

**CITY OF LANCASTER RESIDENTIAL RENTAL REGISTRATION OCCUPANCY
LICENSE POLICIES AND PROCEDURES**

ADOPTED: Nov 17, 2009
AMENDED: Feb 9, 2011

I. Authority and Adoption

These policies and procedures have been adopted by the Director of the Department of Economic Development and Neighborhood Revitalization ("Director") this 9th day of February, 2011 under the authority of Administrative Ordinance No. 1-2009 of the City Council of the City of Lancaster ("Ordinance No. 1-2009").

II. Purpose

City Council adopted Ordinance No. 1-2009 to safeguard the safety, health and welfare of its citizens and to encourage owners, operators and occupants of rental housing to improve and maintain the quality of such housing. To further those ends, Ordinance No. 1-2009 established a systematic interior inspection, registration and licensing program for residential rental properties, their occupants and their operators. These policies and procedures are adopted in accordance with and to further the goals of said Ordinance 1-2009.

III. Definitions

The definitions and terms set forth in Section 1 of Ordinance No. 1-2009 of the City of Lancaster are incorporated herein by reference.

IV. Forms

The following forms, attached hereto, are established for use by the Department of Economic Development and Neighborhood Revitalization ("Department") and implementation of Ordinance No. 1-2009:

- A. Application for rental property registration
- B. Residential property inspection checklist
- C. Residential rental occupancy license

D. Such other documents and checklists as made from time to time to be posted by the Department on the City's website for use in conjunction with its implementation of Ordinance No. 1-2009.

V. Issuance of Licenses

No licenses shall be issued until the criteria set forth in Ordinance No. 1-2009 and in the applications for rental property registration and residential rental occupancy license are met; and until the Department has received and/or verified all of the documents, and the information required thereby, including proof that the property to be registered and/or licensed is not subject to any deed restrictions prohibiting the property from being rented.

VI Proof of Ownership

A property owner claiming a property is not a rental will be asked to provide a current driver's license or official state identification displaying the address for the property in question. If the subject property is being utilized by the owner's family, the owner shall provide: proof of relationship and a notarized affidavit stating the property is not a rental property. Failure to provide all of the foregoing forms of proof of residence or failure of the forms to display the relation of the resident to the owner shall result in the requirement to properly register and license the rental property.

In the event that there is lease-to-purchase agreement in place and the lessee does live at the property, owner shall provide proof of lease-to-purchase agreement which has been satisfactorily recorded with the Lancaster County Recorder of Deeds. Failure to provide such recorded documentation shall result in the requirement to properly register and license the rental property.

VI. Rental Agreement Addendum

The Owner or, if applicable, the Responsible Agent or Manager shall include the document attached as Ordinance 1-2009 Exhibit "A" and identified as "Addendum to Residential Rental Agreement" in each lease taking effect on or after March 2, 2009.

VII. Penalties and Fines

A. Citations and other enforcement actions concerning Ordinance No. 1-2009 may be taken or issued by officials of the Department, the Director of Business Administration, police officers and code enforcement officials of the City of Lancaster.

B. The officials set forth in paragraph A above with the authority to enforce Ordinance No. 1-2009 may enforce Ordinance 1-2009 by filing civil actions, filing summary actions, preparing and issuing citations and by utilizing any other method proper in law or equity.

CERTIFICATION OF DIRECTOR

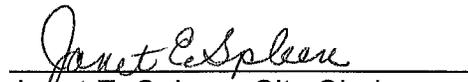
The undersigned by affixing his signature below hereby issues the foregoing City of Lancaster Residential Rental Registration Occupancy License Policies and Procedures to be effective twenty (20) days after they have been filed with the City Clerk.



Randy S. Patterson, Director
Department of Economic Development
and Neighborhood Revitalization

CERTIFICATION

The undersigned, City Clerk of the City of Lancaster, hereby certifies that on this 10 day of February, 2011, the foregoing City of Lancaster Residential Rental Registration Occupancy License Policies and Procedures were filed with the City Clerk of the City of Lancaster.



