

**CITY OF OAKWOOD
INSPECTIONAL SERVICES
30 Park Avenue, Dayton, OH 45419
Phone: (937) 297-2920 FAX: (937) 297-2940
INSPECTION APPLICATION**

TYPE OF INSPECTION REQUESTED:

PRE-SALE/RENTAL

1,2, or 3 Family
 Apartment/Condominium
 Business

OTHER

Please explain

=====

ADDRESS OF PROPERTY TO BE INSPECTED _____

Owner's Name (Print) _____ Work Phone _____

Owner's Address _____ Home Phone _____

City/State _____ Zip _____

Owner's Forwarding Address _____

Anticipated Moving Date _____ Zip _____

=====

AGENT/REALTORS INFORMATION

Name & Firm (Print) _____

Address _____ City/State _____ Zip _____

Phone _____

=====

BUYERS INFORMATION

Prospective Buyer's Name _____ Closing Date _____

Current Mailing Address _____ Phone _____

City/State _____ Zip _____

RENTAL INFORMATION

If this property is non-owner occupied, or in the event there is a change of tenant, please complete the required Tenant Information Form.

=====

There is a \$60.00 fee for the pre-sale/rental inspection. No inspection will be scheduled until the fee has been paid. If you need to cancel or reschedule an inspection, please call the office at 297-2920 before noon on the day of your appointment. The inspector shall review the property and structures for compliance with the Property Maintenance Code and relevant ordinances. This inspection should be in addition to, and not in lieu of professional inspections.

Applicant's
Signature _____

Applicant is: (Check one)
Owner Agent Power of Attorney

=====

FOR OFFICE USE:

_____ will meet the Inspector on: _____

Date and Time of Inspection

FEE PAID: _____

DATE: _____

NOTICE

To: All Sellers of Homes in the City of Oakwood

Date: May 24, 2016

RE: Residential Pre-Sale Inspection Program

For nearly 50 years, the City of Oakwood has operated a Pre-Sale Inspection Program for residential properties. This code enforcement program is especially important in a community like Oakwood, which despite its aging stock of homes, continues to be the premier residential community in the Miami Valley.

On May 4, 2016, an LLC and individual filed a lawsuit challenging the constitutionality of Oakwood's Pre-Sale Inspection Program. The City is vigorously defending its ordinance in federal court, but while the matter is pending, the City has agreed to temporarily suspend enforcement of certain aspects of the program, as follows:

1. While a violation of the Pre-Sale Inspection ordinance is a minor misdemeanor offense, the City has never had to cite anyone for non-compliance with the Pre-Sale Inspection Program. This is due to the City's practice of working with sellers and buyers alike to achieve the common goal of code compliance to protect the health, safety and welfare of those living in the home and the community. Regardless, the City has agreed that it will suspend enforcement of the penalty clause (a minor misdemeanor - \$150 fine only).
2. The City has agreed to suspend the *interior* component of pre-sale inspections except in the following circumstances:
 - a. If the resident knowingly and voluntarily consents to the inspection;
 - b. If there is an *emergency*, as defined by state and federal case law;
 - c. If the inspection is conducted with a lawfully issued warrant; or
 - d. If observations of code violations are within plain view.
3. The City has agreed to suspend collection of the \$60 administrative fee for pre-sale inspections. There will be no charge until further notice.

These changes are effective as of May 24, 2016. All other Pre-Sale Inspection Program requirements remain in effect. A seller of real estate must still apply for the pre-sale inspection (which will be limited to an exterior plain-view inspection except in the circumstances noted above), correct any code violations that are revealed by the inspection, pay any outstanding water and sewer bills for the property, and address any issues related to outstanding residential work that required permits.

If you have any questions regarding these matters, please feel free to contact the City's Law Director, Rob Jacques, at (937)298-0600.



City of Oakwood
Law Department
30 Park Avenue
Oakwood, Ohio 45419