



Code Enforcement
City of Burlington
525 High Street
Burlington, NJ 08016
(609) 386-0200 x132
Resales@burlingtonnj.us

RESALE PROCESS

It is the City's goal to provide you with all the information and tools you will need to ensure a smooth and effortless transfer of ownership for your property.

The purpose of the Resale process is to ensure that the property meets basic safety requirements for the interior and exterior of the property and obtain a Housing Clear Certificate prior to settlement.

Resale Process Packet to Sellers, Buyers, Investors and Real Estate Agents

Homes that are sold in the City of Burlington must be inspected. The seller must receive a Housing Clear Certificate before transferring ownership. To avoid any miscommunication or unnecessary delays, please follow the process set forth below and note the various timeframes and requirements.

PER THE CITY OF BURLINGTON ORDINANCE NO. 195-15A

Property owners who are intending to sell any dwelling unit, hotel, motel, rooming house, rooming unit, boardinghouse, or premises on which a building is located and used for human occupancy or commercial purposes in the City of Burlington are required to have the premises inspected **before** proceeding with the sale of the property.

Once you have secured a buyer for the sale of your property, either the seller or their agent should:

- Submit a completed resale application to resales@burlingtonnj.us along with the fee paid to schedule the inspection.
- Any outstanding permits that have been issued for work that has been done on the property must be closed out prior to obtaining a resale certificate.
- You will be expected to provide the following information when completing the resale application:
 - **Property Information:** Address of the property being sold, type of property, use of property and lock box number if one can be used.
 - **Current Seller/Company Information:** The current owner/seller's name, business name or LLC, home address, telephone/cell numbers and email address.
 - **New Buyer/Company Information:** The buyer's name, business name or LLC, buyer's home address, telephone/cell numbers, and email address.
 - **Agent/Realtor Information:** Name, address, phone number and email address.
 - **Certification:** Signature and date of owner or agent completing the application.

(Note): Use of Property: If the property is used as an investment property, you can use your LLC, but we require the name and physical home address of the new owner written on the application to avoid delays in scheduling. **Please note: P O Boxes are not accepted.**

- The fee for processing/inspection for resale is \$100.00. Each additional re-inspection will require a fee of \$75.00. to be paid before an inspection can be made. Payment can be made online by going to our website www.burlingtonnj.us Click on departments, Construction, then Code Enforcement, please scroll to the bottom of page and click the pay here button. The address of the property is used as the reference number.
- The application fee for the resale inspection is to be paid to the City of Burlington.
- Failure to obtain a certificate and comply with the ordinance of the City of Burlington (Chapter 195, Housing Standards), will be subject to a fine up to \$500.

If you have enlisted the help of a real estate agent to work with you on the sale of your property, he or she is most likely already familiar with the procedure and the safety requirements as well.

The inspector will conduct a simple inspection of the property to make sure that the walls, floors, ceilings, stairs, and rails are intact and generally in good shape and safe for the next occupants. This inspection is not a complete home inspection; that should be done by a certified home inspector. **(Please refer to our resale checklist to prepare for your Inspection)**

The inspector will also check for the following:

- At least one operating ten-year sealed battery SMOKE DETECTOR in place on each level of any living space on the property including EVERY bedroom and basement, per the NJ FIRE CODE.
- At least one operating CARBON MONOXIDE DETECTOR in place within 10 feet of each bedroom (in a common area outside of the bedrooms)
- At least one operating 2A-10BC type FIRE EXTINGUISHER, shall be within 10 feet of each kitchen (s). Must be accessible & visible, not behind a closed door or cabinet. Must use manufacturer's mounting bracket. Top of extinguisher not more than 5 feet above the floor.

Once the property is evaluated and found to have the proper number of working fire extinguishers, carbon monoxide detectors, smoke detectors – and no illegal installations, no illegal apartments or illegally rented rooms the inspector will issue the owner(s) a Housing Clear Certificate which is to be passed on to the buyer at the closing of the sale.

Property owners who sell property without obtaining a CCO prior to the sale run the potential risk of receiving fines and delays or other complications in the closing process. Also, Realtors and Title companies will be reported to the State of New Jersey.

Should you have any questions regarding this process, please contact the Code Enforcement department at (609) 386 – 0200 extension 132 or you may email resales@burlingtonnj.us

Thank you in advance for your cooperation.

1. SUBMIT A RESALE APPLICATION FORM AND FEE TO THE CODE ENFORCEMENT OFFICE

The resale application can be found on the City's website at www.burlingtonnj.us. Click on departments, Construction, and Code Enforcement, please scroll down and you will find the resale information there. The resale application must be complete for processing. Anything not supplied by the applicant, that is required by the inspections departments could result in delayed scheduling. If an application is incomplete, the form is subjected to being held until; requested information is re-submitted or the forms will be returned to the originator.

This should be done at least 30 business days before closing and should be done as soon as possible when the seller decides to sell the property, since the time varies to complete the many steps required.