Janet E. Spleen, City Clerk



City of Lancaster
Application for Rental Property Registration
 Bureau of Code Compliance & Inspections
 100 South Queen Street, Lancaster, PA 17603
 See Reverse Side for Numbers to Call

FOR OFFICIAL USE ONLY PROP ID # _____ Customer # _____

Please submit application, along with a check made payable to 'City of Lancaster, PA' for all applicable fees, to:
Bureau of Treasury - 39 West Chestnut Street, PO Box 1020, Lancaster PA 17608-1020
Customer Service (717) 735-3425 - Fax (717) 735-3431

Rental Property Address _____

Does the owner live in this building? Yes No

Property Owner Name _____

Owner Physical address _____ Owner Mailing address _____

Property Owner Email address _____

Phone _____ Cell _____ Fax _____

Management Company **OR** Responsible Agent

See Reverse for definitions of Management Company and Responsible Agent. The Management Co. or Responsible Agent **MUST** be located in Lancaster County.

Responsible Agent or Management Company Name _____

Responsible Agent or Management Company Address _____

Responsible Agent or Management Co Email Address _____

Phone: _____ Cell _____ Fax _____

If owned by a Corporation or LLC - Please provide the name of the person responsible for accepting legal notices

Name _____

Mailing address _____

Phone _____ Cell _____ Fax _____

Please choose one of the following for which this rental registration is requested. (Check one only)
 (For detailed description of the below please see reverse side)

	<u>FEE</u>		<u>FEE</u>
<input type="checkbox"/> Single Rental Unit	\$50.00	<input type="checkbox"/> Rooming/Boarding	\$200.00
<input type="checkbox"/> Two Rental Units	\$100.00	<input type="checkbox"/> House or Dormitory	
<input type="checkbox"/> Three or More Rental Units	\$200.00	<input type="checkbox"/> Transient Dwelling	\$200.00
		<input type="checkbox"/> Hotel	\$200.00

Total number of Residential Rental Units in the entire building _____

Total number of Occupied Residential Rental Units _____

Total number of Commercial Units in building, if any _____

The applicant hereby certifies and agrees as follows: (1) I am the owner or the duly authorized Responsible Agent of the owner to make this application; (2) I have read all of the information above and that same is correct; (3) The license, if issued, may be declared void should said information be false; (4) I will comply with the Property Maintenance Code and all other Codes of the City of Lancaster which are applicable hereto; (5) I agree to inspections by the Bureau of Code Compliance and the Fire Bureau of the City of Lancaster to determine if the property is in compliance with applicable Codes of the City of Lancaster; (6) I will provide written notice to the Bureau of Code Compliance within **10 days** of any change of ownership or in the agents listed above; (7) I certify that the property identified in this application is not subject to any deed restrictions prohibiting the property from being rented.

Owner or Management Company Signature _____ Date: _____

Responsible Agent (if applicable) _____ Date: _____

IMPORTANT NUMBERS

<u>Questions</u>	<u>Who</u>	<u>Number</u>
Billing, Payment, Rental License Issuance, Information Updates	Customer Service	717-735-3427 or 735-3425
	Customer Service Fax	717-735-3731
Inspections of Property, Code Violation Complaints	Housing	717-291-4706
	Housing Fax	717-291-4827

DEFINITIONS

Residential Rental Property: Any parcel of real estate, including land and all buildings and appurtenant structures and dwellings there on that contains therein one or more Rental Units.

Residential Rental Unit: A rooming unit; or a dwelling let for rent; or a residential unit occupied by any persons other than are occupied solely by the Owner and members of the Owner's family. Each individual townhouse dwelling; each individual apartment unit; each individual unit in a two-family; each individual unit in a multi-family building; and each rooming unit; shall be considered a separate residential rental unit. A residential rental unit shall not include a hospital room utilized for medical services.

