

## Housing Licenses/Property Maintenance

*Chapters 135 “Housing Standards” and 136 “Property Maintenance” of the Kutztown Code are an ever-evolving collection of regulations, with maintaining safe housing for tenants and providing a sense of well-being for their neighbors being key points. Chapter 136 also applies to the exterior of non-let properties. This is NOT intended to represent a complete list of our regulations.*

*Contact our Office prior to purchasing a property if you intend to let to others, so we can provide you with the information necessary to make an informed decision.*

- General information

- Required by a property owner when their property or portion thereof is let for the purpose as a place of residence by a person or persons not indicated as a deeded owner of the property, regardless of whether the space is occupied or vacant.
- NOT required when the dwelling is owner-occupied and rooms or units are not let to anyone who is not related to the owner.
- Zoning approval may be required for increases in occupancy and/or changes in use of a property. An inspection by our Zoning Officer and/or Codes Inspector may be necessary to determine whether the proposed use complies with Borough Regulations.
- An agent is required for a property when the owner lives outside a five (5) mile radius of the Borough of Kutztown and does not have a place of business in the Borough where they hold normal business hours. The distance is determined by way of a straight line from the closest Kutztown boundary to the owner’s property. Agent must reside either in the Borough of Kutztown or within a five (5) mile radius of the Borough. Agent can be a tenant at the property.
- Annual license fees are assessed to property owners to cover the cost of administering the housing license program.
- License year runs August 1<sup>st</sup> through July 31<sup>st</sup> of the following year.
- Licenses are not transferrable to a new owner.
- If purchasing a property for which settlement is on or after February 1<sup>st</sup>, the new owner will be assessed ½ the annual license fee.
- Triennial housing inspections are performed by the Borough’s Codes Inspector. Interior and exterior areas of the property are inspected to ensure compliance with the regulations of the ICC Property Maintenance Code and Kutztown Code (e.g. smoke detectors, fire extinguishers, windows/doors/locks, electrical fixtures including GFCI receptacles, bedroom sizes, and overall condition of the property).

- Our Office can suspend or withhold the renewal or issuance of a housing license if there are outstanding violations at the property.

- Student Separation Districts

*Due to existing highly concentrated areas of student-occupied dwellings and the continued increased demand to create new student homes, the Borough established Student Separation Districts to preserve its residential neighborhoods.*

- A student home is defined, essentially, as a property that houses two or more unrelated undergraduate university students.

- Currently licensed student homes have a “grandfathering” status and are not subject to student separation regulations when the use has not lapsed for more than one (1) year.

- A proposed student home that is located in an R-1, R-2 or R-3 zoning district must be located a minimum of 500’ from any existing student home, measured from the closest points of the boundary lines for both properties.

- Any proposed student home that is located in a C-C or C-1 zoning district and facing an abutting R-1, R-2 or R-3 zoning district must also meet the 500’ separation requirement. The same method for determining the distance as indicated above shall be used.

- If you are interested in a property for student housing, contact our Office to determine whether it qualifies as student housing.

- Licensing a property that is not currently licensed

- Inform our Office of your intention to let the property. After we have determined that your proposal is allowed, schedule an appointment with our Codes Inspector to examine the property for violations to the Kutztown Code.

- After inspecting, our Office will provide you with a detailed letter including all violations, if any. Correction of any violation is required within the amount of time specified in the letter. Our inspector will perform additional inspections until all violations are corrected and in compliance.

- Our Office will provide you with the Housing License application, Housing Roster and Addendum to Lease, along with other informational leaflets.

- Submit the completed application and roster, and the license fee. If agent is required, they must also sign the roster. Checks should be made payable to Borough of Kutztown. Please do not send cash through the mail. We also accept VISA, Master Card, American Express and Discover.

- Property owner should incorporate the Addendum to Lease with their lease. Signed copy shall be given to each tenant. Owner should keep the original on file. Do not submit to our Office unless requested to do so.
- Upon final approval by the inspector, our Office will issue and mail you the Housing License.
- License shall be posted in a conspicuous place inside the let property.
- Licensing a property that is currently licensed (transfer due to change in ownership OR annual license renewal)
  - For a sale of property/transfer of ownership of a property, inform our Office of your intention to let the property. We will provide you with an application packet that will include the Housing License application, Housing Roster and Addendum to Lease. Return the completed application and roster, and the license fee within 10 days of your receipt of the letter.
  - For annual renewals, our Office will mail application packets to current licensees. Packet will include the Housing License application, Housing Roster and Addendum to Lease and will be mailed on or around June 15<sup>th</sup>. Avoid late fees by returning the completed application and roster, and the license fee by July 31<sup>st</sup>. A 10-day grace period occurs before late fees would be assessed.
  - Instructions to complete the application and roster are included in the cover letter. If an agent is required, they must sign the Housing Roster.
  - Checks should be made payable to Borough of Kutztown. Please do not send cash through the mail. We also accept VISA, Master Card, American Express and Discover.
  - Property owner should incorporate the Addendum to Lease with their lease. Signed copy shall be given to each tenant. Owner should keep the original on file. Do not submit to our Office unless requested to do so.
  - Upon final approval by the Codes Inspector, our Office will issue and mail you the Housing License.
  - Post the license in a conspicuous place inside the let property.
- Disruptive Conduct Reports
 

*Disruptive conduct can occur when a person or persons cause noise that is bothersome to someone who is either in the same structure or on a nearby property. Disruptive conduct also includes illegal activities, such as those found in the PA Crimes Code, Liquor Code, and Controlled Substance, Drug, Device and Cosmetic Act.*

- Complaints of disruptive conduct shall be filed with the Kutztown Police Department.
- The complainant can be the owner of the property where the disruptive conduct is occurring. The owner can use the resulting DCR as a tool to evict repeat offenders. Our Office does not penalize an owner when they report disruptive conduct at their property.
- Property owners must adhere to the disruptive conduct process regulated by our Office. Failure to remediate disruptive conduct can lead to discipline against the owner's housing license.

**Housing License Fees** - *The fee schedule below will serve as a list of common fees charged and may not be inclusive of all possible fees associated with a project. Please contact the Community Development Office for more information.*

Single let dwelling apartment or efficiency unit (A unit occupied by three or less persons, none of whom are the property owner.)	\$63.00 each unit
Boarding house (An owner-occupied unit that is also occupied by a person or persons unrelated to the owner. Typically, there are shared living spaces and a separate sleeping room for the leasee in this single-family dwelling.)	\$63.00
Rooming house, per unit (A unit occupied by four or more unrelated persons who share living spaces and either separate or shared sleeping rooms.)	\$63.00 each unit
Per sleeping room within rooming unit (i.e. bedroom)	\$53.00 each room