

City codified ordinances, Chapter 182 Lead Poisoning and Prevention (<https://ecode360.com/8118273>), Chapter 223 Property Maintenance (<https://ecode360.com/8118803>), and Chapter 238 Rental Property (<https://ecode360.com/LA1674/laws/LF1636136.pdf>), establish the rules governing local rental properties. The purpose of these ordinances is to protect and promote public health, safety and welfare by establishing accountability for the proper maintenance of residential rental housing units through rental property licenses and inspections.

The Bureau of Property Maintenance and Housing Inspections is responsible for all inspections and processes. This document outlines the processes to be followed by every rental property owner to obtain and maintain a rental license.

INITIAL LICENSE PROCESS

1. Submit a Completed Rental Property License Application and applicable fee.
 - a. Accurate current contact information for all deeded owners, property managers, and responsible agents is required.
 - b. P.O. Boxes are not acceptable to receive written notifications or documents.
 - c. If a deeded owner resides outside of Lancaster County or is a LLC/Corporation, you must provide a local contact (signed by owner and agent).
 - 1) Property Manager: Please submit a Designation of Authorized Property Manager form.
 - 2) Responsible Agent: Please submit a Designation of Responsible Agent Form.
 - d. Fees are contingent to unit type established by Lancaster City Council (Resolution 77-2022).
2. Billing Clerk will review the Housing Rental License Application Form.
 - a. Application Approved - you will be notified of upcoming initial inspection by mail.
 - b. Application NOT Approved - Billing Clerk will contact you regarding information required to proceed.
3. Payment of the established license fee.
4. A rental license applied for shall be issued if:
 - a. Code enforcement officer performs an initial inspection and dwelling (rental unit/s) is in compliance with applicable codes, ordinances, local and state laws, and regulations.
 - b. There are no outstanding water, sewer, municipal taxes, solid waste or recycling fees, or property violation fees owed to the City related to such property or unit.
 - c. Billing clerk will issue your rental license after listed requirements are successfully completed.

LICENSING FEES:

1 - 6 UNITS BIENNIAL	\$250.00 PER UNIT
7 + UNITS BIENNIAL	\$1750 MAX
SHORT TERM RENTAL - ANNUAL	\$250.00 PER UNIT - NO MAX
ROOMING/BOARDING/ DORMITORY/ ANNUAL	\$250.00 PER UNIT - NO MAX
TRANSFER OF RENTAL LICENSE	\$200.00 PER UNIT - NO MAX
REINSTATEMENT FEE	\$180.00 PER UNIT - NO MAX

LICENSE REQUIREMENTS

1. Submit any owner/responsible agent/property management changes within (10) ten days to the Bureau of Property Maintenance and Housing Inspections.
 - a. Provide an updated Designation of Authorized Property Manager or Designation of Responsible Agent form within 10 days of changes.
2. Pay all real estate taxes, sewer rates, water rates, trash collection fees, and property violation fees related to such property or unit.
3. Post the issued license in the residential rental unit.
4. Post the evenings on which trash and recycling are to be placed curbside for collection.
5. Provide each tenant with a disclosure statement (a copy of this article – Chapter 238) containing the requirements of this article, including the provisions related to disruptive conduct.
 - a. Be aware of, respond, and act to eliminate disruptive conduct in all units.
6. Maintain all units in compliance with applicable codes, ordinances, local and state laws and regulations.
7. Obtain a Notice of Compliance with Lead Safe Standards or maintain your two-year Lead Safe Certification.
8. Maintain your residential Rental License.

INSPECTION REQUIREMENTS

1. Provide access to City Code Enforcement officials to all units subject to inspections:
 - a. Allow for initial inspection.
 - b. Allow for Inspections upon complaints.
 - c. Allow for periodic systematic inspections per established Standard Operating Procedures.
 - d. Upon the occurrence of disruptive conduct report.
 - e. Property Owner and/or Designated Agent must be in attendance of inspection.
2. If violations are identified at the inspection, a notice of violation establishing the code violation/s and a timeline for abatement will be issued via mail.
 - a. Timeline for abatement is dependent on issued code violations.
3. Inspection Costs
 - a. Initial inspection - \$0
 - b. Notice of Violation follow-up reinspection – \$0
 - c. Additional re-inspections after the initial Notice of Violation reinspection fee - \$125.00
 - d. Missed scheduled inspection fee - \$75.00

STEPS FOR OBTAINING LEAD SAFE CERTIFICATION

Landlords have two options for Lead Ordinance compliance:

Option 1: Obtain Lead Safe Certification with a third party Agency

1. Schedule a clearance examination with a third party, State and EPA certified lead inspection agency.
2. Submit the Lead Safe Certification to the bureau.
3. Certification is valid for 2 years.

