



City of Osseo
415 Central Avenue
Osseo, MN 55369
Phone (763) 425-2624
Fax (763) 425-1111

Application for Truth in Housing
\$100 inspection fee (payable to City of Osseo)
(Please print or type information)

Dwelling address _____

Scheduled date of closing/deed transfer _____

Name of person on site for inspection _____

PROPERTY OWNER INFORMATION

Owner name _____

Home address _____

City _____ State _____ Zip _____

Home phone _____ Day phone _____

Owner may designate an agent who may act on the owner's behalf for complying with the Truth in Housing Code. *If applicable*, complete the name and address of that agent below:

Agent name _____

Agent address _____

City _____ State _____ Zip _____

Home phone _____ Day phone _____

(See reverse side)

Delinquent water/sewer bills are not researched under the provisions of the Truth in Housing inspection and are up to the property owner to verify. Please phone (763) 424-6752.

The Housing Inspector is not required to ignite the heating plant, use a ladder to observe the condition of the roofing, evaluate inaccessible or concealed areas, or disassemble items. The inspection checklist does not address formaldehyde, lead paint certification or abatement, any airborne gas (radon), asbestos, nor insect or animal pests. This inspection is not an FHA or VA inspection or appraisal. The certification is valid for 18 months from the date of issue unless alterations or remodeling have occurred, and only for the owner named on the report.

Sworn Statement

I have received a copy of the ordinance (Chapter 151.10) pertaining to Truth in Housing, and I understand that this certificate does not indicate compliance with an inspection program other than that of the City of Osseo. I also understand that this inspection has been made by the City as a public service and does not constitute a guarantee or warranty to any person as to the condition of buildings inspected. Furthermore, I understand that the City of Osseo does not intend any reliance to be made on this inspection and does not assume any responsibility or liability in the inspection and Certification of Compliance.

Signature of property owner
or designated agent _____

Today's date _____

For City use only

Receipt # _____ App taken by _____ Date _____

Passed inspection _____



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Truth in Housing "To-Do" List

- 1) Seller or agent for seller completes Application for Truth in Housing (TIH) and remits check for \$100 (increase effective 1/24/2012) payable to City of Osseo at Osseo City Hall.
- 2) Seller phones the contracted TIH inspector [Metro West Inspection Services, (763) 479-1720] to arrange for TIH inspection of property to be sold.
- 3) TIH inspector performs evaluation of property to be sold and completes the Osseo Property Maintenance Check Sheet (disclosure report).
- 4) Seller puts copy of the disclosure report in the property so that potential buyers can see it. Seller should make a copy of the disclosure report to give to buyer at closing.
- 5) If repairs are required, seller must make repairs (obtaining any required permits from Osseo City Hall) and arrange for re-inspection prior to closing.
- 6) If no repairs are required, seller should make a copy of the report to give to buyer at closing.
- 7) If repairs are not corrected prior to closing, buyer signs an acknowledgement of responsibility prior to closing and submits it to both City and TIH inspector for approval. This acknowledgement of responsibility must include reasonable completion dates acceptable to both City and TIH inspector. ****Certain hazardous items may require the property be unoccupied until the violations are corrected and reinspected by TIH inspector.**
- 8) Closing can occur.
- 9) Buyer completes repairs per the acknowledgement of responsibility. Buyer schedules a reinspection with the TIH inspector when repairs are complete.

*****Please see Osseo City Code of Ordinances sections 151.10 for the entire code relating to Property Maintenance, Truth in Housing.***

City of Osseo City Code - TRUTH IN HOUSING

§ 151.10 TRUTH IN HOUSING INSPECTION PROGRAM.

(A) *Purpose.* The city finds that a Truth in Housing Inspection Program is required to assist in providing that residential property in the city is maintained in a safe, clean and healthy condition. In order to protect and promote the public health, safety, and general welfare of the city and its residents, the City Council has determined that establishing a Truth in Housing Inspection Program is necessary. The City Council finds that such a program is needed so that residential property is adequately inspected before ownership of such property is transferred. The City Council establishes a Truth in Housing Inspection Program as set forth in this section.

