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May 1, 2009

## **IMPORTANT LEGAL ALERT COLORADO ADOPTS CARBON MONOXIDE SAFETY ACT**

As you may have seen in media reports, recent tragic events in Colorado have heightened the public's awareness of the dangers of carbon monoxide poisoning in the home. We want to alert you regarding a significant change in Colorado law that will impact you whether you are a seller, buyer, tenant, landlord, or contractor. Governor Ritter recently signed the "Lofgren and Johnson Families Carbon Monoxide Safety Act" which goes into effect on July 1, 2009.

The Act imposes significant new obligations on you if you buy, sell, rent or remodel a home, apartment or condominium. It is critical that you understand and comply with your obligations under the Act in order to protect yourself from liability. The Act states that carbon monoxide detectors must be installed in single and multiple family residences when:

- The residence is rented to a tenant on or after July 1, 2009;
- The residence is sold or transferred on or after July 1, 2009;
- The residence is altered or repaired on or after July 1, 2009.

This new law requires a property owner to ensure that a carbon monoxide detection system is functioning and is properly tested and maintained.

The Act gives you immunity from lawsuits if you comply with its requirements; however, failure to follow this law can result in significant liability. If you are in the process of selling, altering or repairing a residential property, if you rent residential property to others, if you are a tenant, or if you are a construction professional, we are available to provide advice regarding the actions you need to take to comply with the Act and protect yourself, your family, and your business from liability. If you are a landlord, your lease will probably have to be changed to comply with this law. We are available to assist you with drafting leases and other legal documents which comply with this new law.

Most sincerely,

HAMILTON FAATZ and WALLER, PC