

ATTACHMENT D: NATIONAL STANDARDS FOR THE CONDITION OF HUD HOUSING

GENERAL (24 CFR 5.703)

To ensure that all residents live in safe, habitable dwellings, the items and components located inside the building, outside the building, and within the units of HUD housing must be functionally adequate, operable, and free of health and safety hazards. The standards under this section apply to all HUD housing. HUD housing under the HCV, PBV, and Moderate Rehabilitation programs shall be subject to these standards only for all subsidized units and items and components within the primary and secondary means of egress from a unit's entry door(s) to the public way, common features related to the residential use of the building (e.g., the laundry room, community room, mail room), and the systems equipment that directly services the subsidized unit.

INSIDE AREAS

Inside areas are the common areas and building systems that can be generally found within the building interior and are not inside a unit. Examples of "inside" common areas may include, basements, interior or attached garages, enclosed carports, restrooms, closets, utility rooms, mechanical rooms, community rooms, day care rooms, halls, corridors, stairs, shared kitchens, laundry rooms, offices, enclosed porches, enclosed patios, enclosed balconies, and trash collection areas. Examples of building systems include those components that provide domestic water such as pipes, electricity, elevators, emergency power, fire protection, HVAC, and sanitary services. The inside area must meet the following affirmative requirements:

- The inside area must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the property. Homes in Washington that were built or renovated after December 31, 1980, must include smoke detectors that are hardwired with battery backup.
- Except for housing subject to this subpart only through [24 CFR 5.701\(a\)\(6\)](#) or [\(7\)](#), or housing otherwise exempt from this requirement as provided elsewhere in this title, the inside area must meet or exceed the carbon monoxide detection standards.
- For the inside area, any outlet installed within 6 feet of a water source must be ground-fault circuit interrupter (GFCI) protected.
- The inside area must have a guardrail when there is an elevated walking surface with a drop off of thirty (30) inches or greater measured vertically.
- The inside area must have permanently mounted light fixtures in any kitchens and each bathroom.
- The inside area may not contain unvented space heaters that burn gas, oil, or kerosene.

OUTSIDE AREAS

Outside area refers to the building site, building exterior components, and any building systems located outside of the building or unit. Examples of outside area components may include fencing, retaining walls, grounds, lighting, mailboxes, project signs, parking lots, detached garage or carport, driveways, play areas and equipment, refuse disposal, roads, storm drainage, non-dwelling buildings, and walkways. Components found on the exterior of the building are also considered outside areas, and examples may include doors, attached porches, attached patios, balconies, car ports, fire escapes, foundations, lighting, roofs, walls, and windows. The outside area must meet the following affirmative requirements:

ATTACHMENT D: NATIONAL STANDARDS FOR THE CONDITION OF HUD HOUSING

- For the outside area, outlets within six (6) feet of a water source must be GFCI protected.
- The outside area must have a guardrail when there is an elevated walking surface with a drop off of thirty (30) inches or greater measured vertically.

UNITS

A unit is the interior components of an individual unit. Examples of components included in the interior of a unit may include the balcony, bathroom, call-for-aid (if applicable), carbon monoxide devices, ceiling, doors, electrical systems, enclosed patio, floors, HVAC (where individual units are provided), kitchen, lighting, outlets, smoke detectors, stairs, switches, walls, water heater, and windows. The unit must also meet the following affirmative requirements:

- The unit must have hot and cold running water in both the bathroom and kitchen, including an adequate source of safe drinking water in the bathroom and kitchen.
- The unit must include its own bathroom or sanitary facility that is in proper operating condition and usable in privacy. It must contain a sink, a bathtub or shower, and an interior flushable toilet.

The unit must include at least one battery-operated* or hard-wired smoke detector, in proper working condition, in the following locations. Homes in Washington that were built or renovated after December 31, 1980, must include smoke detectors that are hardwired with battery backup.

- On each level of the unit
- Inside each bedroom
- Within twenty-one (21) feet of any door to a bedroom measured along a path of travel
- Where a smoke detector installed outside a bedroom is separated from an adjacent living area by a door, a smoke detector must also be installed on the living area side of the door
- If the unit is occupied by any hearing-impaired person, the smoke detectors must have an alarm system designed for hearing-impaired persons

The unit must have a living room and a kitchen area with a sink, cooking appliance, refrigerator, food preparation area, and food storage area

For units assisted under the HCV or PBV program, the unit must have at least one bedroom or living/sleeping room for every two people.

The unit must meet or exceed the carbon monoxide detection standards set by HUD through Federal Register notification (except for units subject to this subpart only through § 5.701(a)(6) or (7), or housing otherwise exempt from this requirement as provided elsewhere in this title).

The unit must have two working outlets or one working outlet and a permanent light within all habitable rooms. Outlets within six (6) feet of a water source must be GFCI protected.

The unit must have a permanently installed heating source. No units may contain unvented space heaters that burn gas, oil, or kerosene.

The unit must have a guardrail when there is an elevated walking surface with a drop off of thirty (30) inches or greater measured vertically.

ATTACHMENT D: NATIONAL STANDARDS FOR THE CONDITION OF HUD HOUSING

The unit must have a permanently mounted light fixture in the kitchen and each bathroom.

HEALTH AND SAFETY CONCERNS

GENERAL

The inside, outside and unit must be free of health and safety hazards that pose a danger to residents. Types of health and safety concerns include, but are not limited to carbon monoxide, electrical hazards, extreme temperature, flammable materials or other fire hazards, garbage and debris, handrail hazards, infestation, lead-based paint, mold, and structural soundness.

LEAD-BASED PAINT

HUD housing must comply with all requirements related to the evaluation and control of lead-based paint hazards and have available proper documentation of such (see 24 CFR part 35). 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 the applicable regulations at 24 CFR part 35 apply.

COMPLIANCE WITH STATE AND LOCAL CODES

The standards for the condition of HUD housing in this section do not supersede State and local housing codes (such as fire, mechanical, plumbing, carbon monoxide, property maintenance, or residential code requirements).

All HUD housing other than units assisted under the HCV and PBV programs must comply with State or local housing codes in order to comply with this subpart.

State and local code compliance is not part of the determination of whether a unit passes the standards for the condition of HUD housing under this section for the HCV and PBV programs (except in accordance with § 5.705(a)(3)).

USE OF AN ALTERNATIVE INSPECTION OR ADDITIONAL STANDARD FOR HCV AND PBV PROGRAMS

A PHA is not subject to the standards set by this section when the PHA is relying on an alternative inspection in accordance with 24 CFR 982.406. PHAs may also elect to establish additional requirements for quality, architecture, or design of PBV housing, and any such additional requirements must be specified in the Agreement to enter into a HAP Contract or HAP Contract as provided in 24 CFR part 983.