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BULLETIN NO.

04-2

Date: **July 2004**  
**Supersedes Bulletin No. 95-3**

Subject: **Oxford House**

The Federal Fair Housing Act requires code officials to make “reasonable accommodations” that will ensure persons with disabilities are not discriminated against or excluded from the nation’s neighborhoods. Code officials continue, however, to have an obligation to enforce necessary safety requirements. In this context, the case of homes sponsored by Oxford House, Inc. was presented to the Department of Community Affairs. The Department reviewed the specifics of this case, including the degree of oversight provided by the sponsor and the potential discriminatory effect of changing the (use) group designation of these homes. The Department has determined that, as a specific, reasonable accommodation, homes sponsored by Oxford House, Inc. will continue to be classified as a Group R-5 occupancy (International Code Council Group R-5, Building Officials and Code Administrators Use Group R-3) provided that the following conditions are met:

1. There are fewer than 16 occupants, each of whom is capable of prompt evacuation;
2. Each home has battery-operated smoke detectors on each floor and outside the bedrooms;
3. Each home has carbon-monoxide detectors in the vicinity of each sleeping area;
4. Each bedroom has an operable window with a maximum sill height of 44 inches, a width of at least 20 inches, a height of at least 24 inches, and a minimum total area of 5.7 square feet measured from head to sill and from side to side; and
5. Each home that is four stories or more in height has a second means of egress.

Because these homes are rental properties, a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance issued by the designated Uniform Fire Code enforcing agency is required to verify Items 2 and 3 above when a new Oxford House is established in an existing single-family home. Since there is no change of use under the Uniform Construction Code, no further inspection or other enforcement action is required. (This bulletin does not address municipal requirements, such as

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municipal property maintenance ordinances, that apply to all single-family homes or to all rental properties.)

If there are any questions regarding the application of the reasonable accommodation for Oxford House, please feel free to call the Code Assistance Unit at (609) 984-7609. Because this bulletin applies only to Oxford House, please call regarding applying the requirements of the code to any other residential programs.