

## GUIDE TO THE BUFFALO RENTAL PROPERTY MAINTENANCE CODE

Iowa state law requires the inspection of all rental housing on a regular basis. In July 2004, the implementation began of the City of Buffalo's Housing Inspection Program. The Buffalo Housing Code was adopted as a means of providing & conserving the housing for the residents of our city.

The code enforcement process really begins with your commitment to provide adequate, safe and sanitary living conditions. It takes the joint efforts of investor-owners, tenants and the City to achieve a viable property maintenance program. It is important to the City, that as a property owner or tenant, you are familiar with health and safety conditions that not only affect an individual's living environment, but the quality of life in our City.

There are many ways the Neighborhood Enhancement Office positively impacts the community. By enforcing compliance on a periodic basis, it is less likely that properties will deteriorate to the point where the owner must invest substantial money to repair the property. Those units that are not maintained will be taken out of the market resulting in fairer competition. Owners will not be able to operate sub-standard rental property, creating slum and blight which drains tax dollars and reduces property values.

Another benefit is the attraction of renters to Buffalo. The inspection program adds a degree of desirability to rent in Buffalo versus cities that do not have an inspection program. Those with a choice may have a degree of confidence & trust in the quality of the rental market here that would lead them to rent in Buffalo, and as the vacancy rate goes down, the value of investment property goes up.

This booklet is only a guideline and as such has no legal enforcement. For complete information you should consult the Buffalo Housing Code. The Code is available at City Hall

If you have any questions related to housing inspections or this booklet, please contact the Buffalo Building Inspector at (563) 381-2226.

### \* **What is Rental Property?**

All property occupied by anyone (including family members), other than the legal owner of record, is required to be inspected regardless if any rent is collected.

### \* **Right to Appeal**

Any person claiming to be aggrieved by a notice and order issued as a result of an inspection may file a written appeal to the Buffalo Housing Board of Appeals. The appeal must be filed within 30 days of the postmark of the notice and order. A hearing date will then be scheduled, and the appellant notified of the date, time and location of the hearing. A filing fee for appeals will be charged as determined by the City Council.

### \* **Failure to comply with Notice & Order**

Failure to comply with a notice and order may result in the owner being charged substantial penalty fees, the dwelling unit or structure being vacated, and a municipal infraction citation being issued requiring an appearance in Scott County Court.

### \* **Licensing Procedures**

All structures containing rental dwelling units/guest rooms must be licensed with the City of Buffalo. This license must be renewed annually. Operators of rental housing will be notified of the expiration of their license(s).

Failure to obtain a valid rental license for each structure containing rental dwelling units/guest rooms may result in the entire structure being vacated and/or a municipal infraction citation being issued requiring an appearance in Scott County Court.

### \* **Frequency of Inspection**

All properties containing rental dwellings/ guest rooms must be inspected.

Exceptions: If a property is found to be in compliance at the time of the Property Maintenance Code inspection and/ or has been brought into compliance as required by the Property Maintenance Code requirements and shows a continual compliance with all applicable codes, the property may be considered for an extended inspection cycle. You will however still be required to renew the properties rental license annually.

**Note:** Complaint inspections are made upon request.

### \* **Who needs to be present during the inspection?**

An owner or designated agent must be present during the inspection. The tenant may be the agent for the owner. However, the owner has the ultimate responsibility to see that the inspection is completed.

**Note:** The agent must be eighteen years or older.

## Inspection Checklist

Following is a list of basic requirements for all rental housing units. It is recommended that you review this list and conduct your own inspection prior to the code enforcement officer's visit.

#### PRIVATE SIDEWALKS

Are the sidewalks and yard steps maintained in good repair? Ie: no excessive cracking, no changes in elevation of 1" or more between slabs no excessive spalling (deterioration of the surface area).

#### GRADING AND DRAINAGE

All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

ROOF

Has the roof covering deteriorated? Does the roof leak? Are the roof sheathing, structural members and overhang in good repair?

CHIMNEY

Are there loose bricks? Is all the mortar in place and tight in the joints? Is the chimney free of obstructions?

GUTTERS AND DOWNSPOUTS

Is there a complete gutter and downspout system and is it in good repair?

EXTERIOR WALLS

Are the exterior wall members and siding in sound condition and able to prevent the elements from penetrating? Does the exterior of the building need scraping and painting due to peeling paint exposing wood to the elements?

WINDOWS

Are the windows free from breaks or cracks in the glass? Are they reasonably weather tight? Do the windows operate properly to provide ventilation and emergency egress? Are there locks on all of the windows accessible from the ground, stairs, deck, porches & landings?

DOORS

Are all doors operable and reasonably weather tight? Is the door glass free from breaks or cracks? Are hinges, knobs, locks, and closures working properly?

SCREENS

Are all screens free from holes and tears and are the frames free from deterioration?

STAIRWAYS, PORCHES, AND STEPS

Are the stairways, porches, and steps properly constructed and maintained in a safe and sound condition? Are the steps and stairways having more than 3 risers provided with properly constructed handrails? Do all stairways, porches, decks, and

accessible roof areas above 30" from the ground have properly constructed guardrails?

FOUNDATION

Is the foundation structurally sound? Are there any holes, cracks, crumbling or loose brick, stone or block? Is all mortar in place and tight in the joints? Does the exterior finish grade slope away from the building for proper drainage? Are there any areas allowing weather penetration into the foundation or dwelling?

ACCESSORY STRUCTURES

Are garages and storage sheds maintained in good condition, including electrical wiring?

EXTERIOR PAINTING

Are any of the following in need of scraping and painting due to peeling paint exposing surface areas to the elements: exterior siding, building trim, roof overhang, windows, porches, decks, stairways, and accessory buildings?

