMHC, Art. III, Div. 2, Sec. 11-78 (a)]
 - a. Footings shall be sound, with adequate bearing.
 - b. Piers shall be sound, with no loose mortar.
 - c. There shall be no piers in which plumb line from top center falls outside middle 1/3 of pier base.
 - d. Isolated solid masonry piers shall not exceed in height ten (10) times the least dimension of pier.
 - e. Wood stiff-knee piers are not allowed.
 - f. Cracks and missing mortar shall be filled with appropriate mortar mix.
 - g. Any foundation walls, which are broken, excessively leaning or damaged to be susceptible to failure, shall be repaired.
 - h. Foundations, which have excessive patching so as to be unsightly, may be painted with suitable masonry paint.
2. The following provisions apply to floor framing: [Ref.: GMHC, Art. III, Div. 2, Sec 11-78 (b)]
 - a. Joists and sills shall not be seriously rotted, termite, or fire damaged.
 - b. Sills shall not be broken, overloaded, or sagging; shall be reasonably level, and shall be properly and sufficiently supported.
 - c. There shall be no broken joists. Floor joists showing signs of weakness or disrepair shall be replaced.
 - d. Missing or deteriorated ledger strips and joist hangers shall be replaced.
 - e. Over spanned floor systems that show signs of weakness or failure shall be reinforced with drop girders as needed.

3. The following provisions apply to exterior walls: [Ref.: GMHC, Art. III, Div. 2, Sec. 11-78 (c)]
 - a. There shall be no wall in which plumb line from top center of studs falls outside base plate at any point along wall.
 - b. Studs shall not be seriously rotted, termite or fire damaged.
 - c. There shall be no broken structural members.
 - d. All siding and trim shall be weather tight, with no holes or excessive cracks, or rotted boards. There shall be no loose siding.
 - e. All wood siding and trim shall be sound and capable of holding paint, or replaced with new material.
 - f. Exterior surfaces of buildings not inherently resistant to deterioration shall be painted. [Ref.: GMHC, Art. III, Div. 2, Sec. 11-79 (a)]
 - g. When the cost of painting exceeds 75% of siding installation, vinyl siding and trim may be installed.
 4. Grounds, buildings, and structures shall be maintained free of insect and vermin infestation including termites and powder post beetles. [Ref.: GMHC, Art. III, Div. 2, Sec. 11-79 (c)]
 5. Crawl spaces under buildings shall be ventilated. Placement of vents shall have a net free area of not less than 2 square feet for each 100 linear feet of exterior wall plus 1/3 square feet net free area for each 100 square feet of crawl space area, unless vapor barrier is in place (when it may be reduced by 50%). Vents shall be so placed as to provide ventilation at all points and to prevent dead air pockets. [Ref.: NC State Building Code, Vol. I, 3201.3.3]
 6. Crawl spaces must be clear of debris or unsafe conditions that may cause injury.
- B. Roof, vent, and chimney repair or replacement. [Ref.: GMHC, Art. III, Div. 2, Sec. 11-78 (f)]
1. The following provisions apply to the roof: [Ref.: GMHC, Art. III, Div. 2, Sec. 11-78 (f)]
 - a. There shall be no seriously rotted, broken, or fire-damaged rafters or improperly supported ends.
 - b. Rafters shall be properly braced and tied four feet on center maximum.
 - c. Attics shall be ventilated in compliance with the requirements of the NC State Building Code.
 - d. Sheathing shall not be loose, seriously rotted, or fire-damaged.
 - e. There shall be no loose roof covering, nor holes nor leaks.
 - f. There shall be a minimum of Class C roof coverings.
 - g. Proper flashing shall be installed at walls, chimneys, vents, and vent pipes.
 - h. Roofs shall have no more than two coverings.

