



**The Law Regarding:
Point of Sale Inspections • Housing Licenses • Certificates of Occupancy**

**1306.53 FURNISHING CERTIFICATE TO PURCHASER OF MULTIPLE DWELLINGS/
CERTIFICATE TO PURCHASER OF ONE OR MORE RENTAL UNITS.**

Whoever sells, conveys, leases or otherwise transfers an interest in real property, which has situated thereon a rental dwelling structure, shall secure a Certificate of Occupancy from the Building Commissioner and shall furnish said Certificate to the purchaser, lessee or transferee prior to the execution of the land contract or the delivery of the deed, lease or conveyance. Whoever sells, conveys, or otherwise transfers an interest in any structure, which has situated thereon any rental dwelling unit or dwelling unit that has been rented or leased to any person within the 24 months preceding the conveyance or transfer, shall secure a Certificate of Occupancy from the Building Commissioner and shall furnish said Certificate to the purchaser or transferee prior to the recording of the land contract or the delivery of the deed or conveyance, whichever shall first occur.

This section shall have no application to lawful one and two family structures or condominium units occupied by the owner as the owner's principal residence at the time of the conveyance or transfer and for the 24 months preceding the conveyance or transfer.

Whoever fails to comply with the provision of this Section shall be guilty of a misdemeanor of the first degree.

1306.54 DUTIES OF ESCROW AGENT.

No person, firm or corporation acting in the capacity of an escrow agent in any real estate transaction involving the sale of any rental dwelling structure or dwellings requiring a housing license pursuant to section 1306.43 shall transfer title or distribute funds until there has been deposited in escrow an acknowledgment from the buyer of the receipt of a copy of the Certificate of Occupancy required by Section 1306.53, housing license required by Section 1306.43, and the provisions of Section 1306.53 have been complied with. Whoever fails to comply with the provisions of this Section shall be deemed guilty of a misdemeanor of the fourth degree.

1306.43 HOUSING LICENSE.

(a) No person shall let, rent, lease, conduct, operate, occupy, maintain or own any building or portion of any building in which there is one or more rental dwelling units or in which a rooming house is operated, or own any interest therein, unless a housing license as provided in this chapter has been applied for, issued and is in force.

1306.44 LICENSE APPLICATION FORM AND FEE.

- (a) ...
- (b) The housing license fees shall be as follows: owner-occupied condominium units - two dollars (\$2.00); nonowner-occupied condominium units - six dollars (\$6.00); owner-occupied three-family dwellings - twenty-five dollars (\$25.00); all nonowner-occupied one and two-family dwellings - seventy-five dollars (\$75.00) per dwelling unit; all other structures requiring housing licenses pursuant to Section 1306.43 - thirty-five dollars (\$35.00) per dwelling unit or rooming unit beginning March 1, 2007; forty dollars (\$40.00) per dwelling unit or rooming unit beginning March 1, 2008; and forty-five dollars (\$45.00) per dwelling unit or rooming unit beginning March 1, 2009.
- (c) Housing license fees shall be for the purpose of paying the cost of periodic inspections and in no case shall the fee provided for herein be less than thirty-five dollars (\$35.00) per building nor more than:
- Multiple-family buildings and rooming units in which individual suites and/or rooms must be inspected - three thousand dollars (\$3,000);
- Condominium buildings in which common areas, including exteriors, will be inspected - two thousand dollars (\$2,000).
- (d) No housing license shall be required for lawful one and two-family structures occupied by the owners as the owner's principal residence.
- (e) Any housing license required pursuant to Section 1306.43 not secured by the applicable dates stated in Section 1306.47(a) and (b) shall incur a late fee of twenty-five dollars (\$25.00) per structure for which the housing license is required.

1306.49 INSPECTION.

- (a) The Building Commissioner is hereby authorized to make or cause to be made inspections to determine the condition of dwellings, dwelling units, occupiable structures and premises located within the City in order that he may perform his duty of safeguarding the health and safety of the occupants of dwelling units and occupiable structures and of the general public and to determine whether they conform to the provisions of this Code. Such inspections may also be made whenever the Building Commissioner has reasonable cause to believe that a violation of this Code exists therein or thereon.
- (b) The Building Commissioner is authorized to revoke the housing license of any property to which the Building Commissioner is denied access to make an inspection.

1306.47 LICENSE EXPIRATION.

Every housing license shall be secured by and expire not later than the following:

- (a) Single and two-family units -- Secured by July 1st, and expires June 30th the following calendar year;
- (b) Three-family, multiple-family, condominium and rooming units -- Secured by January 1st, and expires December 31st the same calendar year,

for the twelve-month period for which it was issued, irrespective of the date of its issuance, and shall not be transferable. Whenever the interest of the licensee in the building, for the occupancy of which the license was issued, shall cease, or such building shall have been brought within one of the other grades defined by law or ordinance by reason of a change of use, such license shall immediately become void. When the property for which a housing license is required is sold, the new owner, if required pursuant to 1306.43, shall secure such license within 15 days after transfer of title. However, upon the death of the licensee, the license shall nevertheless be valid for thirty days from the date of the death in favor of the legal representatives of the licensee, or of the person or persons to whom the interest of the licensee passes by law, but in no case shall such thirty days extend such license beyond the end of the calendar year for which it was issued.