Single Rental Unit: A residential dwelling containing one rental unit.

Two Rental Units: A residential dwelling containing two rental units

Three or More Rental Units: A residential dwelling unit containing three or more rental units.

Rooming/Boarding House or Dormitory: A building arranged or occupied for lodging, with or without meals. For compensations and not occupied as a one or two-family dwelling.

Transient Dwelling: A one-family, two-family or three or more family dwelling, which is not occupied exclusively by the owner thereof and each dwelling unit therein is not occupied pursuant to the terms of a written lease or is occupied pursuant to a written lease with a term of less than one month.

Hotel: A commercial lodging establishment that offers units for sleeping purposes to transient guests and which provides 24 hour service for receiving and assisting guests.

Responsible Agent or Manager: Any person or entity who or which aids in the rental Property or who takes responsibility for the Property, including Responsible Agents as defined by the City of Lancaster Ordinances.

Management Company: A company or individual under contractual agreement with the property owner to act on behalf of the property owner, to receive correspondence, billings and legal notices, and to remediate on behalf of the property owner.

Designation of a Responsible Agent: If the owner of a rental property is not a full-time resident of the County of Lancaster, then he or she is required to designate a person to serve as Responsible Agent who does reside within the County of Lancaster.

The local Responsible Agent designated by the owner will be responsible for operating the rental property in compliance with all provisions of the City codes and ordinances. The local Responsible Agent must be able to provide access to the property (including each rental unit and all common areas) as requested by Lancaster City Code Officials.

A Responsible Agent may be a family member, friend or neighbor who resided in Lancaster County. Tenants, however, should not be designated as Responsible Agents.

If the owner is a corporation, a partnership, or a limited liability company, an officer, partner or member who resides in Lancaster County must be named to act as Responsible Agent and shall be identified as such on the Rental Registration Application for that property.

All standard correspondence, including billings, will continue to be sent to the deeded owner of the rental property. In the event that the City cannot contact the Property Owner or the Management Company, the Responsible Agent may be contacted in situations that require immediate resolution.

Helpful Hints on assigning a Responsible Agent:

- ✓ Does the identified Responsible Agent know he/she has been designated as your agent?
- ✓ Does the identified Responsible Agent know his/her duties?
- ✓ Does the identified Responsible Agent have a key to all units and common areas?
- ✓ Does the identified Responsible Agent know the City has his/her information for ensuring Housing, Police, Fire have access to get into the property?
- ✓ Do you know the identified Responsible Agent will NOT receive standard correspondence and billings but may receive correspondence relating to disruptive conduct and property code violations?

Registration and Occupancy License Information

Multi-Family Dwelling

Initial Registration Fee = \$200 per building
Annual Occupancy License = \$50 per unit

One/Two Family Dwelling

Initial Registration Fee = \$50 per unit
Annual Occupancy License = \$50 per unit

Room/Boarding House, Dormitory, Hotel

Initial Registration Fee = \$200 per building
Annual Occupancy License = \$25 per unit

Transient Dwelling (verbal leases or leases of less than one month)

Initial Registration Fee = \$200 per building
Annual Occupancy License = \$50 per unit

Other Fees

If violations are identified at the initial inspection a notice will be issued and follow-up inspection(s) will be scheduled. If additional re-inspections must be scheduled because the work is not complete, a \$75 per unit fee will be charged.

Reviewing your rental units for compliance with this list could save you from costly re-inspection fees.

Note:

This brochure lists commonly found violations. It is *not* intended to be a comprehensive list of all code violations that could occur. If you have questions about a specific situation, please contact the Bureau of Code Compliance and Inspection at 291-4706.