- i. Roof covering ten years old or older shall normally be replaced with new roof covering, unless conditions warrant otherwise.
 - 2. The following provisions apply to chimneys, stoves, and fireplaces. [Ref.: GMHC, Art. III, Div. 2, Sec. 11-75(e-p)]
 - a. Chimneys and fireboxes shall have no loose bricks or missing mortar. Hanging masonry chimneys shall be removed.
 - b. Flues shall have no holes. Thimbles shall be grouted in tightly and shall not be broken. Thimbles shall be high enough for stovepipe to rise $\frac{1}{4}$ " per foot minimum.
 - c. Hearths, where required, shall be at least 16" deep and 6" beyond each side of fireplace opening. No combustible materials shall be within 7" of the top and 7" of either side of fireplace opening. Fireplace openings or thimbles shall be closed off with masonry when sealed.
 - d. Stove shall be within six feet of thimble serving it. No combustible material shall be within twelve inches of stovepipe. No stovepipe shall be through combustible walls.
- C. Porch, exterior stair, and step repair or replacement: [Ref.: GMHC, Art. III, Div. 2, Sec. 11-78(g)]
 - 1. Floor, ceiling, and roof shall be equal to requirements set forth above, except sills, joists, and floors need not be level if providing drainage of floors; floors need not be weather tight; ceiling height may be seven feet; and attic shall be vented.
 - 2. Posts, railings, and guards shall not be seriously rotted or termite damaged and shall be sufficiently anchored.
 - 3. There shall be a safe, continuous, and unobstructed exit from interior of building to the exterior at street or grade level. All obstacles and trip hazards shall be removed; damaged stoops or walks shall be repaired or replaced.
 - 4. Every porch, terrace, or entrance platform located at least thirty inches above adjacent finish grade shall be equipped with railings or guards not less than thirty inches high. Handrails continuous on all open sides of stairs exceeding thirty inches in height leading to a platform, porch or terrace shall be installed at least thirty inches high.
 - 5. Stair treads and stringers shall be sound and level or replaced with new steps to meet Code.
 - 6. Masonry steps that have sunk, pulled away or deteriorated so as to create an unsafe condition shall be reset, capped, or replaced.
- D. Window repair/replacement, reglazing, storm window repair/replacement or installation; ventilation requirements [Ref.: GMHC, Art. III, Div. 2, Sec. 11-73(c-e, h)]

1. All windows and doors opening to the outside used for ventilation purposes shall be adequately screened from April 15 to October 15. Screens shall not be permanently fixed to sash.
 2. Windows shall be weather tight; there shall be no broken glass. Window glazing putty shall be sound with no cracks or gaps. Windows accessible from the outside must be lockable. Window sash shall operate freely with approved counter balance or spring load system; all windows must be operable.
 3. All windows to the exterior of unit shall be either thermal-pane or have storm windows.
 4. Replacement window units may be installed when the cost of repair of existing windows exceeds 75% of cost of replacement.
- E. Door repair/replacement, weather-stripping [GHMC, Art. III, Div. 2, Sec. 11-74]
1. There shall be two exits easily accessible to the occupants of each building. All exit doors shall be easily operable.
 2. Exterior doors must have both an operable deadbolt lock and entry lock and latch.
 3. All exterior doors must be free of holes, cracks and be weatherproof.
- F. Moisture control and grading:
1. Surface and subsurface water shall be appropriately drained from open areas to protect buildings and structures and to prevent development of stagnant water. [GMHC, Art. III, Div. 2, Sec. 11-79(b)]
 2. Beneath the building there shall be firm, reasonably dry ground. Soggy ground, standing water, or water running under building is not permitted. [GMHC, Art. III, Div. 2, Sec. 11-78(a) (1)]
 3. Vapor barriers shall be placed in crawl spaces as required to control moisture. No more than 80% of the crawl space area shall be covered with the vapor barrier. [NC State Building Code, 3201.3.3]
 4. When grading alone is not sufficient, sump pumps shall be installed to remove water from basements and crawl spaces.
- G. Accessory Structures:
1. Minor repairs may be made to attached accessory structures only. Detached accessory structures cannot be assisted with program funds except for demolition and removal.
 2. Fences and other attached accessory structures shall either be maintained in a safe and substantial condition or demolished and removed.
 3. Any electrical, plumbing, heating, or other utilities furnished to an attached accessory structure shall be installed in accordance with applicable provisions and maintained in a safe condition.