2. CODE ENFORCEMENT WILL SCHEDULE THE CCO INSPECTION

Once all the required paperwork and payment is received, our office will confirm the appointment by email to the agent listed on the application. In cases where an agent is not listed, the seller will then receive the email.

Inspections are scheduled on Monday, Wednesday & Friday's only (excluding holidays) between 9:00 AM – 1:00 PM for the next available time slot.

If you are using a lock box code, please provide it on the application. The inspector will only use a lock box code if the property is vacant. If the property is still occupied or has personal belongings/items inside the home than someone must be present during the inspection. If no one is present the inspection will be cancelled which will result in failure to show for appointment for the inspection and another fee of \$100 dollars will be due as per our ordinance Chapter 146 Fee Schedule 146-15 Chapter 195, Housing Standards. .

Note: We do not schedule same day inspections. No exception.

3. DURING THE INSPECTION

Once the inspection is completed, if the property passes inspection, approximately **2 – 3 business days afterwards you will receive the Housing Clear Certificate**. The certificate is emailed to the agent listed on the application. **If the property does not pass the inspection, approximately 2 – 3 business days after the inspection the agent listed on the application will receive a copy of the Housing Resale Inspection Report to be passed onto both the seller and buyer for review.** If the buyer agrees to take responsibility for the items on the report, they must request an Affidavit for a Temporary CO, provided by the city, stating that they have received, read, and understand the Housing Resale Inspection Report and are taking full responsibility for all items listed on the report as well as obtaining the Final CO. **If the Housing Resale Inspection Report states that there can be no occupancy until a final CO is issued, then the Temporary CO will be issued for work only.** The buyer must acknowledge and agree to refrain from occupying the subject dwelling in any way until a clear cert is issued. The buyer is subject to fines and penalties for non-compliance. An affidavit in Lieu must be completed, notarized, and returned along with the signed violation report and brought to the Code Enforcement department prior to settlement. Once the City receives the original notarized Affidavit, a temporary housing conditional cert will be issued.

Note: To Seller & Realtor – A certificate is not transferable, nor is the fee refundable. A residential certificate of continued occupancy shall be effective for a period of 60 days. If a dwelling fails to sell, transfer, or grant the right of occupancy within this period, the owner shall submit a new application and the required fees. If you are with-in 60 days with a new buyer, please contact our by emailing resales@burlingtonnj.us.

4. CLOSE OUT OPEN CONSTRUCTION PERMITS

It is not permitted for open permits to remain on a property being sold. Any permits required will be noted on your report as well as any open permits on record for the property. If there are open permits, the seller must close out the permits with the Construction Office. To acquire a construction permit you must first complete the permit application process. You can find the permit application and any applicable forms on the city website under Construction.

All permits must be obtained, inspected and passed inspection before the City will issue a final clear housing certificate for settlement purposes. Failure to apply for and obtain the permits in a timely manner may delay your settlement date. **It's important to understand that the housing resale inspection is separate from the permit inspection.** The housing resale inspections are completed by the city's **Code Enforcement department** inspector (s) prior to settlement. Permit inspections are completed by our licensed **construction department** inspectors for any permit required work prior to settlement. The property must pass both inspections before the city will issue a certificate of occupancy. In order to avoid any settlement issues, fines, or penalties it is important to ensure that you have gotten both inspections scheduled and completed prior to closing.

Planning for this process is very important. You need to leave enough time between your inspections and your settlement to ensure that your transaction is completed seamlessly and on time. We are here to help in any way we can. When you are ready to schedule your housing resale inspection, please call 609-386-0200 ext. 132 or you may email resales@burlingtonnj.us

IMPORTANT RESALE INSPECTION INFORMATION FOR SELLER – BUYER

In the course of conducting a resale inspection, the City of Burlington does not represent the interests of any Seller or Buyer, nor does the City of Burlington place one party's interests above that of another.

The inspection conducted by City of Burlington is the basis for the issuance of a Housing Clear Certificate & New Jersey Division Fire Safety (NJDFS) Certificate as required by Chapter 195-15A, City Ordinance. It is not intended by the City of Burlington ONLY and not for any other purpose. It is not intended to be equal in scope to that of a housing inspection conducted by a private firm, nor is it intended to be used as a substitute for a private housing inspection.

The information recorded on the Housing Inspection report is that as seen by the Housing Inspector at the time of the inspection. It is not a fail-safe inspection and many factors influence the scope and quality of the inspection. Time constraints, accessibility to areas, furniture or storage restrictions, distractions, concealments, subject expertise, weather, all effect the housing inspection. It is not a perfect inspection and at times some things are missed or sometimes mistakenly not written on the report. An item missed does not exempt it from being cited for required repair at a subsequent inspection. A Housing Clear Certificate (HCC) is issued when the Housing Inspector determines that the property's overall condition, at that particular time, is such that the interests of Burlington City have been met and HCC issued is warranted. It does not mean that property is free of defects or has no unsatisfactory conditions.