CITY OF LANCASTER, PA
RENTAL PROPERTY INSPECTION CHECKLIST

City of Lancaster

City Hall

120 North Duke Street
PO Box 1599
Lancaster, PA 17608-1599
Phone: 291-4711
www.cityoflancasterpa.com

Bureau of Code Compliance and Inspections

Southern Market Center
100 South Queen Street, Suite 213
Phone: 291-4706

Bureau of Police

Emergency - 911
Non-Emergency: 664-1180

Bureau of Fire

Emergency - 911
Non-Emergency: 291-4869



BUREAU OF CODE COMPLIANCE & INSPECTIONS

Southern Market Center
100 South Queen Street, Suite 213
Phone: 291-4706

OUTSIDE THE DWELLING

- Is the property properly identified with street numbers that are at least 4 inches tall and easily visible from the street?
- Are the premises free from weeds or excessive plant growth? Is grass maintained at a height of less than 6 inches?
- Is all rubbish and garbage properly stored and removed on regular basis?
- Is the exterior (siding, brick and/or paint) in good condition?
- Are all accessory structures (sheds, garages, fences, etc.) in good condition?
- Is the roof in good repair with no leaks?
- Are the gutters and/or downspouts in a good state of repair and directing rainwater away from the structure?
- Are the steps, decks, landings and fire escapes functional and in good condition?
- Do all stairs with more than 4 risers have a handrail on one side?
- Do all balconies, porches, or landings 30 inches or more above grade have guardrails?
- Is the yard and porch free of junk, trash, or debris?
- Are there items being used or stored outside that belong indoors (includes stuffed indoor furniture)?
- Is the property free of inoperable, junk or unlicensed vehicles?

INSIDE THE DWELLING

Fire Safety

- Are all smoke detectors hardwired with a battery backup or have a 10-year lithium, sealed tamper proof battery?
- Are smoke detectors located one in every sleeping area and on each level including basement and attic (not including kitchen and bathroom)?
- Are all combustible materials stored at least 3 feet away from sources of ignition?
- Are all liquid fuels properly stored outside of habitable spaces?

Doors/Windows

- Do the exterior doors have deadbolt locks designed to be readily operable without the need for a key?
- Are all exterior doors weather tight and in good working order?
- Are there any broken or badly cracked windows?
- Are all windows lockable, weather tight and in good working condition (capable of remaining open without a means of support)?
- Do the required operable windows have screens without rips, tears or holes?
- Does every habitable space have an operable window?

Walls, Ceilings and Floors

- Are the walls and ceilings properly sealed, free from peeling paint and capable of being maintained in a sanitary condition?
- Are the floors structurally sound?
- Do overhead lights have proper globe covers in place?

Electrical System

- Does every habitable room have at least 2 separate working outlets?
- Do the bathrooms, kitchen, laundry, garage and exterior areas have ground fault circuit interrupter (GFCI) outlets?
- Are all cover plates for outlets, switches and junction boxes in place?
- Are all switches, outlets and electrical fixtures in good working order?
- Is there adequate circuitry in the unit?
- Are electrical panel/circuits properly labeled?

Mechanical

- Does each room including bathrooms have adequate heat?
- Are all combustion gases vented to the outside?
- Are clothes dryers properly vented?

Plumbing

- Do plumbing fixtures have adequate water pressure and do they operate properly?
- Do all supply and drain lines free of leaks?
- Do all fixtures have proper traps to prevent the infiltration of harmful sewer gases?

Basement

- Are the steps and handrails in good repair?
- Do basement sleeping areas meet the requirements for finished walls and ceilings, ventilation, ceiling height, heating and egress.
- Do clean-out openings and floor drains have proper covers?

Bathrooms

- Are all bathroom fixtures working properly?
- Is the floor easily maintained in a clean, dry condition?
- Is there an operable window or adequate mechanical ventilation?

