



**Informal Interpretation Report
Number 6744**



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Section 708.1 (7)

Question:

Is it the intent of 708.1 (7) fire partitions are required between multi-tenants on a multi-tenant floor plan to include the separation of the building owners common areas that are used for joint use on the floor from the other tenants on that floor.

Answer

Yes.

Commentary:

The definition of "Tenant" in section 202 of the FBC-Building states "Any person, agent, firm, corporation or division who uses or occupies land, a building or portion of building by title, under a lease, by payment of rent or who exercises limited control over the space." If there are multiple tenancies which are at least partially separated by common areas, and the common areas are not separated from other tenancies by fire resistance rated construction, then there is no fire-rated separation between tenants.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.