II. Interior Repairs:

- A. The following provisions apply to interior walls: [Ref.: GMHC, Art. III, Div. 2, Sec. 11-78(d)]
1. Walls shall not be out of plumb, nor shall there be any seriously rotted, broken, or fire or termite damaged studs.
 2. Walls shall be free of holes. No loose plaster, loose boards, or other loose wall materials susceptible to falling are permitted. Interior surfaces are to be free of cracking, scaling, peeling, chipping and loose paint, and should be adequately treated and covered to prevent exposure of occupants to lead based paint hazards [Section 8 HQS].
 3. Cardboard, newspaper, or similar highly combustible wall finishes are not permitted.
- B. The following provisions apply to ceilings:
1. There shall be no seriously rotten, broken, sagging, or fire damaged joists, or improperly supported ends. Ceiling joists that show signs of disrepair shall be replaced.
 2. Ceilings shall be free of holes. There shall be no loose plaster, boards, sheet rock, or other ceiling finish susceptible to falling. Ceilings are to be free of major cracking, scaling, peeling, chipping and loose paint, and should be adequately treated and covered to prevent exposure of the occupants to lead based paint hazards (Section 8 HQS).
 3. Cardboard, newspaper, or other similar highly combustible finishes are not permitted.
- C. The following provisions apply to interior stairs and steps: [Ref.: GMHC, Art. III, Div. 2, Sec. 11-78(h)]
1. Stairs and steps shall be free of holes, grooves, and cracks large enough to constitute accident hazards. Flights of stairs that have settled more than one inch out of intended position or pulled away from supporting or adjacent structures shall be repaired.
 2. Interior stairs and steps more than five risers high shall have rails not less than thirty inches high, measured vertically from the nose of the treads to the top of the rail.
 3. Every rail shall be firmly fastened and maintained in good condition.
 4. There shall be no rotting, sagging, or deteriorating supports.
 5. Every stair riser shall be reasonably uniform and shall not exceed 8-1/4" in height; treads shall be at least 1-1/8" thickness and shall be securely fastened in position. Every wood stair riser in excess of 36" in

width shall have an additional stringer, each stringer to be spaced not more than 30" apart. The minimum depth of treads shall be 10-1/4" including the nosing.

6. Every interior stairway shall be adequately lighted at all times to permit safe passage. A fixture with a three-way switch is required at all interior stairs and enclosed halls over ten feet in length.

D. The following provisions apply to floor and floor coverings: [Ref.: GMHC, Art. III, Div. 2, Sec. 11-78(b) (7-11)]

1. Flooring shall be weather tight without holes or excessive cracks that permit air to penetrate rooms.
2. Flooring shall be reasonably smooth, and not rotten, fire damaged, or worn through. Floors shall be free of hazards conducive to tripping. Floors shall be reasonably level.
3. There shall be no loose flooring or floor covering.
4. When any new flooring is to be installed, there shall be a minimum of 5/8" flooring over the flooring joists.
5. Where existing tongue and groove flooring exists, floor covering repairs shall be done in the most economical manner, which shall be either cleaning or refinishing of wood floors, retention of existing carpets, or new carpet installation.
6. Floor surfaces in bathrooms and kitchens shall be so constructed and maintained as to be reasonably impervious to water and so as to permit such floor to be readily kept in a clean and sanitary condition.