INTERIOR PAINTING

Are walls, ceilings, windows, doors, and trim in need of scraping and painting?

RODENTS AND INSECTS

Is there evidence of rodents, roaches, fleas, termites, vermin, or other insects?

SANITATION

Is the unit free of excessive debris, clutter, and animal feces? Is the unit being maintained in a sanitary condition? I.e.: Are floors kept clean, is the unit free of insect or rodent infestation, is there no accumulation of garbage or debris, etc?

ADEQUATE LIGHTING

Do the public hallways, stairways, and cellar areas contain adequate electrical lighting? Are all-habitable rooms provided with natural light, by means of exterior glazed openings with an area not less than one tenth of the floor area of such rooms with a minimum of ten square feet?

SPACE AND OCCUPANCY

Does every dwelling unit have at least one room which has a minimum floor area of 120 square feet with one wall at least 7' in length? Do other habitable rooms (kitchen and bathroom excluded) have a minimum floor area of 70 square feet? (Where more than two people occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet for each occupant over two.) Are all ceilings a minimum of 7'6" in height?

PLASTER

Are all interior wall and ceiling plaster intact, including above suspended ceilings?

FLOORS

Are all floors structurally sound? Are all floor and stair coverings free from tears and deterioration? Are they able to be maintained in a sanitary condition and being maintained in a sanitary condition?

ELECTRICAL

Is the electrical system properly fused and maintained in good operating condition? Is the electrical system properly grounded? Has the electrical system been properly installed? Does each habitable room contain at least 2 electrical outlets or 1 electrical outlet and 1 permanently installed light fixture with a wall switch? Does the bathroom have at least 1 electrical outlet? Is there an excessive use or abuse of extension cords? Do all outlets, switches, junction boxes, fuse boxes, and service panels have covers? Is the wiring to and within all accessory buildings properly installed?

PLUMBING

Does the building have adequate water pressure? Do all waste lines drain properly? Is the entire plumbing system free of leaks? Does each dwelling unit have a 3-fixture bathroom? Are all plumbing fixtures properly trapped and vented? Are proper materials being used for potable water and waste lines? (PVC Material is not allowed to be used for supply lines.)

☐ MECHANICAL

Do all gas-fired appliances have a gas shut-off valve located in the same room and within 3' of the appliance? Are all gas-fired appliances in good operating condition and properly vented? Is the heating apparatus capable of maintaining a constant temperature of 70 degrees during daytime hours? Do water heaters and boilers have a proper operating temperature relief valve? Is there a temperature pressure relief valve drip leg extending between 6" and 24" from the floor? Is there a gas line drip leg for each appliance?

☐ HEAT SUPPLY

All heating plants in excess of 5 years old (verifiable by a finalized mechanical permit) will need an approved service inspection report (from an approved mechanical company, licensed with the City of Buffalo) within 2 years of the biennial Property Maintenance Inspection by the city Code Enforcement Officer. Exception: In lieu of providing proof of service inspection, an Underwriters Laboratory, Inc. approved carbon monoxide detector with an alarm, shall be installed in each dwelling unit, on each floor where sleeping rooms are located. Each carbon monoxide detector shall be labeled with the address and unit number with a permanent marker.

☐ BATHROOM VENTILATION

Do all bathrooms have an operable window or mechanical ventilation?

☐ PREMISES (BUILDING) IDENTIFICATION

Building shall have approved address numbers placed in a position easily observed on the front of the house. Premises (buildings) address numbers shall also be displayed on the rear of the house or on the garage whenever an alley serves the property. The rear address identification numbers should be easily observed and readable from the alleyway. All numbers shall be in Arabic numbers at least 3" high and 1/2 " wide. In addition individual dwelling units or guest rooms within a building shall have unit identification numbers on all doors entering the unit.

☐ EGRESS

Do all dwelling units/guest rooms below the 3<sup>rd</sup> story have their own private/protected means of egress? Do all dwelling units/guest rooms above the 2<sup>nd</sup> story have 2 means of egress remote from each other?

☐ FIRE EXTINGUISHERS

Are structures containing three or more units provided with an approved type 2A serviceable fire extinguishers in common corridors at each floor level and the basement? Are the fire extinguishers no more than 75' on the same floor? Have they been serviced and date-tagged by a fire equipment service company in the last 12 months?

☐ FIRE ALARM SYSTEMS

Is the fire alarm system (in buildings containing 16 or more units) installed and maintained in proper working condition in accordance with all state and local codes? Does an approved alarm system company annually inspect it? Is the equipment tagged showing the date of inspection?

☐ SMOKE DETECTORS

Do all dwelling units/guest rooms have approved operable smoke detectors for each floor level including basement? Do all common corridors have operable smoke detectors in approved locations?

☐ COMBUSTIBLES

Are all areas in structures containing gas-fired appliances free from combustible and flammable materials and liquids?

☐ GARBAGE AND RUBBISH

The City of Buffalo contracts for garbage and rubbish collection for all residential units within Buffalo. Multi-family buildings with up to 4 units also qualify as a residential unit. Trash must be placed in approved containers and be placed not more than 24 hours prior to pick up.

## Housing Code Rental Inspection Fee Schedule

### ANNUAL RENTAL LICENSE FEES

TYPE OF BUILDING	ANNUAL FEE
EACH UNIT	\$10

### OTHER FEES

• Housing Inspection Fee	\$75
• Re-inspection fee if repairs completed on time	No charge
• Re-inspection fee if repairs not completed on time	\$30
• No-show fee – Failure to have bldg available for inspection	\$35
• Late cancellation fee - appointment cancelled less than 5 working days prior to scheduled inspection	\$15
• Failure to register rental property Citation	-
• Appeal Filing Fee Non-refundable	\$50

