



**State of New Jersey**  
DEPARTMENT OF COMMUNITY AFFAIRS  
101 SOUTH BROAD STREET  
PO Box 809  
TRENTON, NJ 08625-0809

**PHILIP D. MURPHY**  
*Governor*

**LT. GOVERNOR SHEILA Y. OLIVER**  
*Commissioner*

To: Local Enforcing Agency Fire Officials  
Cooperative Sober Living Residence Licensees

From: Louis Kilmer Chief *LK*  
Division of Fire Safety Bureau of Fire Code Enforcement  
Bernard A. Raywood Chief *BR*  
Division of Codes and Standards Bureau of Rooming and Boarding House Standards

Date: July 29, 2022

Subject: Applicability of and Compliance with the Uniform Fire Safety Act

This memo is being distributed to all Local Enforcing Agency (LEA) Fire Officials and Cooperative Sober Living Residence (CSLR) licensees, licensed under N.J.A.C. 5:27-1.6, to provide clarity and guidance in complying with the requirements found in the Uniform Fire Safety Act.

The Uniform Fire Safety Act under N.J.S.A. 52:27D-203a states "Each enforcing agency in this State shall enforce this act in all buildings, structures and premises within its jurisdiction, except owner-occupied buildings used exclusively for dwelling purposes and containing fewer than three dwelling units, subject to the control and supervision of the commissioner and in accordance with regulations promulgated by the commissioner." Based on this requirement, LEA Fire Officials are required to ensure that CSLR facilities comply with the Fire Code.

N.J.A.C. 5:27-1.6(b)6 defines CSLRs as a Class F Rooming and Boarding House license and states "Valid only for cooperative sober living residences, as defined in this chapter. Cooperative sober living residences shall be subject to this chapter only as specifically noted below. Cooperative sober living residences shall be required to comply with all applicable statutory requirements."

In addition N.J.A.C. 5:27-1.6(l) states "No license to operate a rooming or boarding house shall be issued by the Bureau prior to receipt from the local enforcing agency responsible for enforcement of the Uniform Fire Code in the municipality in which the rooming or boarding house to be operated by the applicant is located of certification that the building does not have any outstanding violations of the Uniform Fire Code N.J.A.C. 5:70."

Further, the Rooming and Boarding House Regulations at N.J.A.C. 5:27-1.3(c) state:

"The local enforcing agency, as the term is defined in N.J.A.C. 5:70, authorized to enforce the Uniform Fire Code in each municipality is hereby designated as the agent of the Bureau for the purpose of inspecting existing buildings in order to enforce all provisions of the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq., and the Uniform Fire Code, N.J.A.C. 5:70, applicable to rooming and boarding houses.

1. If, in the course of inspecting any rooming or boarding house, any inspector performing inspections for the Bureau finds any condition which is, or appears to be, in violation of the Uniform Fire Code, the inspector shall promptly give notice of such condition to the Bureau, which shall notify the Division of Fire Safety.
2. The maintenance requirements set forth in the Uniform Fire Code, N.J.A.C. 5:70, shall supersede the standards for fire safety set forth in N.J.A.C. 5:27-5, with regard to all boarding houses as of December 19, 1988 and shall be the sole fire safety maintenance requirements applicable to all rooming and boarding houses on and after June 16, 1989.
3. Any retrofit work required to be done in any rooming or boarding house shall be done in accordance with the Uniform Fire Code, N.J.A.C. 5:70. All buildings in compliance with the Uniform Fire Code shall be deemed to be in compliance with the fire safety standards set forth in this chapter.
4. Every licensee shall keep valid proof of compliance with the Uniform Fire Code on the premises and shall make it available to representatives of the Bureau upon request."

Based on the above, LEA Fire Officials are required to perform inspections of CSLR homes. It is important to remember when performing these inspections that CSLRs are designated as either an R-3 use, or an R-5 use pursuant to N.J.A.C. 5:23-6. Accordingly, Subchapter 4 violations of the Fire Code cannot be cited. N.J.A.C. 5:70-4.1(b)1 states "One- and two-family or attached single family structures used exclusively for dwelling purposes shall not be subject to any requirements of this subchapter other than N.J.A.C. 5:70-4.19." All other subchapters of the Fire Code are applicable and shall be enforced accordingly.

Included in the Fire Code requirements are the requirement for CSLRs to register as a Life Hazard Use. N.J.A.C. 5:70-2.6(a) states "Whenever the Commissioner or any local enforcing agency shall have cause to believe that a building or use is a life hazard use, then the Commissioner or the agency shall submit a registration application to the owner. It shall be a violation of the Code for an owner to fail to complete and return such an application within 30 days."

There are three possible categories for CSLRs to be registered under based on number of stories of the building. They are defined under N.J.A.C. 5:70-2.4A as:

Ac02 Rooming and boarding homes of one story

Af04 Rooming and boarding homes of two or three stories

Ah01 Rooming and boarding homes of four or more stories

To register a CSLR home as a Life Hazard Use, licensees may access the RIMS system at [www.nj.gov/dca/divisions/dfs](http://www.nj.gov/dca/divisions/dfs) and either request access to RIMS on-line or log into RIMS for existing users. Registration and payment of fees can be accomplished on this site. Please note that licensees should be applying for a Life Hazard Use registration, not a certificate of smoke alarm, carbon monoxide alarm, and portable fire extinguisher compliance.

It is important to note that annual fire inspections and abatement of any violations cited are a requirement for licensure of CSLR homes. As such, we are requesting LEA fire officials to perform timely inspections and reinspections of the facilities to avoid any delay in issuance of licenses to operate and potential enforcement action by the Bureau of Rooming and Boarding House Standards (Bureau).

Questions concerning regulations regarding CSLR homes or general rooming and boarding house requirements may be addressed to Bernard Raywood Chief at 609-633-6251 or by e-mail at [rbhs.info@dca.nj.gov](mailto:rbhs.info@dca.nj.gov). If fire officials find a suspected unlicensed home, they should contact the Bureau immediately. Questions regarding Fire Code issues should be addressed to Louis Kilmer Chief at 609-633-6106 or by e-mail at [louis.kilmer@dca.nj.gov](mailto:louis.kilmer@dca.nj.gov) . Thank you for your continued interest and assistance in providing for the safety of the occupants of CSLRs.