E. General Interior Requirements

1. Adequate space shall be provided to store and prepare food [Section 8 HQS]. Cabinets and fixtures shall be in operable and sanitary condition or shall be repaired or replaced in the most economical manner (i.e. replacement of countertops, drawer fronts, hardware, etc. in lieu of total replacement).
2. Bathrooms shall be provided with GFI receptacles. Kitchens shall have at least two 20-amp appliance circuits and GFI receptacles in compliance with the current edition of the National Electrical Code. (NC State Building Code)
3. Bathrooms shall have an operable window or an approved means of mechanical ventilation [Section 8 HQS].
4. Toilet and bathing facilities in the primary residence shall be enclosed. Access shall be provided to toilet rooms without going outside of building. [Ref.: GMHC, Art. III, Div. 2, Sec. 11-72(e,f)]
5. Access shall be provided to all rooms within a dwelling unit without passing through a public space. Doors shall be provided at all doorways leading to bedrooms, toilet rooms, and bathrooms and all rooms adjoining a public space. Interior doors shall have privacy or passage

- locks, and all exterior doors shall have entry and deadbolt locks. [Ref.: GMHC, Art. III, Div. 2, Sec. 11-72(e-I)]
6. Functioning smoke detectors wired into the electrical system must be located within 20 feet of each bedroom. [Sect. 8 HQS & NC State Building Code]

III. MAJOR SYSTEMS:

A. Electrical Requirements: [Ref.: GMHC, Art. III, Div. 2, Sec. 11-77]

1. No electrical receptacles, ceiling fixtures, or other fixtures shall be hanging loose.
2. All electrical switches, fixtures, and receptacles shall be safely operable.
3. There shall be at least a minimum of two duplex convenience outlets per habitable room. Outlets shall be properly installed in wall or baseboard. Stationary, fixed, or heating appliances shall not receive electrical current through a separate extension cord.
4. Each room shall have an operable light, controlled by a wall switch.
5. There shall be at least one electric light with wall switch in each room.
6. No electrical circuits shall be overloaded. Size of wire shall be appropriate to handle electric load safely. Fuse boxes shall be replaced with properly sized circuit breaker panels.
7. All new permanent wiring to be installed shall be in accordance with the National Electrical Code.
8. All wiring shall be maintained in a safe condition.

B. Plumbing Requirements [Ref.: GMHC, Art. III, Div. 2, Sec. 11-75]

1. All new plumbing to be installed in accordance with Volume II of the NC State Building Code entitled "Plumbing". Any repair or replacement of existing plumbing shall be done in accordance with the plumbing code.
2. All plumbing shall be connected to the city water and sanitary sewer system where available. Soil and water lines shall be supported and no lines shall be broken or leaking. Each unit shall have running water installed. All galvanized water piping shall be checked for corrosion and adequate pressure, and replaced with copper or polybutylene piping if needed. All water piping shall be protected from freezing by proper insulation.
3. All fixtures shall be operable. There shall be installed water closet, tub or shower, lavatory, and sink for each dwelling unit. Kitchen sink shall be at least eighteen inches by fifteen inches by seven inches.
4. There shall be separate toilet facilities for each dwelling unit. There shall be no broken water closet bowls. Water closets shall not be loose or leaking. No Vogel bowl toilets shall be allowed.
5. There shall be no leaks in shower stall floors.

6. There shall be adequate separate facilities for furnishing running hot and cold water to each tub or shower, lavatory, and kitchen sink. All fixtures shall have supply lines equipped with wheel-handle cut-off valves.
7. Every water heater must be located so as not to present a hazard to the occupant of the unit. All water heaters must have a temperature pressure relief valve, as well as a discharge line directed to the floor or outside of living area. Water heater must be free of corrosion and leaks.

C. Heating Requirements [Ref.: GMHC, Art. III, Div. 2, Sec. 11-76]

1. Every building and every dwelling unit shall be weatherproof and capable of being adequately heated. The heating equipment in every dwelling shall be in safe workable condition and have an estimated useful life of at least five years.
2. Heating system shall be properly installed and maintained in safe working condition and capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in an occupied building to a temperature of at least seventy degrees Fahrenheit at a distance of three feet above floor level with an outside temperature of twenty degrees Fahrenheit.
3. All gas, oil, and electric heating equipment installed on the premises shall be listed by Underwriters' Laboratories or American Gas Association and installed in accordance with Volume III of the North Carolina State Building Code.
4. In apartment buildings with central heat, the furnace room shall be enclosed with material having at least a one-hour protection rating.

