

CITY OF PITTSBURGH
Department of Permits, Licenses and Inspections (PLI)

*Rules and Regulations pursuant to
the Pittsburgh City Code, Title VII
Business Licensing, Article X
Rental of Residential Housing,
Chapter 781, Residential Housing
Rental Permit Program*

RULES GOVERNING PROCEDURES OF
RESIDENTIAL HOUSING RENTAL PERMITS

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RULE 1 - APPLICABILITY & GENERAL PROVISIONS

A. Statement of Purpose

The City of Pittsburgh recognizes the need for a registration program for residential rental units located within the City in order to ensure rental units meet all applicable building, existing structures, fire, health, safety, and zoning codes, and to provide an efficient system for compelling both absentee and local landlords to correct violations and maintain, in proper condition, rental property within the City.

B. Administration

The Residential Housing Rental Permit Program will be administered under the supervision of the Director of Permits, Licenses and Inspections of the City of Pittsburgh.

C. Fair Housing Statement

The City of Pittsburgh's Fair Housing Practice Ordinance (659.04) and the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968), mandates all persons be afforded equal opportunity to housing regardless of race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity or expression, status as a victim of domestic violence, disability, or familial status. The Residential Housing Rental Permit Program shall be administered without discrimination. Any person wishing to file a complaint of discrimination may contact the City of Pittsburgh Commission on Human Relations at (412) 255 - 2600.

D. Applicable Laws, Codes, Ordinances & Standards

The following is a non-exhaustive list of laws, codes, ordinances, and standards that are applicable to the Residential Housing Rental Permit Program:

International Property Maintenance Code

City of Pittsburgh Code of Ordinances, Titles Nine, Ten, Eleven and Twelve

HUD Housing Quality Standards (HQS)

Federal Fair Housing Law Title VIII of the Civil Rights Act of 1968

City of Pittsburgh Fair Housing Ordinance, §659.04

RULE 2 - DEFINITIONS

As used in this Chapter, the following terms and words shall have the following meanings, unless the context clearly indicates that a different meaning is intended.

- (a) ***Affordable Housing Property***” means a rental unit located in a building that is:
- i. Subject to a Regulatory Agreement or Use Agreement with the United States Department of Housing and Urban Development (HUD); and/or
 - ii. Subject to a Regulatory Agreement, Indenture of Restrictive Covenants or other agreement with the Pennsylvania Housing Finance Agency (PHFA), which agreement is (1.) recorded in the records of the Allegheny County Department of Real Estate, (2.) limits new occupancies of at least 80% of rental units subject to such agreement to persons with incomes no higher than 60% of the Area Median Income (as defined by HUD), and (3.) subjects the rental unit(s) to annual property inspections by HUD, PHFA, or a designee of HUD or PHFA.