Miscellaneous

- Are all structures free from insect and rodent infestation?
- Are all interior and exterior premises free from any accumulation of rubbish or garbage?
- Are all interior and exterior spaces kept in clean and sanitary condition?
- Have any and all repairs been done in a workmanlike manner?
- Are there too many people occupying the dwelling unit (200 SF per person, kitchens bathrooms and hallways excluded and only 3 unrelated people).
- Is there adequate sleeping space for the number of occupants?
- Has the owner properly registered all the units in the building?
- Is a Residential Rental Occupancy License posted inside each unit?
- Are executed leases available for each unit?
- Has out-of-county property owner designated a local responsible agent with the treasury office?



City of Lancaster
Bureau of Code Compliance and Inspections
100 S. Queen Street, Lancaster PA, 17603
717.291.4706 FAX: 717.291.4827

RESIDENTIAL RENTAL OCCUPANCY LICENSE

This certifies that this residential rental unit located at _____
is properly registered and licensed, pursuant to Ordinance 1-2009 of the City of Lancaster.
As required therein, occupants shall be advised of the following:

Owner, Responsible Agent, or Property Management Company:

Phone Number(s): _____ (Day) _____ (Night) _____ (Cell)

Mailing Address: _____

Owner or Responsible Agent Must Reside in Lancaster County

Tenant must place recycling and trash at the curb for collection every _____ evening.

For complaints or concerns regarding the physical condition of this unit, contact the Bureau of Code Enforcement. Other concerns should be directed to the Owner, Responsible Agent, or Property Manager listed above. In case of police, fire, or medical emergency contact County Dispatch at 9-1-1. For non-emergency assistance, contact County Dispatch at 664-1180.

Owner shall be responsible for maintaining this unit in accordance with all applicable City ordinances, including provisions related to Disruptive Tenant Conduct. Occupants shall not engage in, nor tolerate others on this Property to engage in Disruptive Conduct or to cause damage to the Rental Unit. Occupants are hereby advised that three valid Disruptive Conduct Reports in any 12 month period will result in immediate eviction. Occupants shall use this unit for no purpose other than as a residence for those identified on the Rental Lease. This unit is subject to inspection by authorized City of Lancaster Code Enforcement Officials at reasonable times and in accordance with City Ordinance No. 1-2009.

Property Number:

Date Issued:

Valid Through:

PLEASE REMOVE THIS PORTION PRIOR TO POSTING

RESIDENTIAL RENTAL OCCUPANCY LICENSE

**NOTE: A valid Residential Rental Occupancy License
must be posted in each occupied rental unit.**

City of Lancaster
Affidavit of Non-Rental

_____ BEING DULY SWORN, DEPOSES
(property owner)

AND SAYS AS FOLLOWS:

1. That I am the owner of certain property located at _____ Lancaster, PA.
2. That I have owned the property since _____.
3. That I am aware of the City of Lancaster Ordinance regulating the REGISTRATION AND INSPECTION OF RENTAL DWELLINGS AND MAINTENANCE thereof, Chapter 128 et seq.
4. That the premises located at _____, Lancaster are not currently being used as a Rental Property and will not be used as a Rental Property in the immediate future.
5. That these premises are occupied by _____ who is my/our _____.
6. That I will comply with the requirements of Chapter 128 before entry of an oral or written lease for tenancy of the above captioned premises.
7. That a failure to comply is in violation of Chapter 128 and I made this Affidavit for the purpose of securing a temporary exemption from the provisions of this Chapter.

IN WITNESS WHEREOF, under the penalties of perjury, I hereby affix my signature this _____ day of _____ 20__.

AFFIANT

STREET ADDRESS

CITY, STATE, ZIP

PHONE NUMBER

On this _____ day of _____, 20____, personally appeared _____, affiant in the above matter, who being first duly sworn, deposes and says that he/she has read the foregoing Affidavit of Non-Rental by him/her subscribed, that he/she knows the contents thereof and that the same is true of his/her own knowledge, except as those matters therein stated to be based upon information and belief and as to those matters, he/she believes same to be true.

Notary Public, _____, PA

My Commission Expires: _____