CITY OF SAN MARINO

PROCEDURES FOR RESIDENTIAL COMPLIANCE

Before a residential building within the City of San Marino is sold the property owner is responsible for filing an application for a "Compliance Certificate" with the City.

The following procedures are needed to obtain a Certificate:

1. A processing fee of $88.00 payable to the City of San Marino is due upon the submittal of all Compliance Certificate Applications. IMPORTANT: PLEASE ALLOW 10 BUSINESS DAYS FOR THE CITY TO REVIEW YOUR APPLICATION AND RESPOND ACCORDINGLY.

2. An application package may be obtained from the City's Community Development Department. The package includes a list of individuals and firms authorized to conduct the required inspection.

3. The property owner has an inspection made of the property using an individual or firm from the list provided. The cost for the inspection is a matter between the property owner and the inspector. The inspection report, along with the drawings and all other application forms, must be filed with the City within thirty (30) days from the date of the inspection. Drawings must be submitted with the application showing the parcel, a North arrow, and location of all buildings on the property and a floor plan indicating the approximate dimensions of each room on each floor of all buildings. Drawings must be on 11" x 17" sheets of paper.

4. The Community Development Director determines if there are any violations of the City Codes indicated on the inspection form.

5. If there are violations, the Community Development Director will indicate the violations and the required corrective actions in writing to the property owner. The owner has six (6) months from the date of the letter in which to make the required corrections.

6. If there are no violations, or after corrective action has been completed, a "Certificate of Compliance" will be issued to the property owner.

Certificates issued by the City will be valid for a period of two (2) years from the date of the certificate, or until the property is sold; whichever is sooner. New houses offered for sale less than two (2) years from the final inspection date are exempt from filing an application for Compliance Certificate.

For additional information please contact San Marino City Hall at (626) 300-0700.

CITY OF SAN MARINO

Article 02
RESIDENTIAL COMPLIANCE CERTIFICATE

SECTION:

24.02.01: CERTIFICATE REQUIRED:
24.02.02: FILING OF CERTIFICATE APPLICATION:
24.02.03: PREPARATION OF DRAWINGS:
24.02.04: INSPECTION REQUIRED:
24.02.05: INSPECTORS:
24.02.06: COMPLIANCE WITH CODE:
24.02.07: CORRECTION OF VIOLATIONS:
24.02.08: ISSUANCE OF CERTIFICATE; CONTENTS:
24.02.09: FEES:
24.02.10: VIOLATIONS:
24.02.11: NO RELIANCE:

24.02.01: CERTIFICATE REQUIRED:
No person, owner or agent shall sell any residential building which is vacated by the occupant thereof to be reoccupied until the owner has filed an application for a residential compliance certificate, caused an inspection required by section 24.02.04 of this article to be performed and submitted a report of said inspection to the Community Development Director.

Nothing herein shall require an owner or agent to apply for a residential compliance certificate or cause the inspection to be performed prior to offering property for sale. (Ord. 0-08-1203, 5-14-2008)

24.02.02: FILING OF CERTIFICATE APPLICATION:
The owner shall file an application for a residential compliance certificate with the city, prior to the sale of a residential building on a form to be provided by the Community Development Director. The certificate application shall contain not less than the following:

A. The street address of the property.

B. A listing of the number of structures on the property and whether the garage is attached or detached.

C. A listing of all rooms on each floor of the residential building.

D. The owner's statement that he/she will cause an inspection of the property to be performed within thirty (30) days as required by section 24.02.04 of this article.

E. The signature of the owner and the date.

F. A "required notification form" signed by both the selling agent and buyer. (An additional 45 days after the filing of the application shall be granted to submit this form. The failure to do so shall void any previous issuance of a residential compliance certificate.) (Ord. 0- 08-1203, 5-14-2008)

24.02.03: PREPARATION OF DRAWINGS:

An owner filing a certificate application pursuant to this article shall submit a plot plan of the parcel showing the placement of all buildings on the property. The owner shall also submit floor plans showing the approximate dimensions, and the name of each room, on each floor of all buildings. Said drawings shall be original drawings and not copies or duplications of any previous plan(s).

The submittal of said drawings shall be a requirement for filing the residential compliance certificate application. All drawings so submitted shall not become public records. (Ord. 0-08-1203, 5-14-2008)

24.02.04: INSPECTION REQUIRED:

An inspection of the residential property shall be required prior to the issuance of a residential compliance certificate. Said inspection shall be performed by an inspector selected by the owner or the owner's agent from the list provided for in section 24.02.05 of this article.

Said inspection shall be limited to determination of the following:

A. Conversion of a garage to a use other than storage of vehicles without having provided other legal garage space.

B. Existence of more kitchens or bedrooms than permitted by code.

C. Visible violations of those sections of health, plumbing, electrical or building codes set forth by resolution of the council.

The inspector shall issue a written and signed inspection report to the Community Development Director indicating evidence of any aforementioned items. (Ord. 944, 1-10-1990; amd. 1994 Code)

24.02.05: INSPECTORS:

The city shall make available a list of persons authorized to conduct the compliance inspection required in section 24.02.04 of this article.