Option 2: Obtain Lead Safe Certification PMHI Housing Inspector's Visual Assessment

1. The Housing Inspector will conduct a visual assessment during the scheduled property maintenance inspection to identify any lead hazards.
 - a. **If the Property Fails the Visual Assessment**
 - 1) The Inspector will issue a Notice of Violation
 - 2) You must schedule a clearance examination with a third-party State and EPA certified lead inspection agency.
 - 3) Obtain a Lead Safe Certification within 45 days.
 - b. **If the Property Passes the Visual Assessment**
 - 1) The Inspector will perform a dust wipe sampling to test for lead presence.
 - 2) If the Property Passes the Dust Wipe Sampling, a Notice of Compliance with Lead Safe Standards will be issued, valid for 4 years or until the next systematic inspection (whichever is sooner).
 - c. **If the Property Fails the Dust Wipe Sampling**
 - 1) The Inspector will issue a Notice of Violation
 - 2) You must schedule a clearance examination with a third-party State and EPA certified lead inspection agency.
 - 3) Obtain a Lead Safe Certification within 45 days.

VISUAL INSPECTION

Property maintenance inspection (**Visual Assessment**) to identify **potential lead-based paint hazards**.

Criteria that Passes Visual Inspection:

1. No peeling or chipping paint on any exterior surface.
2. No peeling or chipping paint on interior wood surfaces.
3. No evidence of friction on doors or door jambs.
4. No bare soil with the presence of paint chips on the property's exterior.
5. No construction debris on the interior or exterior of the property.

Criteria that Fails Visual Inspection:

1. Peeling or chipping paint on the exterior of the property.
2. Peeling or chipping paint on interior wood surfaces.
3. Evidence of friction on doors or door jambs.
4. Exposed bare soil with paint chips on the exterior.
5. Construction debris on the interior or exterior of the property.

DISRUPTIVE CONDUCT

1. **DISRUPTIVE CONDUCT** - Any act by an occupant of a residential rental unit or by a person present at a residential rental unit.
 - a. Involves music that is audible from a minimum distance of 50 feet and/or audible to persons in neighboring dwellings.
 - b. Reported for Disorderly Conduct.
 - c. Reported for PA Liquor Code offenses (public drunk, underage drinking, etc....)
 - d. Illegal possession of a controlled substance or drug paraphernalia.
 - e. It is not necessary for criminal offenses or criminal charges to be filed to cause or permit a an official disruptive conduct report.
2. A police officer must investigate and submit a disruptive conduct report to the Bureau of the Bureau of Property Maintenance and Housing Inspections
 - a. Identify the alleged perpetrator(s) of the disruptive conduct.
 - b. Provide the factual basis for the disruptive conduct.
 - 1) A domestic abuse victim with a protection from abuse order shall not be subject to a disruptive conduct if it is determined the behavior is the result of domestic violence.
 - c. Property Maintenance and Housing Inspections will maintain these reports.
3. The occupant/tenant and the property's responsible parties will receive notification a disruptive conduct report has been filed.
 - a. Disruptive Conduct Letter
 - 1) Notification Letter sent within 30 days of submitted disruptive conduct report advising:
 - a description of the conduct.
 - information regarding rights to appeal.
 - the date, time and number of occurrences filed
4. **Three** disruptive conduct reports filed at the same location within a twelve-month period involving any occupant/tenant or person present at the same rental unit location.
 - a. The owner must begin eviction proceedings against the occupants within 30 days of notification ofrom the **3rd** disruptive conduct letter.
 - b. The owner/agent must submit a copy of the document indicating the eviction process has begun to the Bureau of Property Maintenance and Housing Inspections.
 - c. Penalties - Tenant:
 - 1) Will result in eviction proceedings.
 - d. Penalties - Owner:
 - 1) Failure to take eviction action will result in the immediate revocation of the license.
 - 2) The unit involved shall not have its license reinstated until the reinstatement fee is paid and the disruptive occupants have been evicted

CODE VIOLATIONS AND PENALTIES

1. Property Violation Notice - Additional Re-Inspection
 - a. \$125.00 per unit property violation penalty will be applied for all re-inspections beyond the first re-inspection.
2. Property Violation Notice - Missed Inspection
 - a. A fee of \$75.00 will be issued.
3. Renting without a Valid Rental License
 - a. \$500 (max.) per unit per month the violation exists + court costs and/or a term of imprisonment not exceeding 90 days
4. Allowing occupancy of a unit Following The Revocation of a Rental License
 - a. \$500 (max.) per unit per month the violation exists + court costs and/or a term of imprisonment not exceeding 90 days
5. Violations of all other provisions of Chapter 238 and/or Chapter 223 in accordance with the 2021 International Property Maintenance Code:
 - a. \$500 (max.) per unit per month the violation exists + court costs and/or a term of imprisonment not exceeding 90 days