- iii. Notwithstanding Sections 781.01 (a)(i) and 781.01(a)(ii) of the City of Pittsburgh Code of Ordinances (“City Code”) a rental unit shall not be considered “Affordable Housing Property” solely due to its voluntary enrollment by the landlord and tenant in a state-subsidized housing program, including, but not limited to, the Housing Choice Voucher Program (i.e. “Section 8”).
- (b) **“City”** means the City of Pittsburgh. To the extent that this Article requires filings or submissions, “City” shall refer to the Department of Permits, Licenses, and Inspections, Department of Finance, City Planning or other department and/or bureau that the City has legally designated to perform a function on its behalf.
- (c) **“Dormitory”** means the use of a zoning lot for occupancy solely by groups of people who are not defined as a family and who are registered students at a college, university or other institution of higher learning, on a weekly bases or longer, and is managed by the institution at which the students are registered.
- (d) **“Dwelling Unit”** means a building, or portion thereof, designed for occupancy for residential purposes and having cooking facilities and sanitary facilities.
- (e) **“Designated Inspector”** or **“Inspector”** means person(s) employed by the City to inspect a rental unit or building for compliance.
- (f) **“Landlord”** means any person who owns or controls a dwelling, dwelling unit, or rental unit and rents such unit, either personally or through a designated agent, to any person.
- (g) **“Owner”** means the legal title holder of a rental unit or the premises within which the rental unit is situated. Where the owner is not a natural person, the owner information shall be that of the president, general manager or other chief executive of the organization. When more than one person has ownership interest, the required information shall be provided for each owner.
- (h) **“Owner-Occupied Rental Unit”** means a rental unit that is a one or two family building occupied in whole or in part by an individual whose name specifically appears on the deed for the property where the rental unit is located.
- (i) **“Person”** means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation or receiver, executor, personal representative, trust, trustee, conservator or other representative appointed by order of any court.
- (j) **“Premises”** means a lot, plot, or parcel of land, including the buildings or structures thereon, which also includes dwelling units and dwellings.
- (k) **“Rental Unit”** means any dwelling unit or residential structure containing sleeping units, which is leased or rented from the owner or other person in control of such units, to any tenant for a term exceeding fifteen consecutive days within a thirty day period. Hotels, motels, bed and breakfast establishments, public housing units, dormitories, certified rehabilitation facilities, long-term medical care facilities, and Owner-Occupied Rental Units shall be exempt from this Chapter.

- (l) **"Responsible Local Agent"** means a natural person having his or her place of residence within Allegheny County and/or a professional, licensed real estate management firm with an office located within Allegheny County, or an entity which is excluded from licensure by the Pennsylvania Real Estate Licensure Act, with an office located within Allegheny County or the City of Pittsburgh, which has been granted legal authority by the property owner in accordance with the laws of the Commonwealth as the agent responsible for operating such property in compliance with the ordinances adopted by the City.
- (m) **"Tenant"** means any individual who has the temporary use and occupation of real property owned by another person in subordination to that other person's title and with that other person's consent; for example, a person who rents or leases a dwelling, dwelling unit, or rental unit from a landlord.

RULE 3 PROGRAM ADMINISTRATION

A. Requirement

No person shall lease, rent, or otherwise allow a rental unit within the City to be occupied without first obtaining a rental permit from PLI and designating a Responsible Local Agent.

B. License Fees

As prescribed in the Pittsburgh City Code, the fees are as follows:

Price per unit	Number of Units per Parcel
\$65.00	10 or fewer units
\$55.00	Between 11 and 100 units
\$45.00	101 and more units

Fee Exemptions and Reductions

1. Rental Registration permit holders shall be eligible to renew their Rental Registration Permit at half the normally applicable fee, if they meet the following criteria:
 - i. The responsible local agent and owner(s) have successfully completed the Good Landlord academy training¹, or;
 - ii. The registered parcel and building that have passed PLI inspection.
2. Affordable Housing Properties shall be exempt from the Annual Rental Registration Permit Fee, but are subject to registration and inspection.
3. Owner-Occupied units shall be exempt from the Annual Rental Registration Permit program.

C. Files and File Retention

All rental dwelling registration form information shall be retained in electronic format for seven years. All rental dwelling inspection report form information indicating

¹ See attached Appendix A - Good Landlord Training requirements and Good Landlord Practices Checklist.
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Department of Permits, Licenses & Inspections
 200 Ross Street, Pittsburgh, PA 15219

violations shall be retained electronically for three years.

D. Use and Conflict

The rules and regulations set forth in this document supplement the International Property Maintenance Code as adopted for the purposes of administering the City of Pittsburgh residential dwelling inspection program. The International Property Maintenance Code is the official document to be used and references by the city to carry out and enforce the residential rental registration and inspection program. Wherever there is a discrepancy regarding standards or procedures noted herein and those contained in a zoning regulation, building code, the property maintenance code and/or other official regulations or ordinances, the most restrictive shall apply.

