



Three Year Inspection Exemption Program

Section 17

Overview & Application Checklist

To: Applicant

Attached is your application packet for a Certificate for Three Years Inspection Exemption Program in the City of Malden. To ensure your application packet is processed for a Certificate for Three Years Inspection Exemption Program. You must submit the following information and documents for the application to be reviewed. **INCOMPLETE APPLICATIONS WILL BE RETURNED.** The following information must be indexed in the order requested below.

- A. A completed, accurate and legible application request form.
- B. Documentation explaining any previous enforcement history, permits issuance, Special Conditions, with PIP and its subdivisions, the Malden City Council, and the Malden Licensing and Planning Boards.
- C. A current Fire Escape/Egress Certificate (include in management plan).
- D. A Solid Waste Disposal Plan or Dumpster Permit Application. Either of these submittals must be reviewed and approved as new submittals (include in management plan).
- E. A written Integrated Pest Management Plan (IPM) prepared by a Massachusetts licensed exterminator.
- F. A Copy of a current certificate of occupancy for the Dwelling (include in management plan).
- G. A Written Statement attesting that the subject Dwelling is being used in a manner consistent with its Certificate of Occupancy (include in Management Plan).
- H. A complete list of other properties located in the City of Malden that are under the ownership of the applicant (include in management plan).
- I. A Resident Complaint Resolution Program for the maintenance of the property and responsiveness to tenant concerns (include in management plan). i.e. how to lodge a complaint; daytime and overnight response time.

Three Year Inspection Exemption Program

Section 17

Overview & Application Checklist (cont.)

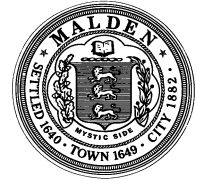
- J. An affidavit attesting that the property owner(s) do not have an arrearage of debt owed to the City of Malden, which has been outstanding for more than 12 months (include in management plan).
- K. Provide final overview of property with final reasons why you approval should be granted
- L. A signed statement acknowledging that after a hearing before the Municipal Hearing Officer the exemption can be revoked for lack of compliance with a violation correction time frames issued by the Board of Health or its agents.
- M. A non- refundable application fee of \$75.00 required for submittal

This information will be used to assess the application and the applicant for fitness to grant a Certificate in the City of Malden. All applicants must demonstrate their knowledge of the regulatory requirements through the Plan Review process.

Copies of the State Sanitary Code, Chapter II, 105 CMR 410.000 Minimum Standards of Fitness for Human Habitation is available online at the State website www.mass.gov/eohhs/docs/dph/regs . Copies of the Board of Health Regulations are available upon request at the Board of Health Office, Room 223, Government Center, 200 Pleasant Street, Malden, Phone (781) 397-7049.

Malden Government Center
 200 Pleasant St., Rm. 223
 Malden, Massachusetts 02148
 (781) 397-7049
 (781) 397-7350 (Fax)
 Email: bohresponse@CityofMalden.org

City of Malden
Massachusetts
Board of Health
www.cityofmalden.org



Three Year Inspection Exemption Program

CERTIFICATE APPLICATION (page 1 of 2)

No Blank spaces allowed; Missing information will cause the application to be considered incomplete.

State if application is for the following:			
New Application	<input type="checkbox"/>	Exemption Renewal	<input type="checkbox"/>

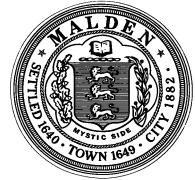
<i>Location of Dwelling Unit</i>
(Address)

<i>Owner / Company / Trust Information</i>																			
1) Owner or Company Name:																			
2) Owner or Company Mailing Address:																			
3) Owner or Trustee Address (if different): <i>(P. O. Box will not be accepted)</i>																			
4) Owner or Company Email Address:																			
5) Owner or Company Telephone No:																			
6) Emergency Telephone No:																			
7) Dwelling Owned By:	8) If a corporation or partnership, give name, title and officers or partner.																		
<input type="checkbox"/> A corporation <input type="checkbox"/> A partnership <input type="checkbox"/> An association <input type="checkbox"/> An individual <input type="checkbox"/> Other legal entity	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;"><i>Name</i></th> <th style="width: 33%;"><i>Title</i></th> <th style="width: 33%;"><i>Home Address</i></th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	<i>Name</i>	<i>Title</i>	<i>Home Address</i>															
<i>Name</i>	<i>Title</i>	<i>Home Address</i>																	

<i>Person Directly Responsible For Daily Operations (Owner, Person-In-Charge, Supervisor / Manager)</i>	
Name & Title:	
Home Address:	
Telephone No:	Fax:
Emergency Telephone No:	
Email Address:	

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Three Year Inspection Exemption Program
CERTIFICATE APPLICATION (page 2 of 2)

<i>District or Regional Supervisor (if applicable)</i>	
Name & Title:	
Home Address:	
Telephone No:	Fax:
Emergency Telephone No:	
Email Address:	

List of other rental properties located in the City of Malden that are under the ownership of the applicant	
1)	
2)	
3)	
4)	
5)	
6)	
7)	
8)	
9)	
10)	

I understand that I must comply with the Board of regulations and the State Sanitary Code Chapter II, Minimum Standards of Fitness for Human Habitation, 105 CMR 410.000 and all other applicable, federal, state or local regulation, ordinance or by-law and that the issuance of this Certificate in no way releases the applicant from the obligation to obtain any other permits or licenses required by any local, state or federal regulatory authority.

