



NEW YORK STATE BUILDERS ASSOCIATION, INC.

Peter Florey | President

Michael Fazio | Executive Director

Tuesday September 24, 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
Sent via email to code.development@dos.ny.gov

RE: Opposition to Mandatory Automatic Fire Sprinkler Installation in Newly Constructed 1-2

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

On behalf of the New York State Builders Association (NYSBA), a trade organization whose members employ tens of thousands of tradespeople and professionals statewide in the residential construction industry, I am writing to express our opposition to the proposed mandate requiring automatic fire sprinkler systems in newly constructed one- and two-family residences. While we fully support efforts to enhance safety, this mandate would impose significant financial burdens on homebuyers and disproportionately affect rural and low-income communities when New York is in the midst of a severe housing affordability and supply crisis, which shows no signs of ending any time soon.

The Cost Burden on Homebuyers and the Housing Crisis

While beneficial in some instances, installing fire sprinkler systems would substantially increase the cost of new homes. Studies show that in New York State, the cost of installing such systems ranges from \$8.42 to \$10.47 per square foot—far exceeding the lower estimates often cited by proponents of this mandate. When added to rising construction, labor, and material costs, this cost could drive home prices up by 3% to 5% or \$20,000-\$30,000, pricing out thousands of families from the dream of homeownership.

It is important to consider that even a modest \$1,000 increase in home prices is estimated to disqualify an additional 6,810 households in New York State from being able to afford a home. With a housing affordability crisis already at hand, where 72% of households cannot afford the median price of a new construction home, this mandate would exacerbate the situation. Given the current median home price exceeding \$600,000, and with mortgage rates significantly higher than in recent years, these additional costs will further erode affordability for New Yorkers.

This impact has been further examined in the **Asterhill Research Company's Housing Study**, commissioned by NYSBA, which reviewed the feasibility and effects of mandatory fire sprinklers in new



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homes. The study provides a detailed analysis of cost factors, economic trends, and market conditions, underscoring the significant financial burden this mandate would impose on homeowners, particularly in rural and low-income areas. [For additional insights, please refer to the attached abstract, executive summary, and study.]

Impact on Rural Communities

The mandate poses unique challenges for rural communities, where many homes are not connected to municipal water systems. These homes would require costly equipment, such as pumps and water storage tanks, to ensure adequate water pressure and supply for fire sprinklers. This adds an even more significant financial burden to rural homeowners, who may already face significant infrastructure challenges. Many rural areas also need more local professionals trained to install and maintain sprinkler systems, creating additional hurdles for homeowners and contractors alike.

Fire Fatalities and Modern Home Safety

While sprinkler systems are touted for their potential to save lives, examining recent fire fatality data is critical. **According to a study of fire fatalities in New York State between 2019 and 2023, none of these deaths occurred in homes built after the year 2000.** Modern homes, built to updated fire safety codes, already incorporate advanced fire prevention measures, including smoke alarms, fire-rated building materials, and electrical safeguards. These features have proven effective in reducing fire fatalities in newly constructed homes.

Moreover, a more targeted and cost-effective approach to saving lives in residential fires would be to ensure the widespread installation and maintenance of smoke and carbon monoxide detectors, which are already mandatory and highly effective. Unfortunately, only 33% of homes involved in residential fire fatalities during this period had working smoke alarms, and not all of these smoke alarms were working, highlighting the need for better enforcement of existing safety measures rather than costly new mandates.

Homeowner Choice and Existing Protections

New York State has already implemented measures to inform and protect homeowners regarding fire sprinklers. Under Chapter 201 of the laws of 2014, builders are required to provide potential homebuyers with information on the costs and benefits of sprinkler installation. Furthermore, Chapter 567 of the laws of 2021 requires builders to provide a detailed cost estimate for sprinkler systems in new homes. These laws ensure that consumers can make informed decisions about whether to install fire sprinklers based on their financial situation and personal preferences.

Rather than imposing an expensive mandate, the Code Council should promote incentive-based solutions which would respect homeowner choice, protect affordability and promote fire safety in a practical manner.



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Conclusion

While NYSBA is not opposed to fire sprinklers, we believe that mandating their installation in all new homes would have unintended consequences, particularly for affordability during a housing crisis. The findings from the Asterhill Research Study make it clear that such a mandate would further exacerbate the housing affordability crisis while offering limited additional fire safety benefits in modern homes. New York's laws already ensure that homebuyers are informed about sprinklers and can choose to install them if they wish. Forcing this mandate will only drive up housing costs, worsen housing shortages, and disproportionately impact those in rural and lower-income areas. Instead of imposing blanket mandates, the focus should be on improving existing fire safety standards—such as enforcing the installation and maintenance of smoke and carbon monoxide detectors—while providing incentives for homeowners who wish to enhance their fire protection.

We urge the Council to reject the proposed fire sprinkler mandate and support policies safeguarding fire safety and housing affordability.

Sincerely,

Michael Fazio

Executive Director

New York State Builders Association (NYSBA)

Attachments:

1. Abstract of Asterhill Housing Study
2. Introduction and Executive Summary of Asterhill Housing Study
3. Full Asterhill Housing Study