

EFFECTIVE MARCH 2, 2016
**RULES FOR INSPECTIONS OF RENTAL PROPERTY,
LENGTH OF CERTIFICATE OF COMPLIANCE, NUMBER OF
UNITS INSPECTED AND
EXEMPTIONS FROM INSPECTIONS**

These rules address how frequently the city may inspect rental properties; establish the length of the certificate of compliance; establish the conditions by which properties are eligible to qualify for 40 month certificates; outline use of conditional certificates; provide the criteria by which residential cooperatives are exempt from the inspection process; and outline procedures for non-compliant properties.

- (a) The city shall be entitled to at least one (1) inspection every 28 months for all rental property.

- (b) All properties shall be able to qualify for a 40 month Certificate of Compliance subject to the following conditions:
 - i) Only properties renewing current certificates shall be eligible. The new certificate must be issued PRIOR to the expiration of the current certificate.
 - ii) The property must have had no appearance tickets or enforcement letters issued during the period of the expiring certificate.
 - iii) The property must not have had any more than six documented violations during the previous 28 month certificate, or any more than nine documented violations during the previous 40 month certificate, (whichever is applicable) of Chapter 15A or Section 22-3 of the Kalamazoo City code.
 - iv) Any violations of city codes, which were issued in the previous inspection cycle, must have had a timely resolution.
 - v) In the event that the property does not qualify for a 40 month certificate, a 28 month certificate will be issued.

- (c) Properties may qualify for a 52 month Certificate of Compliance subject to the following conditions:
 - i) Only properties renewing a certificate are eligible.
 - ii) The property must have had TWO previous 40 month Certificates of Compliance (most recent two cycles).
 - iii) The new certificate must be issued PRIOR to the expiration of the current certificate.
 - iv) No conditions may remain (no 52 month conditional certificates).
 - v) The property must have had no appearance tickets or enforcement letters issued during the period of the expiring certificate.

- vi) The property must not have had any more than four documented violations of Chapter 15A (Garbage/Trash) or 22-3 (Nuisances) of the Kalamazoo City code during the previous 40 month certificate.
 - vii) Any violations of city codes, which were issued in the previous inspection cycle, must have had a timely resolution.
 - viii) In the event that the property does not qualify for a 52 month certificate, a 40 month certificate may be issued if the criteria in (b) above are met, otherwise a 28 month certificate will be issued.
- (d) Properties with 30 or fewer units shall have all units inspected at each certificate renewal.
- (e) The number of units inspected in multiple dwellings containing more than thirty (30) dwelling units shall be: 30 units plus 25 percent of all remaining units. The entire complex shall be certified based on the sample of units inspected unless, due to the nature and/or number of violations, the inspector feels that additional inspections are necessary to assure significant compliance. Inspections at properties with more than 30 units shall also require that:
- i) The common areas of all buildings will be inspected.
 - ii) The exterior of all buildings will be inspected.
 - iii) Exterior recreation, courtyard, parking, accessory structures and other similar areas/structures will be inspected.
 - iv) The housing inspector shall decide which units will be inspected upon arriving for the inspection. The property owner/agent shall be instructed to make the entire complex aware of the scheduled inspection day(s) and to be ready for the inspection.
 - v) The number of units to be inspected (based on the formula) will be equally distributed between different buildings (if applicable).
- (f) Conditional Certificates may be issued to property owners when substantial compliance is achieved for the dwelling, except that 1) exterior items of a non-life/safety nature may be set for a reasonable completion date in the future; and/or 2) items of a non-life/safety nature that will be appealed to the Building Board of Appeals until such decision is rendered; and/or 3) no more than three interior items of a non-life/safety nature which will be completed within 60 days.
- (g) Exemptions
- i) Residential Cooperatives, which are required to be inspected by the Department of Housing & Urban Development, subject to Real Estate Assessment Center (REAC) standards (or other applicable standard), and receive a score of at least 75%, shall be exempt from obtaining a certificate of compliance from the City. However, the property must still be registered with the City

and will be subject to the Annual Rental Registration fee. Further, the most recent REAC inspection report, indicating score, must be submitted to the City within 30 days of the adoption of these rules, and within 30 days of any subsequent HUD inspection. If the cooperative does not score high enough to be exempt, the property will be inspected based upon the same standards as other similar properties regulated under Chapter 17.

- ii) Properties which are inspected by HUD, and discontinue their affiliation with HUD, thereby no longer obligated to HUD inspection, must then obtain a certificate of compliance from the City.
 - iii) Residential cooperatives shall NOT be exempt from complaint inspections and/or associated cost recovery fees.
- (h) Properties with a documented history of noncompliance, or are 12 months or more past certificate expiration, will be limited to a 16 month certificate.
- (i) All renewed certificate expiration dates are calculated from the expiration date of the last valid certificate.
- (j) Occupied rental properties, which are more than four months past certificate expiration, may be subject to a vacate order.