

CITY OF BURLINGTON

RESALE PROCESS

The purpose of the Resale process is to ensure that the property meets basic safety requirements.

Resale process Letter to Sellers, Buyers, Investors and Real Estate Agents

Homes that are sold in the City of Burlington must be inspected. The seller must receive a Housing Clear Certificate & New Jersey Division Fire Safety (NJDFS) Certificate before transferring ownership. To avoid any miscommunication or unnecessary delays in obtaining a certificate for your property, please follow the process set forth below and note the various timeframes and requirements.

PER THE CITY OF BURLINGTON ORDINANCE NO. 195-15A

As in most towns, property owners who are intending to sell any dwelling unit, hotel, motel, rooming house, rooming unit, boardinghouse, or premises on which a building is located and used for human occupancy or commercial purposes in the City of Burlington are required to have the premises inspected by an inspector employed by the City **before** proceeding with the sale of the property. The responsibility is upon the current owner or agent to see that a registration certificate is applied for, is signed by the owner as well as the occupant and that a copy of the registration certificate is furnished to the tenant for his/her records. This ordinance is to provide the city an opportunity to better assist residents in ensuring the safety of the occupants and to educate the new owner on fire, safety, and occupancy regulations. Additional information is also provided to help acclimate new residents with the City of Burlington's services to help facilitate a safe and healthy environment.

Once you have secured a buyer for the sale of your property

- Either the seller or his/her agent should come to City Hall at 525 High Street, Burlington, NJ 08016 to notify personnel about your intention to sell your property.
- Any outstanding permits that have been issued for work that has been done on the property must be closed out prior to obtaining a certificate.
- You will be expected to provide the following information when completing the resale application:
 - **Property Information:** Address of the property being sold, type of property, use of property and lock box number if one can be used.
 - **Current Seller/Company Information:** The present owner/seller's name, business name or LLC, address, telephone/cell numbers and email address.
 - **New Buyer/Company Information:** The buyer's name, business name or LLC, present address, telephone/cell numbers, and email address.
 - **Agent/Realtor Information:** Name, address, phone number and email address.
 - **Certification:** Signature and date of owner or agent completing the application.

(Note): Use of Property: If the property is used as an investment property, you can use your LLC, but we require the name and physical address of the new owner written on the application to avoid any delays in scheduling. **Please note: P O Boxes are not accepted.**

- The fee for processing/inspection for resale is \$100.00. Each additional re-inspection will require a fee of \$75.00 to be paid before an inspection can be scheduled. Payment can be made online by clicking on our pay here button. The property address is used as your reference number.
- The application fee for the resale inspection is to be paid to the **City of Burlington**.
- Failure to obtain a certificate and comply with the ordinance of the City of Burlington (Chapter 195, Housing Standards), will be subject to a fine up to \$500.

If you have enlisted the help of a real estate agent to work with you on the sale of your property, he or she is most likely already familiar with the procedure and the safety requirements as well.

The inspector will conduct a simple inspection of the property to make sure that the walls, floors, ceilings, stairs, and rails are intact and generally in good shape and safe for the next occupants. This inspection is not a complete home inspection; that should be done by a certified home inspector. **(Please refer to our resale checklist to prepare for your inspection)**

The inspector will also check for the following:

- At least one operating ten-year sealed battery SMOKE DETECTOR in place on each level of any living space on the property including EVERY bedroom and basement, per the NJ FIRE CODE.
- At least one operating CARBON MONOXIDE DETECTOR in place within 10 feet of each bedroom (in a common area outside of the bedrooms)
- At least one operating 2A-10BC type FIRE EXTINGUISHER, shall be within 10 feet of each kitchen (s). Must be accessible & visible, not behind a closed door or cabinet. Must use manufacturer's mounting bracket. Top of extinguisher not more than 5 feet above the floor.

Once the property is evaluated and found to have the proper number of working fire extinguishers, carbon monoxide detectors, smoke detectors – and no illegal installations, no illegal apartments or illegally rented rooms a housing clear cert & NJDFS cert will be issued to the owner(s) or their agent which is to be passed on to the buyer at the closing of the sale.

Property owners who sell property without obtaining a housing clear cert & NJDFS cert prior to the sale run the potential risk of receiving fines and delays or other complications in the closing process. Also, Realtors and Title companies will be reported to the New Jersey Real Estate Commission.

Should you have any questions regarding this process, please contact the resale department at (609) 386 – 0200 extension 132.

Thank you in advance for your cooperation.

1. SUBMIT A RESALE APPLICATION FORM AND PAY A FEE OF \$100

The resale application can be found on the City's website at www.burlingtonnj.us Under quick links please scroll down to code enforcement, and you will find the resale information there. The resale application must be complete for processing. Anything not supplied by the applicant, that is required by the inspections departments could result in delayed scheduling. If an application is incomplete, the form is subjected to being held until; requested information is re-submitted or the forms will be returned to the originator.

This should be done at least 30 business days before closing and should be done as soon as possible when the seller decides to sell the property, since the time varies to complete the many steps required.

2. CLOSE OUT OPEN BUILDING PERMITS

It is not permitted for open building permits to remain on a property that is being sold. The Construction department will check to see if there are any open Building Permits for the property. If there are open permits, the seller must close out the permits with the Construction Office before issuance of a certificate. *(Please read our notice of permit closure and responsibility)*

3. OFFICE PERSONNEL WILL SCHEDULE THE INSPECTION

Once all the required paperwork is received and payment is made the resale inspection will be scheduled. Inspections are scheduled on Monday, Wednesday & Friday (excluding holidays) between 9:00 AM – 1:00 PM for the next available time slot. If you are using a lock box code, please provide it on the application.

Note: We do not schedule same day inspections. No exception.

