



Informal Interpretation Report Number 9482



Date January 16, 2026

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Section 501

Question:

Is it the intent of Section 501 of the Florida Existing Building Code to require the installation of fire-resistance-rated separations between all dwelling units in an existing three-unit residential building where no change of occupancy, Level 3 alteration, addition, or other triggering work has been performed?

Answer

Section 501 does not require the upgrade of an existing tenant/dwelling separation wall when the work is isolated to the replacement of an element such as a deck, HVAC, roof, window/ door or any other Repair or Level 1 type work. There are provisions in section 501.4 for a declaration of "dangerous", but dangerous is a defined term, and based on the information provided in the request this definition does not appear to fit this situation. I would also discuss having the structure evaluated, and ensure the existing separating walls are actually not rated. Keep in mind, a building built to code, at time of construction is compliant unless certain thresholds are breached, such as alterations that would be defined as a change of use or occupancy. Ultimately, any decision that may be appealed at the local level would also ensure the full story as to why this upgrade is being required.

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.