

TOWNSHIP OF WANTAGE

888 State Route 23
Wantage, New Jersey 07461-3318

Phone (973) 875-7192
Fax (973) 875-0801
E-mail: administrator@wantagetwp-nj.org

July 6, 2011

Dear Wantage Township Landlord:

The Mayor and Committee of Wantage Township have adopted Ordinance 2011-06. This ordinance eliminates the "once every three year" registration and inspection program of the Wantage Township Property Maintenance Code for rental situations in Wantage Township.

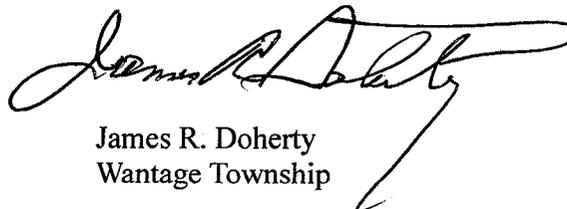
An excerpt from the adjusted Property Maintenance Code is included with this letter, for your reference.

Please note that, as has always been the case, "the owner of any residential rental property shall be required to obtain a certificate of habitability for each rental dwelling unit upon change in occupancy. A change in occupancy shall occur when the prior tenant(s) under an existing lease, either oral or written, vacates the property either voluntarily or by court order."

Additionally, the governing body wishes both landlords and tenants to know that, while there will be no pre-scheduled "once every three year inspections" any more, there always remains an option for either party to contact the Wantage Township Building Department and request an inspection at any time, if one is so desired.

Wantage Township shall be reaching out directly to tenants with this information. We ask for your help in ensuring that this change in ordinance and procedure is understood by your tenants.

Sincerely,



James R. Doherty
Wantage Township

8-2.3 Certificate of Habitability.

No existing building or part thereof shall be sold, leased, rented, or occupied by a new owner or a tenant until such time as a certificate of habitability shall have been issued under the terms of this section by the construction official or his designee.

a. Resale of properties.

1. It shall be the obligation of the seller to furnish the certificate of habitability to the purchaser; provided, however, that the proposed purchaser of any existing building may submit a sworn statement to the construction official that he waives this provision that requires the seller to provide him with a certificate of habitability and that said purchaser shall be solely responsible to secure said certificate of habitability before occupancy of said building.

2. Upon the application for a tax search, the Tax Search Officer of Wantage shall notify a prospective real estate purchaser of the provisions of this section, and such notification shall accompany the completed tax search.

b. Residential rental properties. The owner of any residential rental property shall be required to obtain a certificate of habitability for each rental dwelling unit upon change in occupancy. A change in occupancy shall occur when the prior tenant(s) under an existing lease, either oral or written, vacates the property either voluntarily or by court order. Two completed applications for the certificate of habitability shall be submitted to the township building department at least two weeks prior to the new tenants occupying the unit. The building department shall provide one copy of the application to the municipal clerk for filing, pursuant to N.J.S.A. 46:8-28, the New Jersey rental property certificate of registration requirements.

For the purposes of this section, any property occupied by the owner or family member(s) of the owner, defined to include a husband, wife, children, siblings or others related to the owner by blood or marriage, are hereby excluded from the provisions of this subsection as it applies to residential rental properties. In order for this exclusion to apply, the property owner must submit a notarized statement as to the relationship of the property owner to the occupant(s). The statement must include the following language: "This statement is submitted pursuant to Wantage Township Revised Ordinance, subsection 8-2.3b and all representations made in this statement are true and accurate and are made under penalty of perjury in the event any statement contained herein is false."

Any property owner or occupant excluded from the certificate of habitability requirements provided for in the prior paragraph may request an inspection through the township building department.