4. DURING THE INSPECTION

The resale inspection takes about 30 minutes to complete. If the property passes inspection, there is a 3-day window from the time of inspection to the issuance of a Certificate. The certificate is emailed to the agent listed on the application. However, if the property does not pass the inspection, there is a 3-day window for the inspector to email a compliance report to the agent listed on the application. The seller is responsible to abate all noted violations before a certificate can be issued unless the buyer is willing to accept sole and full responsibility to obtain all necessary inspections and take remedial action necessary to qualify the dwelling for occupancy. The buyer must acknowledge and agree to refrain from occupying the subject dwelling in any way until a housing clear cert is issued. The buyer is subject to fines and penalties for non-compliance. An affidavit in Lieu must be completed, notarized, and returned to receive a conditional certificate.

Note: To Seller & Realtor – A certificate is not transferable, nor is the fee refundable. A resale certificate shall be effective for a period of 90 days. If a dwelling fails to sell, transfer, or grant the right of occupancy within this period, the owner shall submit a new application and the required fees. If you are with-in 90 days with a new buyer, please contact our office at (609) 386 – 0200 ext. 132.



NOTICE OF PERMIT CLOSURE & RESPONSIBILITY

CITY OF BURLINGTON
525 High Street
Burlington, NJ 08016

To All Homeowners, Residents, Buyers, Sellers, Realtors, & Investors:

Please be reminded that no dwelling unit may be occupied until a Housing Clear Cert & NJDFS Cert has been issued. Prior to the resale inspection, there must be an effort made on your part to make certain that the previous owner did not neglect to obtain the required permits or fail to close out any (and all) open permits.

Although you may not have known that a permit was needed, were misled by contractors, or inherited illegal home improvements, we empathize with you. However, one thing is clear – once you know that unpermitted construction was done on your home, you must, by law, disclose these issues to all potential buyers. You will most likely do this on your disclosure statement, as the seller, to report any known legal issues or unpermitted construction on the property. When purchasing a property, you are now responsible for the open permits and resolving the complications that go along with it.

We must be over-zealous about ensuring that unpermitted work is disclosed, and any open permits have been successfully closed out. Homebuyers want to move into a safe home. A lack of permits may imply several problems to potential buyers, including safety and quality issues. Our permit process is intended to verify that any improvements to the home were done properly and to code regulations as it pertains to the Uniform Construction Code Act.

In the City of Burlington, as in so many other towns across the state, unauthorized work often becomes known with a reassessment, property sale or a most unfortunate and worst-case scenario, an accident or fire. Furthermore, insurance companies will often, if not always, deny a claim after finding out that no permits have been taken out for the improvements.

Not only should you check the permit history of a home before you buy, but as a seller, you will be wise to check the history of your home as well before listing it on the market. As a result, any permit issues that arise can be corrected before the listing goes public. This can avoid incurring unquantifiable charges as well as unpleasant consequences. Should a property have outstanding open permits involved, a Housing Clear Cert & NJDFS Cert will not be issued until the associated permits have been closed out.

Any outstanding obligations that a potential buyer may take over must be confirmed by submitting an original, notarized affidavit to the City of Burlington. Potential buyers may not be able to move in until all such items have been resolved, unless otherwise instructed under the Inspectors' direct discretion.

Thank you for your anticipated cooperation. Should you have any questions or require further information please do not hesitate to call our department at 609-386-0200 xt. 132.

Code Enforcement & Rental Registration
inspections@burlingtonnj.us
609.386.0200 xt. 142

Construction Department
609.386.0200 xt.145



Code Enforcement
City of Burlington
 525 High Street
 Burlington, NJ 08016
 (609) 386-0200 x132
 Resales@burlingtonnj.us

Dear Agent/Owner/Representative:

Below is a guideline list that the Code Enforcement Office uses when doing your sale of property inspection. This inspection is not a complete home inspection; that should be done by a certified home inspector. Should you have any questions, please email, or contact us at the number listed above.

Smoke Alarms, at least 1 operating ten-year sealed battery SMOKE DETECTOR in place on each level of any living space on the property including EVERY bedroom and basement, per the NJ FIRE CODE.
Carbon Monoxide Detectors, shall be installed and maintained within 10 feet of the sleeping area(s).
Fire Extinguishers mounted 10' from Kitchen, 2A-10B:C less than 10 pounds / shown in plain sight / must be accessible/ not behind a closed door or cabinet/ not more than 5 feet above the floor
Chimney Certification for fossil fuel burning fireplaces & appliances
Handrails 4 Risers/Steps or more
Guard Rails on Porches/Decks 30" or more
Electrical, GFCI - 6 ft. of Water Source / Circuit Breaker Panel
Ceiling - (no holes, chipped paint, severe cracking, or water stains)
Walls - (no holes, chipped paint, severe cracking, or water stains)
Floors - (no holes, chipped paint, severe cracking, or water stains)
Key Lock on Entry Doors only
Visible Damage
Heat Working
Appliances Working, Anti-Tip on Range
Plumbing Hot & Cold Water, Toilet Flushes
Grounds, All Code/Ordinance Violations Abated
Safety, No Hazardous Conditions
Sanitation, No Debris or Rubbish
Work without Permits
Water Heater Must Have Bonding Strap and Pressure Relief Valve Overflow need to extend 6" from Floor
Paint Not Flaking or Stains
Bathroom must have Window or Exhaust Fan
Utilities must be on at the time of Inspection unless it is a total rehab (for Resales Only)
No Trash, Motor Vehicles, or other Debris in Yard
Exterior Damage or Roof Leaking
No Bare Wire Electrical Fixtures
Doors/Windows/Screens in operable condition
Driveway/Sidewalks/Aprons