

Bill would offer loans to install fire sprinklers

Small care homes are not required to have devices

By Michael Gardner
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SACRAMENTO - Despite recent horrific deaths, California does not require small residential-care facility operators to install fire sprinklers that could spare the lives of elderly and disabled residents.

"People do not die in sprinkled homes," said Samuel Oates, San Diego's fire marshal.

But Gov. Arnold Schwarzenegger has sided with opponents who claim adding sprinklers could raise costs beyond the reach of the poor and exacerbate a shortage of housing for those with limited options. Last year he vetoed a measure that would have required the installation of sprinklers in small residential-care facilities.

"This bill could place a significant economic impact on residential-care providers and the health care industry at large," Schwarzenegger wrote in his veto message. "Inadequate housing for elderly persons, many who have disabilities, is already a significant problem."

The hard-times argument may not hold up this year, however. New legislation offers care-home operators a state-backed, no-interest loan of up to \$5,000 to add sprinklers, which would become mandatory by 2011.

At the same time, the cost of retrofitting homes could be recouped through lower insurance premiums. The savings alone could pay off the state loan within a few years, a major insurer said.

As California's population ages, demand for care facilities located in residential areas is expected to grow. Residents sharing the typically three-bedroom homes are charged from \$2,500 to \$4,000 a month, depending on the level of care.

There are nearly 5,000 licensed small care homes in the state, and half of the residents in those homes suffer from some type of dementia, according to the Alzheimer's Foundation of America. California law already requires large facilities to have sprinklers. Those that house six or fewer residents are exempt. However, those facilities must provide other safety features, such as smoke detectors and emergency pull alarms.

"We require sprinklers of veterinarians and in jails," said Bob Gebel, a Torrance fire captain who has lobbied for mandatory sprinklers for several years. "Shouldn't our

seniors and disabled have the same protection?"

Sprinklers also are affordable, said Fred Krayndler, owner of Salamander Fire Protection in Van Nuys. He said adding sprinklers to a 3,000-square-foot house would cost about \$4,500, depending on the brand and connections.

"It's a safety issue, not a money issue," Krayndler said.

But opponents have made cost a central issue. Installation estimates of \$6,000 to \$18,000 for a 3,000-square-foot home have been tossed around in previous debates. Yet even a conventional loan probably would not increase rents by more than \$27 a month per person, or as little as 1 percent in most facilities - if operators decide to pass along the increase.

An \$18,000 home-equity loan at 7 percent interest over 15 years would cost about \$162 a month. The payment for a \$6,000 loan with the same terms would be about \$54 per month.

Those figures suggest the per-resident increase could be as little as \$9 per month in homes with six people.

There is also the possibility of significant savings. Sprinklers could reduce the average cost of fire insurance by about \$900 a year, from \$1,500 to \$600, said Chris Smith, a vice president of Fireman's Fund, one of the state's largest business-property insurers.

"We're a strong supporter of sprinklers. It's lifesaving," Smith said.

After the governor rejected the 2006 sprinkler measure - which did not include the interest-free loan provision - an 80-year-old woman died in a fire at a Sacramento-area care home. Her children, among them Debra Neville of San Diego County, filed a lawsuit alleging negligence by the owners. Sacramento firefighters believe Marjorie Leroux would be alive if the home had sprinklers.

"It's reprehensible," said Kathryn Stebner, a San Francisco attorney representing the family. "Studies have shown nationally that when sprinklers are in place in elderly facilities, the fatality rate is much less."

State fire officials are back in the Capitol this year pressing Assembly Bill 759, revised legislation to mandate sprinklers. They hope the \$26 million statewide loan proposal can win over the governor. The \$5,000 loans would not have to be repaid for five years.

"I don't want to put anyone out of business, but there are times you have to think of safety first," said Assemblywoman Betty Karnette, the Long Beach Democrat carrying the measure.

But that's exactly what could happen, opponents warn.

"It would have a significant economic impact and potential impact on housing," said Eric Gelber, an attorney for Protection and Advocacy, a statewide nonprofit organization that works on behalf of the disabled. "There is always a shortage of available, accessible housing for people with disabilities."

Gelber conceded that sprinklers save lives but said a variety of safety measures are not imposed because of cost, inconvenience or other reasons.

"If safety were the only issue, we would lower the speed limit to 35 mph," he said. "There would be fewer traffic fatalities, but there are other factors you have to weigh."

Several small care-home operators have protested previous measures, saying the added burden could drive them out of business or force rent increases.

Other groups, such as the Alzheimer's Foundation of America, support mandatory sprinklers.

Sam Fine, whose mother died in a December 2002 house fire that killed two other bedridden residents in Torrance, can barely contain his anger over what he views as callous opposition.

"Maybe if one of their mothers or fathers dies in a fire, they might do it," Fine said. "Until they have it happen to them, they don't care about anybody else."

Care-home operator Hanh Pham is a believer. Tragedy was narrowly averted at her Mission Viejo facility in January when a blaze broke out in the kitchen. Caretakers were able to evacuate six residents.

"My advice is: Add sprinklers. Save lives," Pham said.

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