It is emphasized that the report of Inspection is as of the day of the housing inspection and that the property continues to be occupied or accessed by others until its change of occupancy. Just prior to change of ownership or occupancy, the incoming party should conduct a walk-through inspection.

PLEASE NOTE: It is important that this information be known by all parties to a sale prior to the time of housing inspection. A copy of this statement is intended for the seller and a copy should be given to the buyer. The person completing the application for housing inspection is responsible for its delivery to each.



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Dear Agent/Owner/Representative:

Below is a guideline list that the Code Enforcement Office uses when doing your sale of property inspection. This inspection is not a complete home inspection; that should be done by a certified home inspector. Should you have any questions, please contact us at the number listed above.

Smoke Detectors, at least 1 operating ten-year sealed battery SMOKE DETECTOR in place on each level of any living space on the property including EVERY bedroom and basement, per the NJ FIRE CODE
Carbon Monoxide Detectors shall be installed and maintained within 10 feet of the sleeping area(s).
Fire Extinguishers mounted 10' from Kitchen, 2A-10B:C less than 10 pounds / shown in plain sight / must be accessible / not behind a closed door or cabinet / not more than 5 feet above the floor
Chimney Certification for fossil fuel burning fireplaces & appliances
Handrails 4 Risers/Steps or more
Guard Rails on Porches/Decks 30" or more
Electrical, GFCI – 6 ft. of Water Source / Circuit Breaker Panel
Ceiling – (no holes, chipped paint, severe cracking, or water stains)
Walls – (no holes, chipped paint, severe cracking, or water stains)
Floors – (no holes, chipped paint, severe cracking, or water stains)
Key Lock on Entry Doors Only
Visible Damage
Heat Working
Appliances Working, Anti-Tip on Range
Plumbing Hot & Cold Water, Toilet Flushes
Grounds, All Code/Ordinance Violations Abated
Safety, No Hazardous Conditions
Sanitation, No Debris or Rubbish
Work without Permits
Water Heater Must Have Bonding Strap and Pressure Relief Valve Overflow need to Extend 6" from Floor
Paint Not Flaking or Stains
Bathroom must have Window or Exhaust Fan
Utilities must be on at time of Inspection
No Trash, Motor Vehicles, or other Debris in Yard
Exterior Damage or Roof Leaking
No Bare Wire Electrical Fixtures
Doors/Windows/Screens in operable condition
Water Temperatures: Sink must be between 120-140 degrees, Tub/Shower must be between 110-120 degrees
Driveway/Sidewalks/Aprons



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NOTICE OF PERMIT CLOSURE & RESPONSIBILITY

To All Homeowners, Residents, Buyers, Sellers, Realtors & Investors:

Please be reminded that no dwelling unit may be occupied until a Housing Clear Cert & NJDFS Cert has been issued. Prior to the resale inspection, there must be an effort made on your part to make certain that the previous owner did not neglect to obtain the required permits or fail to close out any (and all) open permits.

Although you may not have known that a permit was needed, were misled by contractors, or inherited illegal home improvements, we empathize with you. However, one thing is clear – once you know that unpermitted construction was done on your home, you must, by law, disclose these issues to all potential buyers. You will most likely do this on your disclosure statement, as the seller, to report any known legal issues or unpermitted construction on the property. When purchasing a property, you are now responsible for the open permits and resolving the complications that go along with it.

We must be over-zealous about ensuring that unpermitted work is disclosed, and any open permits have been successfully closed out. Homebuyers want to move into a safe home. A lack of permits may imply several problems to potential buyers, including safety and quality issues. Our permit process is intended to verify that any improvements to the home were done properly and to code regulations as it pertains to the Uniform Construction Code Act.

In the City of Burlington, as in so many other towns across the state, unauthorized work often becomes known with a reassessment, property sale or a most unfortunate and worst-case scenario, an accident or fire. Furthermore, insurance companies will often, if not always, deny a claim after finding out that no permits have been taken out for the improvements.

Not only should you check the permit history of a home before you buy, but as a seller, you will be wise to check the history of your home as well before listing it on the market. As a result, any permit issues that arise can be corrected before the listing goes public. This can avoid incurring unquantifiable charges as well as unpleasant consequences. Should a property have outstanding open permits involves, a Housing Clear Cert & NJDFS Cert **will not** be issued until the associated permits have been closed out.

Any outstanding obligations that a potential buyer may take over must be confirmed by submitting an original, notarized affidavit to the City of Burlington. Potential buyers may not be able to move in until all such items have been resolved, unless otherwise instructed under the Inspectors' direct discretion.

Thank you for your anticipated cooperation. Should you have any questions or require further information, please do not hesitate to call our Department at 609-386-0200 ext. 132.

Code Enforcement & Rental Registration
inspections@burlingtonnj.us
609.386.0200 ext. 142

Construction Department
609.386.0200 ext. 145