

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 bi-annual 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, you must provide a local contact.
 - 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 number of units/cost 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. A two-year 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. Payment of the established license fee.
 - 1) Billing Clerk will issue an invoice for the established fee once your inspection is successful.
 - c. There are no outstanding water, sewer, solid waste or recycling fees, or municipal taxes owed to the City related to such property or unit.
 - d. A proper responsible agent for the property has been designated, if required.
 - e. Billing clerk will issue your rental license after listed requirements are successfully completed.
2. Pay all real estate taxes, sewer rates, water rates, and trash collection 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. Post lead poisoning prevention education material provided by the City.
6. 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.
7. Provide copies of all written leases upon request.
8. Maintain all units in compliance with applicable codes, ordinances, local and state laws and regulations.
9. Obtain a Notice of Compliance with Lead Safe Standards or maintain your two-year Lead Safe Certification.
10. Pay the established Bi-Annual License Fee.

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. For any other reasonable cause.
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. All Notice of Violation follow-up reinspections – \$0
 - c. Any follow-up re-inspections outside of the Notice of Violation - \$125.00 per re-inspection
 - d. Missed/Cancelled scheduled inspection - \$75.00

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.

LEAD SAFE REQUIREMENTS

1. Landlords have two options for compliance with the Lead Ordinance -
 - a. Schedule a clearance examination with a third-party State and EPA certified lead inspection agency and obtain a Lead Safe Certification.
 - b. At the time of the Systematic Inspection, the Housing Inspector will conduct a Lead Hazard Evaluation.
2. If option 2 is chosen, the Housing Inspector will perform a visual assessment during the systematic inspection.
 - a. If the property passes the visual assessment, the Housing Inspector will conduct dust wipe sampling.
 - b. If the property fails the visual assessment, the Housing Inspector will send a Notice of Violation for a clearance examination to be performed by a third-party State and EPA certified lead inspection agency in order to obtain a Lead Safe Certification within 45 days.
3. If option 2 is chosen and the property passes the dust wipe sampling, the Housing Inspector will issue a Notice of Compliance w/ Lead Safe Standards and is valid until the next scheduled systematic inspection, either 2 or 4 years.
4. The Lead Safe Certification is valid for 2 years.
5. The Notice of Compliance with Lead Safe Standards is valid until the next scheduled systematic inspection (2 or 4 years).
6. What passes the visual inspection? Replacement windows, no peeling or chipping paint, no evidence of friction on doors or door jambs, no bare soil exposed on the exterior of the property and no construction debris on the interior of exterior of the property.
7. What fails the visual inspection? Original windows, presence of peeling or chipping paint, any evidence of friction on doors or door jambs, any bare soil exposed on the exterior of the property or any construction debris on the interior or exterior of the property.

CODE VIOLATIONS AND PENALTIES

1. \$500 (max.) per unit per month the violation exists + court costs, and/or a term of imprisonment not exceeding 90 days:
 - a. Allowing occupancy of a unit without a valid Rental License
 - b. Allowing occupancy of a unit Following The Revocation of a Rental License
 - c. Failure to Apply for Rental License
 - d. Failure to Pay the Annual Rental License Fee
2. Violations of all other provisions of Chapter 238:
 - a. \$1,000 (max.) per unit per month the violation exists + court costs and/or a term of imprisonment not exceeding 90 days.
 - b. Eviction of occupants of residential rental units at the owner's expense may be required.

REVOCACTION 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 revoked license:
 - a. Abate all code violations.
 - b. Pay an established reinstatement fee.
 - c. Reapply for rental license.
 - 1) Submit a Completed Rental Property License Application.
 - 2) Initial Inspection.
 - 3) Applicable payment.

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. Cited for Disorderly Conduct.
 - c. Cited 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 of from 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.

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. The form can be found in the policies and procedures.

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. The form can be found in the policies and procedures.

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; or otherwise having control of the real property, including the guardian of the estate of such person and the executor or administrator of such person's estate. When used in this article in a clause proscribing any activity or imposing a penalty, the term, as applied to partnerships and associations, shall mean each general partner; as applied to corporations, the officers thereof; and as applied to limited liability companies, the members and any managers thereof.

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 REGISTRATION 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. A residential rental registration shall be required for lawful rental and licensing of residential rental units contained in said property. Rental registration does not warrant the proper zoning, habitability, safety, or condition of the residential rental unit in any way. Whenever the word "registration" is used herein, it shall mean "residential rental registration" as defined by this definition.

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. Whenever the word "property" is used herein, it shall mean residential rental property as defined by this definition.

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. A residential rental unit shall not include a hospital room utilized for medical services. Whenever the word "unit" is used herein, it shall mean "residential rental unit" as defined by this definition.

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.

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.

For More Information:

Bureau Of Property Maintenance & Housing Inspections

Attention: PMHI Billing Clerk
120 N. Duke Street
PO Box 1599
Lancaster, PA 17608-1599
Email: PMHI@cityoflancasterpa.gov