Any person may make application to the city to be included on the list of authorized inspectors. Said application shall be on a form provided by the city. The Community Development Director shall approve those persons to be included on the list based on criteria developed by the Community Development Director. (Ord. 0-08-1203, 5-14-2008)

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24.02.06: COMPLIANCE WITH CODE:

The city Community Development Director shall determine if any of the items identified on the inspection report provided for in section 24.02.04 of this article are violations of this code. The Community Development Director shall submit all violations and the required corrective actions to the owner in writing. (Ord. 944, 1-10-1990)

24.02.07: CORRECTION OF VIOLATIONS:

The owner shall cause all violations identified in section 24.02.06 of this article to be corrected within six (6) months of receiving notification from the Community Development Director or which may be extended by the city for good cause. The owner shall pay for and obtain all necessary permits and comply with any other city procedures and pay any fines required by this code prior to taking action to correct the violations.

Should the property be sold prior to correction of the violations and issuance of the residential compliance certificate, the owner of record at the time of the inspection and the owner's agent shall provide the new owner with a copy of the notice of violations prior to said sale. The new owner shall correct the violations in the time required herein.

Should an owner sell property without filing an application causing the inspection to be performed or providing a copy of the notice of violations to the new owner, the city shall inform the new owner of the prior owner's failure to comply with this article. The new owner shall file an application for a residential compliance certificate within thirty (30) days of receipt of the notice and cause the inspection to be performed within the time limit provided for in the application. If the new owner fails to submit the application or cause the inspection to be performed, the city shall obtain an inspection warrant pursuant to section 1822.50 et seq., of the California Code of Civil Procedures and perform the inspection required by section 24.02.04 of this article. The new owner shall correct the violations, if any, within six (6) months of receipt from the city of a report of violations. The city would thereupon issue a residential compliance certificate. (Ord. 0-08-1203, 5-14-2008)

24.02.08: ISSUANCE OF CERTIFICATE; CONTENTS:

The Community Development Director shall issue a residential compliance certificate if no violations were found pursuant to section 24.02.04 of this article, or if required corrections were performed pursuant to section 24.02.07 of this article. Said certificate shall contain the following:

A. The street address of the property.

B. The date on which the certificate is issued.

C. The signature of the planning and building director.

Certificates issued by the city shall be valid for a period of two (2) years from the date of issue or until the property is sold, provided that no changes have been made to the property. (Ord. 944, 1-10-1990)

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24.02.09: FEES:

An application fee shall be paid at the time of application submittal. The fee amount shall be established by city council resolution. (Ord. 0-08-1203, 5-14-2008)

24.02.10: VIOLATIONS:

Any person violating any provision of this article shall be guilty of a misdemeanor unless the violation is prosecuted as an infraction, as determined by the city prosecutor.

Any inspector on the list provided for in section 24.02.05 of this article who fails to report violations of the items contained in section 24.02.04 of this article shall be removed from said list and shall be ineligible for consideration to be reinstated to said list for a period of three (3) years. (Ord. 944, 1-10-1990; amd. 1994 Code; Ord. 097-1114, 10-8-1997)

24.02.11: NO RELIANCE:

Issuance of a residential compliance certificate shall not be used or relied upon by any person including, but not limited to, any owner, tenant, buyer, agent or occupant, for any of the following:

A. As evidence or proof that the improvements or any portion thereof comply with any building, safety, zoning or other laws or ordinances.

B. To meet any of the disclosure obligations of the laws of the state with respect to the construction, use, occupancy or transfer of real property, including, but not limited to, the provisions of article 1.5, chapter 2, title 4, part 4 of division 2 of the California Civil Code (section 1102 et seq.).

C. As evidence or proof that the property or structures are safe or free from hazards or code violations.

D. As evidence or proof in connection with any claims or actions against the city for failure to identify violations.

E. As a defense to a challenge by the city or any person to the legality of any construction or use of property.

F. To prevent enforcement of other provisions of this code or state law. (Ord. 944, 1-10-1990; amd. Ord. 097-1114, 10-8-1997)

CITY OF SAN MARINO

OFFICE USE ONLY **OFFICE USE ONLY** **OFFICE USE ONLY**

COMPLIANCE APPLICATION ADDRESS: _____

DATE/TIME SUBMITTED: _____ **DUE DATE:** _____

CONTACT INFORMATION _____

REQUIRED NOTICE FORM. _____ submitted _____ will submit

APPLICATION FOR CERT. _____

INSPECTORS REPORT & SITE/FLOOR PLAN _____

No Corrections _____

Corrections Signed-Off _____

Outstanding Corrections _____

Compliance Due Date for Corrections _____

	Application	**Insp. Report**	**Floor Plan**
Bedrooms	_____	_____	_____
Kitchen	_____	_____	_____
Garage	_____	_____	_____

COMMENTS:

_____

_____

SEND: Certificate | Certificate – w/pending required notice | Certificate w/attachment | Correction Letter

CITY OF SAN MARINO

APPLICATION FOR RESIDENTIAL COMPLIANCE CERTIFICATE

COMPLIANCE APPLICATION ADDRESS:_____

PLEASE LIST THE FOLLOWING:
NUMBER OF STRUCTURES ON THE PROPERTY _____

IS THE GARAGE ATTACHED OR DETACHED _____ HOW MANY CARS _____

PLEASE LIST ALL ROOMS ON EACH FLOOR OF THE RESIDENTIAL BUILDING:

FIRST FLOOR	SECOND FLOOR	BASEMENT/THIRD FLOOR

I, being the owner of the property mentioned above, do hereby certify that I will cause an inspection of the property to be performed within thirty (30) days as required by section 24.02.04 of the San Marino City Code.