(B) *Certificate of Inspection.* No person shall sell, purchase, give, convey by deed or otherwise, or in any other manner transfer title to any single-family home, duplex, townhome, condominium or any other residential dwelling in the city without first applying for and obtaining a Certificate of Inspection from the city. A Certificate of Inspection is not required if:

- (1) A Certificate of Occupancy has been issued by the Building Official within five years before title to the property is transferred;
- (2) The property is a newly constructed model home;
- (3) The property is newly constructed and has not been previously occupied; or
- (4) The property is inherited and occupied by the person receiving the inheritance.

(C) *Application.* The owner of any residential dwelling or the owner's representative should apply to the city for a Certificate of Inspection before the property is offered for sale or purchase, whether for consideration or otherwise. The applicant must pay the application fee at the time of the application. Such fee shall be set from time to time by City Council and set forth in the Fee Resolution listed in the Appendix to the City Code.

(D) *Inspection.* The applicant for a Certificate of Inspection is responsible for requesting an inspection of the property after making application and payment of the fees. An inspection shall be made by the city to determine whether the property complies with applicable City Code requirements and complies with all applicable building, fire, health, and property maintenance codes. The entire property shall be made available for inspection.

(E) *Compliance.* If the property is found in compliance with City Code requirements and complies with all applicable building, fire, health and property maintenance codes, a Certificate of Inspection will be issued by the city. A Certificate of Inspection is valid to be used only by the owner listed on the

Certificate for a period of 18 months from date of issuance. Failure to transfer ownership does not relieve the owner from making the identified repairs to the property.

(F) *Temporary Certificate of Inspection/Transfers of Ownership.*

(1) A temporary Certificate of Inspection may be issued by the city permitting the transfer of ownership in situations where some of the corrections listed in the Certificate have not been made if:

(a) The City Inspector determines that no immediate safety or hazardous conditions exist on the property; and

(b) An agreement by the buyer and seller has been executed and filed with the city, whereby the buyer agrees to complete the corrections to the property within 180 days after transfer of ownership to the buyer. Failure of the buyer to complete the corrections during that time period is a violation of this section. All hazardous or unsafe structures or equipment as defined by the International Property Maintenance Code (IPMC) shall be corrected prior to the transfer of property.

(2) If the City Inspector determines that immediate safety or hazardous conditions exist on the property, transfer of ownership of the property without a Certificate of Inspection will be allowed only if all of the following conditions are met:

(a) The buyer and seller enter into an agreement in a form approved by the city pursuant to which the buyer agrees to correct all of the safety and hazardous conditions within 60 days of transfer of ownership, not to occupy the property until the city has approved all of the corrections to the safety and hazardous conditions, and to correct all non-safety and non-hazardous conditions within 180 days after transfer of ownership;

(b) All corrections to safety and hazardous conditions must be performed by a Minnesota licensed contractor;

(c) A cash escrow to ensure completion of the corrections to the safety and hazardous conditions must be posted with the buyer's lending institution, title company or with the city in an amount equal to 150% of the estimated cost of the corrective work as determined by a Minnesota licensed contractor. The cash escrow will be held in place until a temporary Certificate of Inspection has been issued by the city. No release or reduction in the cash escrow will be allowed until all safety and hazardous conditions are repaired; and the fee set forth in the city's fee resolution has been paid;

(d) The buyer shall complete the corrections within the time period provided.

(G) *Appeal.* Appeals regarding compliance with this section shall be in accordance with the currently adopted International Property Maintenance Code (IPMC) Section 111.

(H) *Penalties.* Violations of any provisions of this section shall be a misdemeanor. Each day a violation continues shall be considered a separate offense.

(I) *No warranty by city.* By enforcement of this section, neither the city, nor its Council, agents, or employees, warrant or guarantee any aspect of any structure, dwelling or property. Buyers and sellers should take whatever steps they deem appropriate to protect their interests prior to transfer of ownership.

(Ord. 2009-3, passed 8-24-2009)