REVOCAION OF RENTAL LICENSE

1. The City may revoke your rental license for violation of any provision of Chapter 238.
2. If the City revokes a license, the City will issue a notice to all responsible parties that the license has been revoked.
3. Renting a unit following the revocation of a license will be subject to the penalties set herein.
 - a. If a license is revoked and the unit is vacant, it shall remain vacant until the license is reinstated.
4. Reinstated license:
 - a. Rental license application submission
 - b. \$185.00 / per unit Reinstatement Fee
 - c. Pay all real estate taxes, sewer rates, water rates, trash collection fees and property violation fees related to such property or unit.
 - d. Property maintenance inspection. All violations must be abated.
 - e. Scheduled two year systematic inspection.

DEFINITIONS

CODE ENFORCEMENT OFFICIAL/CODE OFFICIAL - The code enforcement officers and officials of the City of Lancaster as defined in the Property Maintenance Code and other ordinances of the City of Lancaster.

DETERIORATED PAINT - Any interior or exterior paint or other coating that is peeling, chipping, chalking or cracking, or any paint or coating located on an interior or exterior surface or fixture that is otherwise damaged or separated from the substrate.

DWELLING - A building or part thereof occupied as a residence.

DWELLING UNIT - Unit providing independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking and sanitation.

HOTEL - A commercial lodging establishment that offers units for sleeping purposes to transient guests and which provided twenty-four-hour service for receiving and assisting guests

LEAD SAFE CERTIFICATION - A form provided by the City of Lancaster signed by a Lead Risk Assessor indicating a property has passed a Lead Risk Assessment or Clearance Examination.

NOTICE OF COMPLIANCE WITH LEAD SAFE STANDARDS - A form provided by the City of Lancaster signed by a Code Official, Lead Risk Assessor, or Lead Inspector indicating a property is compliant with Lead Safe Standards.

OCCUPANT - Any person over one year of age living and sleeping in a residential rental unit or having actual possession of such residential rental unit.

OWNER - Any person, agent, operator, housing authority or fiduciary having legal, equitable or other interest in any real property; as recorded in the official records of the state, county or municipality as holding title to the real property.

PROPERTY MANAGER - An individual certified or licensed by the Commonwealth of Pennsylvania to manage residential rental property, or who takes responsibility for the care, maintenance, tenant management and supervision of the residential rental property under contract with the owner, including receiving notices, citations or other mail from the City on behalf of the owner.

QUALITY HOUSING STANDARDS - regulations set forth to provide decent, safe and sanitary housing at an affordable cost.

RESIDENTIAL RENTAL LICENSE - The document issued by the City of Lancaster to the owner, responsible agent, property manager or property management company of a residential rental property evidencing the existence of said residential rental property, required for lawful rental and licensing of residential rental units contained in said property.

RESIDENTIAL RENTAL PROPERTY - Any parcel of real estate, including land and all buildings and appurtenant structures and dwellings thereon that contain therein one or more residential rental units.

RESIDENTIAL RENTAL UNIT - rooming unit; or a dwelling let for rent; or a residential unit occupied by any persons other than are occupied solely by the owner and members of the owner's family. Each individual townhouse dwelling, each individual apartment unit, each individual unit in a multifamily building, each individual unit in a two-family dwelling, and each rooming unit shall be considered a separate residential rental unit.

RESPONSIBLE AGENT - Any person or entity that serves as the principal contact for an owner that does not reside within the City or County of Lancaster, Pennsylvania.

ROOMING HOUSE/BOARDING HOUSE (DORMITORY) - A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling

TENANT - An occupant of a unit with whom a legal relationship with the owner is established by a lease or other enforceable agreement under the laws of the Commonwealth of Pennsylvania.

SHORT-TERM RENTAL - A fully furnished single-family dwelling that is rented on a short-term basis by written contract to registered guests visiting the Lancaster area and that is not occupied by an owner or manager.

For More Information:

Bureau of Property Maintenance & Housing Inspections

Attention: PMHI Billing Clerk

120 N. Duke Street • PO Box 1599

Lancaster, PA 17608-1599

Phone: 717-291-4778

Email: PMHI@cityoflancasterpa.gov