_____ _____

PROPERTY OWNER SIGNATURE PRINT OWNER NAME

_____

DATE

CITY OF SAN MARINO

CONTACT INFORMATION: (information of person we are to contact/email once compliance certificate is ready to issue)

COMPLIANCE APPLICATION ADDRESS: _____

CONTACT INFO:

_____
(Name)

_____
(Company Name)

_____
(Mailing Address)

_____
(City and Zip Code)

_____
(Email Address)

_____
(Contact Number)

OR

ATTACH BUSINESS CARD

PLEASE ATTACH ALL REQUIRED DOCUMENTS

CITY OF SAN MARINO

REQUIRED NOTIFICATION FORM

COMPLIANCE APPLICATION ADDRESS: _____

The purpose of this requirement is that many of our newer residents are unaware of a number of special ordinances, some of them unique to San Marino, which have served to preserve our residential qualities. By requiring the listing agent to deliver a copy of ***An Information Guide for Residents of San Marino*** to the new buyer, the City of San Marino hopes to foster communication between the new buyer and the City by assisting in the disclosure process.

An additional forty-five (45) days after the filing of the application shall be granted to submit this form. The failure to do so shall void any previous issuance of a residential compliance certificate (Ord. 0-08-1203, 5-14-2008).

****

I, _____, being the seller, or listing agent, of the above listed property, do hereby acknowledge that I have received and delivered to the buyer a copy of: ***An Informational Guide for Residents of San Marino.***

_____ _____

Signature of Seller/Listing Agent Date

_____

Seller/Listing Agent Name, Company Name and Address

_____

Seller/Listing Agent Phone Number

(**NOTE: If the seller is not represented by an agent, he or she may sign this document.**)

****

I, _____, being the buyer of the above listed property, do hereby acknowledge that I have received a copy of:***An Informational Guide for Residents of San Marino.***

_____ _____ _____

Signature of Buyer Print Name of Buyer Date

_____ _____

Buyer's Email Address Buyer's Phone Number

_____

Buyer's Agent Name, Company Name and Address

_____

Buyer's Agent Phone Number

Residential Compliance Inspection Report

Drawing must be submitted with the application showing the parcel, along with a North arrow, the location of all buildings on the property, and a floor plan indicating the approximate dimensions of each room on each floor of all buildings. Drawings must be on 11"x17" sheets of paper.

Compliance application address: _____

Name of inspector: _____

Date of inspection: _____

Number of unobstructed enclosed garage spaces: _____

Number of KITCHENS in: Main residence _____ Other structures:_____

Number of BEDROOMS in: Main residence _____ Other structures:_____

For each bedroom:

	Approximate Size:	Number of Windows:
Bedroom #1		
Bedroom #2		
Bedroom #3		
Bedroom #4		
Bedroom #5		
Bedroom #6		
Bedroom #7		
Bedroom #8		

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List any location (interior or exterior) with exposed electrical wiring:

_____

List any interior location with exposed plumbing:

_____

List any areas with sagging roof areas:

_____

List any areas with sagging support beams in room openings:

_____

Are there any undersized bedrooms? If so, indicate which bedrooms.

_____

Are there any bedrooms without windows? If so, indicate which bedrooms.

_____

Are there any unvented wall heaters? If so, indicate location.

_____

Are there any inadequate or unsafe areas of ingress and egress? If so, indicate location and condition.

_____

Are there any unfenced areas or inadequate fencing and gates around pools and spa? If so, indicate condition.

_____

I hereby certify that the above inspection is a true and accurate account of the conditions at the property indicated.

_____ _____

Inspector's Signature Date

CITY OF SAN MARINO

COMPLIANCE VERIFICATION
LIST OF APPROVED INSPECTORS

The following inspectors (listed alphabetically) have been deemed eligible by the City of San Marino to perform residential inspections in accordance with City Ordinance No. 944 regarding Compliance Verification. The City does not represent that those listed **are, or are not,** qualified to perform the comprehensive home inspections typically requested by potential buyers.

Charles A. Gabriels
INSPECTIONS R US
1020 S. Mountain Ave. #16
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David Filson
D3 INSPECTIONS
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Pasadena, CA 91101
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spi.filson@gmail.com

Diego Lopez
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San Gabriel, CA 91766
(626)557-7755
dlopez@dflgrp.com

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MORRISON PLUS PROPERTY INSPECTIONS
504 E. Route 66, Suite 102
Glendora, CA 91740
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Paul Siftar
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