I certify under the penalties of perjury that I, to the best of my knowledge and belief that the foregoing information contained in this application is true and correct.

Signature of Applicant: _____

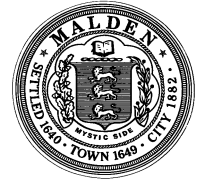
Date: _____

Signature of Owner or Corporate Name: _____

Date: _____

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Three Year Inspection Exemption Program

Process & Fee

This program allows property owners that can demonstrate two (2) years compliance with Section 9.40, Rental Units-Inspection Required, to apply to Malden Permits, Inspections & Planning Services (PIP) for a three year exemption to the requirement of Section 9.40, Rental Unit Inspection; Required.

This ordinance requires that each dwelling unit be inspected by agents of the Board of Health for compliance with Chapter II of the State Sanitary Code, upon a dwelling unit being vacated and prior to it being reoccupied

Upon successful application, said Owner will be allowed a three year exemption from the requirements of Section 9.40 of the City Ordinance.

This exemption is subject to revocation following a hearing with the Municipal Hearing Officer if the unit/s subject to the exemption has one (1) or more violations of the Massachusetts State Sanitary Code and if, upon proper notice of those violations to the Owner, the violations have not been corrected in the time provided in such notice.

Approved owners are required to maintain maintenance records for any and all exempted units for the duration of the exemption, and such records shall be available for review by PIP during regular business hours or upon reasonable notice to the Owner

Application Process

Applications can be submitted electronically via the Internet, or by submitting application forms, which may be obtained from, our website: www.cityofmalden.org/PIP/ Applications may also be mailed or filed electronically in our office located at 200 Pleasant Street, Room 223, Malden MA 02148.

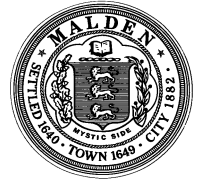
Only completed applications will be processed and written applications must be neat and legible. It is the applicant's responsibility to gather all necessary information to complete the application.

Once your application is received it will be reviewed and a written finding regarding the approval or denial of an exemption will be issued based on factors including, but not limited to, the following:

- (i) a review of the Owner's history of property management on file with the City of Malden and a management plan submitted for the property,
- (ii) a review of the Unit/s history of compliance with the Massachusetts State Sanitary Code,
- (iii) a site visit of the property for which the exemption is sought, and
- (iv) a history of compliance with Section 9.40, Rental Unit Inspection; Required.

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Three Year Inspection Exemption Program

Process & Fee (cont.)

TOTAL FEE

When approval is granted the owner must then pay the full amount of the fee in order to receive the exemption. The total amount of the fee is calculated in accordance with the ordinance as follows:

“Fifty dollars (\$50.00) per Unit up to the first four (4) units;

and an additional twenty dollars (\$20.00) for each additional Unit in the same building up to a maximum of one thousand dollars (\$1000.00) per building;

and if two (2) or more buildings comprise a complex owned by the same Owner then the fee shall not exceed two thousand five hundred dollars (\$2500.00).”

Denied Applicants:

If applicants are denied a Three Year Exemption from Section 9.40, Rental Unit Inspection; Required, applicants may address the reasons for the denial and reapply the following year.

Review Time Frame

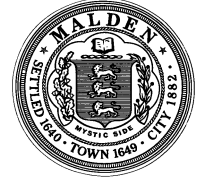
All applications submitted for review must be responded to in writing, whether to grant or deny an exemption, within 60 days of submittal.

Exemption Renewal

Exemptions may be renewed through the submittal of and application for Exemption Renewal. This application shall be reviewed within 30 days of receipt and if all the requirements of sections A-J of section (application checklist) have been maintained in compliance an additional 3 three year exemption could be granted. The fee for renewal shall be in accordance with section (total fee).

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**CHAPTER 9
PUBLIC HEALTH
BOARD OF HEALTH**

**SECTION 9.40.1.6 Rental Unit Inspection Program
Three Year Inspection Exemption Program**

Be it hereby ordained by the Malden City Council that Section 9.40 of the Revised Ordinances of 1991 as amended be and the same are hereby further amended as follows:

-by adding to Section 9.40.1 the following new subsection:

.6 properties whose owners have applied for and been granted by the Board of Health an exemption, not to exceed a duration of three years, based on demonstrated compliance with the provisions of this ordinance for the two years immediately preceding; provided that any such exemption may be revoked by the Board if one or more violations are found to exist and have not been corrected within the time allotted in a notice from any agent of the Board. For purposes of this section, payment of a fine issued pursuant to MGL Chapter 40 Section 21D or a determination by the Municipal Hearing Officer that a fine was warranted shall be prima facie evidence that a violation exists.

PEG CROWE, WARD ONE

Paper #469 of 2014, of which the above is a true copy

Enrolled and Ordained, 2014, by the City Council, by yea (9) and nay (0) vote, the City Council consisting of eleven members.

Approved, December 15, 2014 by His Honor, Mayor Gary J. Christenson.

Attest:

City Clerk