



## **CITY OF SALEM, MASSACHUSETTS**

### **IMPORTANT NOTIFICATION IF YOU RENT OUT RESIDENTIAL PROPERTY IN SALEM**

*This notification applies to both traditional rentals and “short term rentals” such as AirBNB, VRBO, etc.*

In 2017, the City Council approved an amendment to the City’s Code of Ordinances changing the frequency with which sanitary code inspections are conducted of rental properties in Salem.

#### **1. What changed?**

Under the old code, the property owner of any rental unit was required to have an inspection done in order to receive a Certificate of Fitness any time there was a change in tenant. This requirement remains unchanged. Under the new code, inspections will also be conducted on a scheduled basis, once every three years for **all rental units**, with some exceptions.

#### **2. What units are exempt from the three-year inspection schedule?**

- Two- or three-family buildings where the building owner occupies one of the units will continue to be inspected only when there is a change of tenant.
- If a unit has no sanitary or building code violations and is not in a building that has received a disorderly house citation in the previous three years, the unit will be upgraded to a five-year inspection schedule, *unless* there is a change in tenant or owner, which triggers a new inspection.
- Any unit occupied by a building owner and any unit with proof of passing a HUD inspection within the previous three years are exempt from inspection. (i.e. units occupied by a tenant on a Section 8 voucher are already inspected annually)
- Any unit constructed within five years of the date of vacancy.

#### **3. Problem/nuisance properties liable for annual inspections.**

Units in a building where (1) the police have been called at least 4 times in the preceding 12 months for any arrestable offenses or (2) Building or Health have received at least 4 sustained complaints in the preceding 12 months are classified as a problem property and may be inspected annually at the discretion of the building inspector or health agent.

#### **4. Is there any change to the inspection fee or fine?**

There is no change in the fee for a Certificate of Fitness inspection, which continues to be \$50 per inspection. If your unit fails to pass inspection, you will be given a copy of the report specifying why. After correcting the violation, you may notify the health department and receive one free re-inspection. If third or subsequent inspections are required, however, the \$50 per inspection fee will be charged each time. Please be aware that the fine for renting a unit without a Certificate of Fitness has been increased from \$20 per day to \$50 per day.

#### **5. Register of tenants**

To assist with complying with the new code, property owners who rent property are now required to keep a register of the names and dates of tenancy for rental units for the previous five years. This includes short term rentals such as AirBNB, VRBO, and similar operators. The register is not a public record and is to be privately kept by the property owner, but made available to city inspectors upon request for inspection only.

#### **6. Requirements for Short Term Rentals**

If you rent your property or any portion thereof on a short-term basis (for periods of 14 days or less), you are required to notify the health department, register the property (at no cost), and have a Certificate of Fitness inspection completed. Short-term rentals are inspected annually (not every three years) or upon a change of owner of the property. They are not required to be inspected upon a change of tenant, nor are they exempt if they are in a two- and three-family owner-occupied building. Failure to register and have the Certificate of Fitness inspection completed will result in a \$50 per day fine until the unit is brought into compliance with the code.