

RULES AND REGULATIONS

RESIDENTIAL RENTAL INSPECTION AND LICENSING

A. Permit and License Procedures

1. The owner of leased or rented dwellings within the borough/township of _____ shall be issued a Conditional Housing Permit by the Cambria-Somerset Council of Governments Regional Code Agency.
2. When the required fee is paid, the owner shall receive one copy of the Conditional Housing Permit plus a receipt for payment from the Cambria-Somerset Council of Governments Regional Code Agency. Additional copies of the permit shall be kept on file at the Code Agency Office.
3. The Conditional Housing Permit shall allow existing and future occupancy of the structure.
4. The Conditional Housing Permit shall be valid and remain valid until an inspection is conducted by the Code Official or his representative.
5. Upon completion of the residential rental inspection and the dwelling unit is found to have no violations as identified in the borough's/township's Property Maintenance Code, the inspector shall then sign and date the permit and a copy shall be left at the site with the owner/person in charge or a copy shall be forwarded to the owner by mail.
6. When the Conditional Permit has been signed and dated by an official of the Cambria-Somerset Council of Governments Regional Code Agency, the Conditional Housing Permit then becomes a Residential Rental Unit License.
7. All Conditional Housing Permits and Residential Rental Unit Licenses shall remain valid and shall be renewed each year provided the appropriate annual permit/license fee is paid and the dwelling unit or structure is not found, through a subsequent inspection, to be in violation of the Rules and Regulations that would result in revocation of the permit/license.
8. Once an inspection has been conducted and a Residential Rental Unit License has been issued, no more than one inspection will be conducted annually unless a request for an inspection is made by the owner or the current tenant or a complaint of violation has been made or the Code Official has probable cause to believe that a violation is occurring on the premises. Requested inspections shall follow standard code enforcement procedures.
9. A Conditional Housing Permit or Residential Rental Unit License is not automatically transferable to any person or entity who has acquired ownership of a Residential Rental Unit. A Conditional Housing Permit or Residential Rental Unit License shall be revoked upon failure to apply for its transfer within sixty (60) days of date of sale or transfer of ownership.

B. Notification

1. The property owner or person in charge shall be given written notice indicating date and time of inspection. A copy of the written notice shall also be sent to the tenant.
2. The notice shall include the property address, unit or units to be inspected and the Conditional Housing Permit number or Residential Rental Unit License number.

3. The owner or person in charge shall confirm the scheduled inspection and inform the current tenants of the scheduled inspection. The Cambria-Somerset Council of Governments Regional Code Agency shall document dates and times of confirmed inspections.
4. The Cambria-Somerset Council of Governments Regional Code Agency shall make three (3) attempts to schedule an inspection in the above prescribed manner. If after three documented attempts to schedule an inspection have failed, the Conditional Housing Permit or Residential Rental Unit License shall be revoked and the subject premises shall not be rented to other persons, except that the current tenants may continue to occupy such premises until their lease term expires or until termination of tenancy, provided further that such premises have not been determined by the provisions of this code to be unfit for human occupancy.
5. No inspection will be conducted without prior notification and consent of the owner or person in charge. Access to the dwelling unit for the purpose of conducting an inspection shall be the responsibility of the owner or the person in charge.
6. An inspection may be scheduled upon written request of the owner. The request must be in writing on form supplied by the Cambria-Somerset Council of Governments Regional Code Agency and must be made at least 15 business days prior to the desired date of inspection. Requested inspections shall be scheduled subject to the workload and scheduling demands of the Cambria-Somerset Council of Governments Regional Code Agency.

C. Inspection Procedures

1. The inspection will be conducted by the Code Official or a designated representative of the Code Official.
2. No inspection will be conducted unless the owner and/or the tenant or the person in charge and/or tenant is present.
3. The Code Official shall follow standard residential inspection procedures.
4. All inspections shall be conducted during regular business hours. After hours and Saturday inspections may be scheduled provided date and times are mutually agreed upon by owner and the Cambria-Somerset Council of Governments Regional Code Agency.
5. The Cambria-Somerset Regional Code Agency shall attempt to inspect dwelling units with valid Conditional Housing Permits or Residential Rental Unit Licenses once every three (3) years.

D. Violation Procedures

1. Structures and dwelling units shall be assessed with the Residential Inspection Form. Property owners shall be notified in writing of all violations of the borough's/township's Property Maintenance Code.

2. Violations that are designated as fail items shall be defined as being violations that are either plumbing, mechanical, electrical or structural violations so severe that if allowed to go uncorrected could cause immediate physical harm to the occupants of the structure. These violations must be corrected immediately or at a time set by the Code Official or his designate. In no instance shall a violation of this type be permitted to go uncorrected beyond 10 business days.

3. All violations other than those identified in item number 2 shall be corrected within forty-five (45) days of notification. The Code Official or his designate may extend the correction date beyond the initial forty-five (45) days at increments of thirty (30) days up to a total of ninety (90) days.

4. Failure to correct violations within the required time shall result in assessment of reinspection fee(s) and revocation of the Conditional Housing Permit or Residential Rental Unit License issued for the dwelling unit. The Code Official shall institute an appropriate action or proceeding at law as provided in the borough's/Township's Property Maintenance Code for continued noncompliance with orders and notices.

5. Violations that are the responsibility of the tenant/occupant shall be corrected by using standard code enforcement procedures as provided in the Property Maintenance Code of the borough/township.

E. Appeal Procedures

1. Should the owner believe that the provisions of the Borough/Township Property Maintenance Code have been incorrectly interpreted, he may request a review of the matter in question by the inspectors immediate supervisor and/or the Director of the Department of Codes and Inspection. The Request for Review must be made within ten (10) business days of receipt of notification to correct violation and shall be made on form supplied by the Cambria-Somerset Council of Governments Regional Code Agency.

2. All appeals beyond the Request for Review shall follow the requirements as set in the International Property Maintenance Code of the borough/township of _____