

August 22, 2024

Code Development Unit  
New York State Department of State Division of Building Standards and Codes  
One Commerce Plaza  
99 Washington Avenue, Suite 1160  
Albany, NY 12231

RE: Removal of Automatic Fire Sprinkler Mandate in Newly Constructed 1-2 Family Residences

Dear Members of the New York State Fire Prevention and Building Code Council:

On behalf of the New York State Association of REALTORS® (NYSAR), a not-for-profit trade organization representing more than 63,000 of New York State's licensed real estate professionals, I write regarding the draft version of the 2024 Uniform Fire Prevention and Building Code.

NYSAR recognizes the importance of updating New York State's Uniform and Energy Codes and the work that goes into drafting and considering amendments. We believe it is important to ensure that any adopted final version of these codes is not overly restrictive or burdensome on New York State home buyers and home sellers. **To that end, NYSAR respectfully requests that automatic fire sprinkler installation remain optional for newly constructed 1-2 family residences, consistent with previously adopted versions of the New York State Uniform Code.**

NYSAR believes the installation of automatic fire sprinkler systems in new homes under three stories should remain the decision of the owner due to the significant cost increase associated with the installation, materials, maintenance, and alarm system required. We also remain concerned about the impact a more restrictive residential fire sprinkler mandate would have on rural housing. Homes being constructed that are not connected to a municipal water source would require additional equipment installed for a sprinkler system to function properly. This includes but is not limited to purchase and installation of a pump to provide the necessary water pressure to the sprinkler system, additional pipe and a water storage tank to provide the necessary volume of water.

Local municipalities are currently able to adopt more restrictive local laws for consideration by the Code Council if, after review of existing local factors including administration costs, water source and supply, farming, access and other practical considerations they deem appropriate.

Additionally, consumers are free to install fire sprinklers at any time if they so desire based on their economic resources and home construction design. Chapter 201 of the laws of 2014 requires any builder who is contracting to construct a one- or two-family residence, under three stories in height, to provide the buyer with information prepared by the Office of Fire Prevention and Control regarding the installation of fire sprinklers prior to entering into a contract for construction of such dwelling. Providing information regarding the benefits of fire sprinkler systems while explicitly lining out what it will cost homebuyers is a transparent and common-sense approach that respects consumer choice. On the latter point, Chapter 567

of the laws of 2021 built on the 2014 law by requiring builders to provide homeowners with a cost estimate for the installation of a fire sprinkler system. These two laws allow consumers to make informed decisions about the installation of fire sprinklers, whereas mandating the installation of fire sprinklers would impose additional costs in the midst of a severe housing shortage characterized by higher prices for construction, materials and supplies.

NYSAR is not opposed to fire sprinklers but believe that consumers should have the final say in any decision to install them. We support incentive-based solutions that have been introduced in the State Legislature, such as legislation that would provide a tax credit for the installation of fire sprinklers (S.1843). However, should the Council impose a fire sprinkler mandate in new 1-2 family homes and townhomes, the cost of these homes will only increase at a time when housing costs are at historic highs and inventory is low. This will ultimately make homeownership less attainable.

For these reasons, the New York State Association of REALTORS® urges the Code Council to remove the mandate in the proposed Uniform Code update that would require the installation of automatic fire sprinklers in new one- and two-family homes three stories or less.

Sincerely,

Joseph Rivellino  
2024 NYSAR President