



RENTAL CERTIFICATE-OF-OCCUPANCY NOTICE & PROGRAM ADVISORY UPDATE

To Rental Property Owners and Management Companies

Effective September 12, 2005

On August 1, 2005, the City of Mesquite began the Rental Certificate of Occupancy (RCO) program that requires an inspection of all single-family and two-family rental properties prior to occupancy. This program is designed to ensure all rental units meet the minimum property standards of the 2003 International Property Maintenance Code. Based upon the experience gained during the first month of the program, the following changes are being implemented, effective immediately. These changes will expedite occupancy of *approved* units and improve overall compliance with inspection requirements.

Courtesy Inspection for Unoccupied Property:

During the information meetings held in June and July, many landlords asked us to consider giving inspections in advance of their finding a tenant so that property would be ready to occupy once a tenant was secured. We have experimented with a procedure for that, and it works very well. CHANGE: At your request, we will perform a courtesy inspection any time that a property is unoccupied. If the property passes inspection, inspectors will leave a green inspection tag onsite. The tag will be valid for thirty (30) days from the date of inspection approval. If your property is leased and the new tenant presents the green tag with his application for water service within that thirty-day period, water service will be connected the same day, without the necessity of another inspection. If, however, the green tag is not presented until after the expiration of the thirty-day period, then another inspection will be required before water service is connected.

Disconnection of Water Service for Unlawful Occupancy:

The RCO program prohibits occupancy prior to receiving an inspection. Inspectors gave some latitude during the first month while everyone was getting used to the program. However, after nearly two months, it is apparent that a few landlords are circumventing the requirement by allowing tenants to move in prior to inspection. In some cases, we are finding that water is already active because the landlord has paid for temporary clean-up service, or because the landlord (or his employees) are entering the City's meter box and turning on water to the premises. This thwarts the goals of the RCO program; it is unfair to those landlords who are diligent to observe program rules and regulations; and it constitutes unlawful occupancy of the rental unit. CHANGE: If property is occupied without an inspection and water is active (for any reason), the landlord will have ten (10) days from the date the tenant applies for water service, or from the date we discover the unlawful occupancy, to correct code deficiencies or obtain a Temporary Certificate of Occupancy. Otherwise, water service to the premises will be disconnected and will not be reconnected until the property is in compliance.

Please remember: (1) Allowing occupancy prior to inspection, (2) Turning on water to the premises without authorization, or (3) Occupying a dwelling unit without water — all are violations of either State or local codes and ordinances that subject the property owner to immediate citation, or the tenant may be required to vacate the premises until violations are resolved and water utilities are restored.

We sincerely thank the many owners and management companies who have made the Rental Certificate-of-Occupancy an early success. We look forward to continuing to work with you to improve the overall conditions of the housing stock in the City of Mesquite.