



Installing Consumer-Owned Antennas and Satellite Dishes

FCC rules for over-the-air reception devices (OTARD) protect the rights of property owners or tenants to install, maintain or use an antenna to receive video programming from direct broadcast satellites, broadband radio services, and television broadcast stations in areas within the owner's or tenant's exclusive use.

The OTARD rule also applies to certain customer antennas that receive and transmit fixed wireless signals.

There are exceptions to the OTARD rule, including provisions for safety and preservation of historic areas.

What types of antennas are covered under the OTARD rule?

The following antennas or dishes are covered by the rule:

- A dish antenna one meter or less in diameter (or any size dish if located in Alaska) that is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite, including a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services.
- An antenna that is one meter or less in diameter and is designed to receive video programming services via broadband radio service (wireless cable), or to receive or transmit fixed wireless signals other than via satellite, including a hub or relay antenna used to receive or transmit fixed wireless services that are not classified as telecommunications services.
- **An antenna that is designed to receive local television broadcast signals.**

If a covered antenna is being used as a hub or relay antenna, it may receive or transmit fixed wireless signals for the distribution of fixed wireless services to multiple customer locations as long as the antenna serves a customer on whose premises it is located.

Antennas used for AM/FM radio, amateur ("ham") radio, CB radio, or digital audio radio services are not covered by the rule.

What types of properties are covered?

Under the OTARD rule, an owner or a tenant has the right to install an antenna on property that they own or over which they have exclusive use or control. This includes single family homes, condominiums, cooperatives, townhomes and manufactured homes.

In the case of condominiums, cooperatives and rental properties, the rule applies to "exclusive use" areas, such as terraces, balconies or patios. "Exclusive use" refers to an area of the property that only renters and their guests may enter and use. If the area is shared with others or accessible without the renter's permission, it is not considered to be an exclusive use area.

The OTARD rule does not apply to common areas that are owned by a landlord, a community association, or jointly by condominium owners. These common areas may include the roof or exterior walls of a multiple dwelling unit.



Under certain conditions, if a common antenna is available for use by residents, then the community association or landlord may prohibit the installation of individually-owned antennas or satellite dishes. However, the signal quality from the central antenna must be as good as the signal quality from an individually-owned antenna or dish, and the costs of using the central antenna must be no greater than the costs of an individually-owned antenna or dish.

What kinds of restrictions are prohibited?

Restrictions that prevent or delay installation, maintenance or use of antennas covered by the rule are prohibited. For example, in most cases, requirements to get approval before installing an antenna are prohibited.

What kinds of restrictions are permitted?

Restrictions necessary to prevent damage to leased property are permissible, as long as the restrictions are reasonable. For example, a lease restriction that forbids tenants from damaging the balcony floor when installing an antenna is likely to be permissible.

An association, landlord or local government may impose certain restrictions when safety is a concern or where a historic site is involved. An example of a permissible safety restriction would be requiring that an antenna is securely fastened down so that it will not be blown loose. Safety restrictions must be narrowly written so that they are no more burdensome than necessary to address a legitimate safety purpose.

If there is a conflict about a restriction's validity, the association, landlord or local government trying to enforce the restriction must prove it is valid. This means that no matter who questions the validity of the restriction, the person or entity trying to enforce the restriction must prove that the rule is legitimate.

Installation requirements for fixed wireless antennas that receive and transmit

The FCC requires fixed wireless antennas capable of receiving and transmitting voice and data services to meet certain guidelines regarding radiation exposure limits and environmental standards. Because of these guidelines, requirements that fixed wireless antennas be professionally installed are permissible.

Filing a petition about an antenna restriction

If you believe an antenna restriction is invalid, first try to resolve it with the restricting person, association, landlord or local government. If you are unable to resolve it directly, you can file a Petition for Declaratory Ruling with the FCC or a court of competent jurisdiction.

There is no particular form used for filing a petition with the FCC. Your petition, at a minimum, should include:

- A description of the facts, including the restriction you're disputing.
- Contact information for all parties involved in the dispute.
- Copies of the exact language of the restriction.
- Any relevant correspondence.

You must include a "proof of service" with your petition. A proof of service is a statement indicating that on the same day that you filed your petition with the FCC, you provided a copy of the petition and any attachments to the person or entity trying to enforce the antenna restriction. The proof of service should indicate the name and

address of the parties served, the date they were served, and the method of service, such as regular mail, personal delivery service or certified mail.

Note: All allegations of fact included in petitions must be supported by an affidavit signed by one or more people who have actual knowledge of the facts.

A petition may be filed by a paper submission or electronically as stated below.

Paper submission: You must send an original and two copies of the petition and all attachments to:

Office of the Secretary
Federal Communications Commission
45 L Street NE
Washington, DC 20554

ATTENTION: Media Bureau – Policy Division (include on envelope and first page of petition)

Electronically: You must submit an original petition and all attachments to: OTARD@fcc.gov

You may continue to use your antenna while the petition is pending, unless the restriction you are challenging concerns safety or historic preservation.

Consumer Help Center

For additional information on the OTARD rule regarding antennas, please consult our website at <http://www.fcc.gov/guides/over-air-reception-devices-rule>.

Alternate formats

To request this article in an alternate format - braille, large print, Word or text document or audio - write or call us at the address or phone number at the bottom of the page, or send an email to fcc504@fcc.gov.

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