IV. Energy Conservation Measures [DOE/WAP Guidelines]

- A. Insulation:
1. Attics shall be insulated to R-31.
 2. Walls shall be insulated to NC State Building Code when wall cavity is exposed. (R-16)
 3. Floors shall be insulated to R-20 when floor framing is exposed.
- B. Foundation and attic ventilation shall be installed (see IA5 and IB1).
- C. Windows and exterior doors shall be repaired or replaced as needed to prevent air infiltration. Install or repair storm windows and doors as needed.
- D. All exterior doors and interior doors to unconditioned space shall be fully weather-stripped.
- E. All cracks, holes, and other penetrations through exterior walls shall be caulked or otherwise sealed.
- F. Furnace repair or replacement. Existing ductwork shall be inspected and any possible areas for leakage shall be sealed. Uninsulated ducts in unconditioned space shall be insulated.
- G. Repair or replace water heaters and pipe insulation as needed.

V. Improvements Necessary To Make Units Accessible To Handicapped (HUD/ANSI Standards)

- A. Multi-family Development: All new construction shall meet the NC State Building Code requirements for handicap accessibility. Rehabilitation of existing units shall meet the NC State Building Code requirements for handicap accessibility if required by the City Building Inspector.
- B. Single Family Units: If a permanent member of the owner's/tenant's household is handicapped, program funds may be used to make the unit accessible, including:

VI. Improvements Necessary to Make Units Accessible to Handicapped (continued)

- 1. Installation of access ramps, widening of doorways to accommodate the handicapped.
- 2. Retro-fitting of bathrooms: installation of grab bars, tub lifts or roll-in shower stalls, and high-rise commodes.
- 3. Kitchen remodeling to include cabinets and appliances usable by the handicapped.

DEFINITION

“Major system in danger of failure” is defined as electrical, plumbing, HVAC, and/or structural systems that show signs of wear due to age and use, have extensive repair histories, or are likely to fail or require major repairs within the next five years.

ABBREVIATIONS & CODES

DOE/WAP Guidelines	Department of Energy Weatherization Assistance Program Guidelines
GMHC	Greensboro Minimum Housing Code
NC State Bldg. Code	North Carolina State Building Code, 1997 Standard Building Code with North Carolina Amendments, (1998 Revisions)
Section 8 HQS	HUD Section 8 Program Housing Quality Standards

Title 24: Housing and Urban Development

§ 982.401 Housing quality standards (HQS).

(a) *Performance and acceptability requirements.* (1) This section states the housing quality standards (HQS) for housing assisted in the programs.

(2)(i) The HQS consist of:

(A) Performance requirements; and

(B) Acceptability criteria or HUD approved variations in the acceptability criteria.

(ii) This section states performance and acceptability criteria for these key aspects of housing quality:

(A) Sanitary facilities;

(B) Food preparation and refuse disposal;

(C) Space and security;

(D) Thermal environment;

(E) Illumination and electricity;

(F) Structure and materials;

(G) Interior air quality;

(H) Water supply;

(I) Lead-based paint;

(J) Access;

(K) Site and neighborhood;

(L) Sanitary condition; and

(M) Smoke detectors.

(3) All program housing must meet the HQS performance requirements both at commencement of assisted occupancy, and throughout the assisted tenancy.

(4)(i) In addition to meeting HQS performance requirements, the housing must meet the acceptability criteria stated in this section, unless variations are approved by HUD.

(ii) HUD may approve acceptability criteria variations for the following purposes:

(A) Variations which apply standards in local housing codes or other codes adopted by the PHA; or

(B) Variations because of local climatic or geographic conditions.

