



**Informal Interpretation Report
Number 7956**



Date May 11, 2017

Edition 2014

Section 310

Question:

Is it the intent of Section 310 and Section 111 of the FBC-Building to require a new certificate of occupancy as an R-1 when a detached single family dwelling, issued a CO under the FBR as a Single Family Dwelling, becomes a vacation rental licensed as a transient public lodging establishment under FS 509?

Answer

Yes. This is a change of use within an occupancy group. and as such a C of O for the new use is required. While not crystal clear in the FBC 5th Edition, a base code change adding the word use to the FBC 6th Edition clarifies this intent.

[A] 111.1 Use and occupancy. A building or structure shall not be used or occupied, and a change in the existing USE OR occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein....

Commentary:

None

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.