



# Florida Division of State Fire Marshal

The Florida Fire Marshals and Inspectors Association,  
"Organization" (§633.026)

## **Informal Interpretation**

**Date:** September 15, 2014

**NFPA Document Number:** 101

**Edition:** 2009

**Paragraph Reference:** Occupancy Classification

**For purpose of this petition, pertinent factors do not include the name of the governmental agency or persons representing that agency. Petitioners are discouraged from making any personal assertions about an agency or agency official. If this involves an actual situation, briefly explain all of the pertinent factors.**

Actual Situation Explanation:

Existing residential building.

We have an existing residential type building that is being used as 'transitional housing' for approximately 36 unrelated persons. The building is approximately 3,274 sq.ft. in size and is two stories. The rooms do not have any individual cooking facilities...there is a central/common kitchen where cooking is performed. There are approximately 4 persons residing in each bedroom. No medical services are provided, and this is strictly 'residential' type use.

The occupants may stay for short periods of time (one to two months) or longer periods of time (years). There is a management team that handles the upkeep, maintenance, etc., for the facility/building.

Based on this description, I would like an opinion on what would be the most appropriate NFPA 101 occupancy chapter to apply: "Lodging or Rooming Houses", "Hotels and Dormitories", "Apartment Buildings", or other.

We would contend that the most appropriate occupancy chapter to apply for this facility is "Hotels and Dormitories" due to the number of occupants and the arrangement/use of the facility. We would contend that "Lodging or Rooming Houses" is not appropriate considering it states in the definition that the lodging and rooming houses chapter applies to buildings with sleeping accommodations for 16 or fewer persons.

Rulings herein expressed are not the formal position of the Florida State Fire Marshal's Office

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Based on the limited information given above, is "Hotels and Dormitories" the most appropriate occupancy chapter to apply to this scenario? If the answer is no, please comment on which occupancy chapter the reviewer feels is more appropriate.

Existing residential building.

**Question** (*should be worded so that it can be answered with either "Yes" or "No"*):

Based on the limited information given above, is "Hotels and Dormitories" the most appropriate occupancy chapter to apply to this scenario?

**Answer: Yes**

Reviewing Members:

Region 1: Bruce Teston

Region 2: John Gatlin

Region 3: James Groff

Region 4: Phil Gugliete

Region 5: Tony Apfelbeck

Region 6: Bob Salvaggio

Region 7: Bryan Parks

Committee Answer Submitted by,  
Bryan Parks, Chairman  
Informal Fire Code Interpretation Committee

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