(iii) Acceptability criteria variations may only be approved by HUD pursuant to paragraph (a)(4)(ii) of this section if such variations either:

(A) Meet or exceed the performance requirements; or

(B) Significantly expand affordable housing opportunities for families assisted under the program.

(iv) HUD will not approve any acceptability criteria variation if HUD believes that such variation is likely to adversely affect the health or safety of participant families, or severely restrict housing choice.

(b) *Sanitary facilities* —(1) *Performance requirements*. The dwelling unit must include sanitary facilities located in the unit. The sanitary facilities must be in proper operating condition, and adequate for personal cleanliness and the disposal of human waste. The sanitary facilities must be usable in privacy.

(2) *Acceptability criteria*. (i) The bathroom must be located in a separate private room and have a flush toilet in proper operating condition.

(ii) The dwelling unit must have a fixed basin in proper operating condition, with a sink trap and hot and cold running water.

(iii) The dwelling unit must have a shower or a tub in proper operating condition with hot and cold running water.

(iv) The facilities must utilize an approvable public or private disposal system (including a locally approvable septic system).

(c) *Food preparation and refuse disposal* —(1) *Performance requirement*. (i) The dwelling unit must have suitable space and equipment to store, prepare, and serve foods in a sanitary manner.

(ii) There must be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage where necessary (e.g, garbage cans).

(2) *Acceptability criteria*. (i) The dwelling unit must have an oven, and a stove or range, and a refrigerator of appropriate size for the family. All of the equipment must be in proper operating condition. The equipment may be supplied by either the owner or the family. A microwave oven may be substituted for a tenant-supplied oven and stove or range. A microwave oven may be substituted for an owner-supplied oven and stove or range if the tenant agrees and microwave ovens are furnished instead of an oven and stove or range to both subsidized and unsubsidized tenants in the building or premises.

- (ii) The dwelling unit must have a kitchen sink in proper operating condition, with a sink trap and hot and cold running water. The sink must drain into an approvable public or private system.
- (iii) The dwelling unit must have space for the storage, preparation, and serving of food.
- (iv) There must be facilities and services for the sanitary disposal of food waste and refuse, including temporary storage facilities where necessary (e.g., garbage cans).
- (d) *Space and security* —(1) *Performance requirement*. The dwelling unit must provide adequate space and security for the family.
- (2) *Acceptability criteria*. (i) At a minimum, the dwelling unit must have a living room, a kitchen area, and a bathroom.
- (ii) The dwelling unit must have at least one bedroom or living/sleeping room for each two persons. Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.
- (iii) Dwelling unit windows that are accessible from the outside, such as basement, first floor, and fire escape windows, must be lockable (such as window units with sash pins or sash locks, and combination windows with latches). Windows that are nailed shut are acceptable only if these windows are not needed for ventilation or as an alternate exit in case of fire.
- (iv) The exterior doors of the dwelling unit must be lockable. Exterior doors are doors by which someone can enter or exit the dwelling unit.
- (e) *Thermal environment* —(1) *Performance requirement*. The dwelling unit must have and be capable of maintaining a thermal environment healthy for the human body.
- (2) *Acceptability criteria*. (i) There must be a safe system for heating the dwelling unit (and a safe cooling system, where present). The system must be in proper operating condition. The system must be able to provide adequate heat (and cooling, if applicable), either directly or indirectly, to each room, in order to assure a healthy living environment appropriate to the climate.
- (ii) The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Electric heaters are acceptable.
- (f) *Illumination and electricity* —(1) *Performance requirement*. Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. The electrical fixtures and wiring must ensure safety from fire.
- (2) *Acceptability criteria*. (i) There must be at least one window in the living room and in each sleeping room.

(ii) The kitchen area and the bathroom must have a permanent ceiling or wall light fixture in proper operating condition. The kitchen area must also have at least one electrical outlet in proper operating condition.

