

## Chapter 1713

### Residential Rental Properties

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#### **1713.01 CERTIFICATE REQUIRED.**

No owner, agent, or person in charge of any dwelling structure which is used, or designed, or intended to be used, as a dwelling, shall rent or lease such structure or any part thereof for residential occupancy unless the owner thereof obtains a certificate of rental property registration issued by the Building Commissioner for such structure.

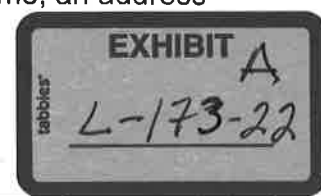
#### **1713.02 RENTAL PROPERTY REGISTRATION REQUIRED; ANNUAL MAINTENANCE INSPECTION.**

(a) "Rental property", as used in this section, means any property, whether improved as a residential or commercial structure, rented or leased, in part or in whole, to an individual or business that is not the owner of the property for use as a residence. This shall include two-family or more structures in which one of the units is owner-occupied.

(b) All rental properties located in the City, or which hereafter become rental properties, as defined in this chapter, shall be registered by the owner thereof with the Building Commissioner. Said registration shall be valid for one calendar year (from January 1 to December 31) and terminates at the end of that year.

(c) Registration shall be made on forms supplied by the Building Commissioner and shall include:

(1) The rental property owner's name, address of their principal place of business, telephone number, email address, a copy of their driver's license or permanent state identification, and the social security number of the owner and the owner's agent, property manager or representative of the management company. If the property is titled to any incorporated body such as an S Corp, a Sub S Corp, or an LLC, then a principal of that corporate entity shall provide their name, an address



where they may be served, a copy of the driver's license or permanent state identification, and their social security number.

(2) A street address and the tax parcel identification number of the premises on which the rental property is situated.

(3) The date of which the rental property first became or will become a rental property.

(4) The name and telephone number of the person or entity responsible for sidewalk snow removal, grass cutting, removal of junk and debris, the removal of garbage containers from the tree lawn, and other basic property maintenance for the rental property;

(5) The name and address of an adult individual who is a resident of Ohio and is designated as the applicant's agent for receiving service of process, notices or any other papers from the City;

(6) The full names of all adult tenants and the number of minor tenants living in the rental property as of the date the application is tendered to the City and, if applicable, the dwelling unit numbers in which the tenants reside;

(d) Annually, prior to registration and within the previous ninety (90) days, each owner of rental property or their designated agent or custodian shall inspect the premises. The agent or custodian shall immediately notify the owner of any condition existing thereupon which is in violation of any housing, building, health or sanitation provision of these Codified Ordinances and applicable state and federal law. An affidavit of annual inspection compliance shall be provided along with the completed rental registration form and shall include, but is not limited to, all of the following owner verified assertions:

- i) Smoke and carbon monoxide detectors are present and operational pursuant to Chapter 1302 and Chapter 1501;
- ii) No visible electrical or other hazards are present;
- iii) Hot and cold running water functions in the kitchen and each bathroom with no leaks below the sink areas and all toilets flush; or in the case of a vacant property, the plumbing has been winterized to prevent the freezing of pipes;
- iv) The heating system is operational;
- v) Railings are present on interior and exterior stairs as required by applicable codes;
- vi) No conditions exist that represent a threat to the health and safety of an occupant; and
- vii) No conditions exist that are in violation of the Parma Codified Ordinance Part Fifteen Building Code and Part Seventeen Property Maintenance Code.

(e) A rental property owner shall notify, in writing, the Building Commissioner as to any change in the information provided in the application under Section 1713.02 within thirty days of such change.

(f) The Building Commissioner or such other person as the Commissioner may direct, shall cause each rental property, or any part thereof, to be inspected annually for property maintenance violations. The fee for such inspection shall be as set forth in Section 185.04(f) of the Administrative Code.

(g) Registrations pursuant to this section are subject to suspension or revocation as provided in Section 1713.025 of this code.

### **1713.025 SUSPENSION OR REVOCATION OF REGISTRATION.**

A) The Building Commissioner may suspend or revoke any certificate of rental registration or renewal thereof issued under Section 1713.02 or any other provision of this Building Code for any of the following reasons:

- (1) Misrepresentation of a material fact by the applicant in obtaining the certificate of registration or the renewal thereof;
- (2) Failure to maintain the exterior of the premises as required under Part Fifteen Building Code and Part Seventeen Property Maintenance Code of the Parma Codified Ordinances;
- (3) Failure to maintain the interior of the premises as required under Part Fifteen Building Code and Part Seventeen Property Maintenance Code of the Parma Codified Ordinances;
- (4) Declarations of nuisance under Parma Code Ordinances 606.31 Chronic Nuisance Problems, 1707.21 Chronic Nuisance at a Residential Structure, Nonresidential Structure or Premises, or under Ohio Revised Code Chapter 3767;
- (5) Noncompliance with or violation of any of the provisions of Part Fifteen Building Code and Part Seventeen Property Maintenance Code of the Parma Codified Ordinances; or
- (6) Misrepresentation of a material fact to any city official as to the condition of the rental property.

B) Failure to secure a required rental registration, to correct a suspended registration, or to continue to rent a property subject to a Registration Revocation shall result in one or more of the following:

- (1) an administrative fine imposed by the building commissioner of up to \$1000 per day;
- (2) additional enforcement activities until the property is brought into compliance;
- (3) all other penalties as described in Section 1713.99.

### **1713.03 TIME FOR COMPLIANCE.**

Upon discovery by the Code Official that application for a certificate of rental property registration has not been made for a dwelling structure under Section 1713.02, notice shall be given to the owner of such structure to apply for a certificate of rental property registration within fifteen days. Failure to so apply will be deemed to be a violation of this Code and will subject the owner of the structure to the legal action and penalties prescribed in Sections 1713.025 (B) and 1713.99.

### **1713.04 POSTING OF CERTIFICATE.**

The owner, agent or person in charge of any dwelling structure shall cause to be posted conspicuously at all times at the main entrance of such structure the certificate of rental registration.

### **1713.05 FEES.**

All fees related to required filings in this chapter are set forth in Section 185.04(f).

### **1713.06 VOIDING OF CERTIFICATE.**

A certificate of rental registration issued under the provisions of this Code shall become null and void whenever a change occurs in the use or occupancy, in whole or in part, of a building, structure or premises without a permit first having been obtained for such change. Application for a new certificate of occupancy shall be made not more than thirty days after such change has occurred.

### **1713.07 CONDOMINIUMS.**

No owner of an existing multiple dwelling shall convert such dwelling into a condominium until such owner has complied with the requirements of Section 1159.04 of these Codified Ordinances and with all applicable provisions of this Code and has received a certificate of occupancy issued by the Building Commissioner.

No renewal of such certificate shall be required as long as such dwelling conforms to the provisions of Ohio R.C. Chapter 5311.

### **1713.98 RIGHT OF APPEAL.**

The owner, lessee, agent, principal or operator of any structure or premises shall have the right to appeal from any order of, or written notice issued by, the Building Commissioner, according to the procedure set forth in Chapter 1503 of the Parma Codified Ordinances.

### **1713.99 PENALTY.**

(a) Whoever violates any of the provisions of this Chapter for which no other penalty is provided, or any rule or regulation promulgated thereunder, or fails to comply with this Code or with any written notice or written order issued thereunder, or interferes with, obstructs or hinders any person authorized to inspect, by virtue of Section 1713.02, while such person is lawfully making an inspection is guilty of a misdemeanor of the first degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.