COMMUNITY DEVELOPMENT DEPARTMENT
4141 Douglas Drive North
Crystal, MN 55422
Telephone: 763-531-1000 / Fax: 763-531-1188
www.crystalmn.gov

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CERTIFICATE OF PROPERTY MAINTENANCE CODE COMPLIANCE / POINT OF SALE INSPECTION

If you have questions, please contact a Customer Service Representative at 763-531-1000

The information in this pamphlet is not meant to cover all guidelines and requirements of city code. You should contact the city about required permits and specifications before beginning any project.

To comply with the city's Property Maintenance Code, an inspection is required prior to any change in ownership of single and two-family homes. The purpose of this inspection is to provide a method in which to prevent adverse conditions and help maintain the value of existing properties. A Certificate of Property Maintenance Compliance will be issued upon satisfactory completion of any orders written at the inspection. This certificate is required at the closing on the sale of the property.

For a copy of the inspection checklist, please see the attached "Property Maintenance Code Inspection Checklist." This checklist may be used as a guide to correct items before the inspection, however it is best to check with city staff about required permits and city code regulations before beginning any corrections.

APPLICATION PROCESS

The property owner must submit the Application for Property Maintenance Compliance and appropriate fee (see attached). Fees are as follows:

Single-family dwelling	$160.00
Two-family dwelling	$210.00

INSPECTION PROCESS

Once the Application for Property Maintenance Compliance and appropriate licensing fee have been received, the property owner or designated agent will be contacted to schedule the initial inspection. This individual must be present during all inspections. If it is not possible for the owner to meet the inspector for the inspection, please arrange for the realtor to meet the inspector at the property. Even if the property has a lock box, the law prohibits any inspector from entering a property unsupervised, unless it is cleared of all personal property. A re-inspection fee of $60 will be charged if the owner or agent is not present at the scheduled time to admit the Inspector. After the initial inspection has been completed, any correction orders will be issued within 5 business days. Correction orders must be completed within 60 days of the initial inspection. Once the orders are completed, contact the Inspection Department at 763-531-1000 to schedule a re-inspection.

RECEIPT OF CERTIFICATE OF PROPERTY MAINTENANCE COMPLIANCE

The Certificate of Property Maintenance Compliance will be mailed to the designated individual listed on the application form. This certificate is required to be presented at the closing on the sale of the property and is valid for 1 year from the date of issuance, unless indicated otherwise.

It is the responsibility of the property owner and/or the designated agent to notify the Community Development Department if the owner decides not to sell the property. The property will continue to be classified as pending completion of Property Maintenance Code Compliance, unless notified otherwise.

COMMONLY ASKED QUESTIONS

Q. Must a house be up to today's building code standards in order to sell?
A. No. This inspection does not exceed the building code in effect when the house was built. However, subsequent additions, alterations, or hazardous conditions may involve current codes.

Q. Must this inspection be completed before "listing" a house?
A. No. However, in order to have any compliance orders completed before closing, we advise not to delay in arranging for the inspection. The house may be listed and shown and a purchase agreement may be written without first having this inspection.

Q. How long does the actual inspection take?
A. About 45 minutes to an hour.

Q. How soon will the compliance orders be issued?
A. The housing Inspector must issue a compliance report to the owner within 15 days after gaining access to the interior of all structures on the property.

Q. Why are most orders issued?
A. Lack of or improper maintenance, additions, alterations and remodeling without a permit.

Q. Is 60 amp electrical service acceptable, or must the home be re-wired for 100 amp service?
A. A 60 amp service is acceptable, however, if there have been alterations or modifications made, or if the service is overloaded, it will have to be updated. The inspector may require an electrical certification by a licensed, Minnesota electrician to assure safety.

Q. Is a roof required to be replaced if it is more than 20 years old?
A. Not necessarily. The inspector will assess the condition of the roof, regardless of age. However, other agencies inspecting for financing may require complete re-roofs based on the age.

Q. Will my fireplace be inspected?
A. Fireplaces and appliances that burn solid fuel, such as wood, require regular inspection, cleaning and maintenance. The housing inspector may request that the property owner furnish a chimney condition report from a qualified professional chimney service technician (chimney sweep) documenting that the fireplace or appliance has been inspected within the past 12 months. Professional chimney sweeps are knowledgeable of fire codes, clearances and standards for the construction and maintenance of chimney and venting systems.

Q. Will I need to move furniture and appliances for the inspection?

A. During the inspection you may be asked to move furniture, appliances or other items which may limit the inspector's visual observation or physical access required to complete the inspection. If items can not be moved during the inspection then you may be asked to schedule a re-inspection to be performed after the items have been moved.

Q. Is the city allowed to discuss the compliance orders with a potential buyer?

A. Under Minnesota's Data Privacy Laws, the compliance orders are public data and are available to potential buyers.

Q. What if the owner is physically or financially unable to make the corrections as ordered?

A. Mention this to the inspector. The buyer can purchase the house as is, if the buyer agrees to make the corrections after the sale and signs an agreement with the city.

Q. If the house is taken off the market, is the owner still required to complete the compliance orders?

A. If the orders pertain to hazardous or nuisance conditions, they will have to be corrected, regardless.

Q. What is the penalty for non-compliance?

A. To not comply with a legal, written order is a misdemeanor, punishable by up to a $700 fine and/or 90 days in jail.

Q. What recourse may be taken if the owner disagrees with the compliance orders that are issued for the property?

A. Contact the Housing Official in writing within 10 business days of service of the orders.

Q. Is there an additional fee if the inspector is required to return for a re-inspection?

A. No, providing that the inspector is returning to ensure compliance with orders already written as a result of an earlier inspection. However, a $60.00 fee will be charged if the owner or agent are not present at any scheduled inspection to admit the inspector.

Q. Does the Certificate of Compliance mean the city has guaranteed the condition of the house?

A. No. The Certificate of Compliance is not meant to be a guarantee or warranty.

Q. Once the Certificate of Compliance is issued, how long is it valid?

A. One year or until the house is sold, whichever is first. A new certificate is required EACH TIME the house is sold.