(iii) The living room and each bedroom must have at least two electrical outlets in proper operating condition. Permanent overhead or wall-mounted light fixtures may count as one of the required electrical outlets.

(g) *Structure and materials* —(1) *Performance requirement*. The dwelling unit must be structurally sound. The structure must not present any threat to the health and safety of the occupants and must protect the occupants from the environment.

(2) *Acceptability criteria*. (i) Ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing parts, or other serious damage.

(ii) The roof must be structurally sound and weather tight.

(iii) The exterior wall structure and surface must not have any serious defects such as serious leaning, buckling, sagging, large holes, or defects that may result in air infiltration or vermin infestation.

(iv) The condition and equipment of interior and exterior stairs, halls, porches, walkways, etc., must not present a danger of tripping and falling. For example, broken or missing steps or loose boards are unacceptable.

(v) Elevators must be working and safe.

(h) *Interior air quality* —(1) *Performance requirement*. The dwelling unit must be free of pollutants in the air at levels that threaten the health of the occupants.

(2) *Acceptability criteria*. (i) The dwelling unit must be free from dangerous levels of air pollution from carbon monoxide, sewer gas, fuel gas, dust, and other harmful pollutants.

(ii) There must be adequate air circulation in the dwelling unit.

(iii) Bathroom areas must have one openable window or other adequate exhaust ventilation.

(iv) Any room used for sleeping must have at least one window. If the window is designed to be openable, the window must work.

(i) *Water supply* —(1) *Performance requirement*. The water supply must be free from contamination.

(2) *Acceptability criteria*. The dwelling unit must be served by an approvable public or private water supply that is sanitary and free from contamination.

(j) *Lead-based paint performance requirement*. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851–4856), and implementing regulations at part 35, subparts A, B, M, and R of this title apply to units assisted under this part.

(k) *Access performance requirement.* The dwelling unit must be able to be used and maintained without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire (such as fire stairs or egress through windows).

(l) *Site and Neighborhood —(1) Performance requirement.* The site and neighborhood must be reasonably free from disturbing noises and reverberations and other dangers to the health, safety, and general welfare of the occupants.

(2) *Acceptability criteria.* The site and neighborhood may not be subject to serious adverse environmental conditions, natural or manmade, such as dangerous walks or steps; instability; flooding, poor drainage, septic tank back-ups or sewage hazards; mudslides; abnormal air pollution, smoke or dust; excessive noise, vibration or vehicular traffic; excessive accumulations of trash; vermin or rodent infestation; or fire hazards.

(m) *Sanitary condition —(1) Performance requirement.* The dwelling unit and its equipment must be in sanitary condition.

(2) *Acceptability criteria.* The dwelling unit and its equipment must be free of vermin and rodent infestation.

(n) *Smoke detectors performance requirement —(1)* Except as provided in paragraph (n)(2) of this section, each dwelling unit must have at least one battery-operated or hard-wired smoke detector, in proper operating condition, on each level of the dwelling unit, including basements but excepting crawl spaces and unfinished attics. Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 (or its successor standards). If the dwelling unit is occupied by any hearing-impaired person, - smoke detectors must have an alarm system, designed for hearing-impaired persons as specified in NFPA 74 (or successor standards).

(2) For units assisted prior to April 24, 1993, owners who installed battery-operated or hard-wired smoke detectors prior to April 24, 1993 in compliance with HUD's smoke detector requirements, including the regulations published on July 30, 1992, (57 FR 33846), will not be required subsequently to comply with any additional requirements mandated by NFPA 74 (i.e., the owner would not be required to install a smoke detector in a basement not used for living purposes, nor would the owner be required to change the location of the smoke detectors that have already been installed on the other floors of the unit).

[60 FR 34695, July 3, 1995, as amended at 61 FR 27163, May 30, 1996; 63 FR 23861, Apr. 30, 1998; 64 FR 26646, May 14, 1999; 64 FR 49658, Sept. 14, 1999; 64 FR 50230, Sept. 15, 1999]