E. Penalty

Violation of City Code Title VII, Article X, Chapter 781 (“Residential Housing Rental Permit Program”) and its applicable Rules and Regulations as required by City Code §781.06 (“Implementation and Enforcement”), shall be a summary offense as defined in City Code §781.09 (“Penalty”). The fine for each separate violation shall not exceed \$500 (Five Hundred Dollars) per each unit per each month that a rental unit is not registered as required by this Chapter.

RULE 4 - RENTAL PERMIT REGISTRATION

A. Registration Forms

Rental Permit Registration shall be made upon forms furnished by the City and shall require all of the following information indicated below. A P.O. Box is not an acceptable address form for all address information requested. The rental dwelling registration form furnished by PLI will include full information requirements. Registration applications will be rejected and returned to the applicant if the information indicated below is not provided:

1. The street address and Block and Lot number of the rental unit(s);
2. The number and types of rental units within the rental property;
3. Name, residence address, telephone number, and where applicable an E-mail address, mobile telephone number, and facsimile number of all property owners of the rental unit(s);
4. Name, residence address, telephone number, and where applicable an E-mail address, mobile telephone number, and facsimile number of the Responsible Local Agent designated by the owner, if applicable;
5. The name, address, telephone number and where applicable an E-mail address, mobile telephone number, and facsimile number of the person authorized to collect rent from the tenants;
6. The name, address, telephone number and where applicable an E-mail address, mobile telephone number, and facsimile number of the person authorized to make or order repairs or services for the property, if in violation of City or State codes, if the person is other than the owner or the responsible local agent;
7. The name, address and telephone number of any lien-holder(s) on the rental unit or the real property on which the rental unit is located at time of annual registration.
8. A copy of a current valid occupancy permit for the property shall be provided at

the initial application. Single family housing shall be exempt from providing a valid occupancy permit.

9. Certificate of Insurance with limits not less than \$100,000 for personal injuries and not less than \$25,000 for property damage. Self-insured entities must provide proof of self-insurance.
10. Certification that the unit is an affordable housing unit as defined, if applicable.
11. Proof of payment of all City tax obligations.
12. Affirmation that the Owner or Responsible Agent has informed tenants of their Fair Housing rights.
13. Affirmation that the Owner or Responsible Agent has informed tenants of the Lead Based Paint Disclosure.
14. Affirmation that the Owner or Responsible Agent has informed the tenants of the City of Pittsburgh Waste Disposal and Recycling ordinance.

B. Accurate and Complete Information

All information provided on the registration form shall be accurate and complete. No person shall provide inaccurate information for the registration of a rental unit, or fail to provide the information required for such registration. The registration form shall be signed by the property owner(s) or the designated Responsible Local Agent, where applicable. When the owner is not a natural person, the owner information shall be that of the president, general manager or other chief executive of the organization. When more than one person has an ownership interest, the required information shall be provided for each owner.

C. Change in Registration Information or Transfer of Property

1. Except for a change in the Registered Local Agent, the property owner of a rental unit registered with the City shall re-register after any change occurs in the registration information.
 - i. If the property is transferred to a new owner, the new property owner of a registered rental unit shall re-register the rental unit within sixty (60) calendar days following the transfer of the property. The new owner will be required to register as a new applicant and new registration requirements and fees will apply.
 - ii. Property owners shall notify the Department of Permits, Licenses, and Inspections of any change in the designation of the registered local agent, including a change in name, address, E-mail address, telephone number, mobile telephone number or facsimile number of the designated registered local agent within five (5) business days of the change. A change under this clause C (1) (ii) is an amendment to the registration and does not require a new registration or fee if completed during the registered period.

D. Registration Term and Renewals

Registration of a rental unit shall be effective for one year from the license start date. The property owner shall re-register each rental unit with the City, thirty (30) calendar days prior to the expiration of the registration of the rental unit.

RULE 5 – RENTAL DWELLING INSPECTION

F. Scope of Inspection Program

The residential rental inspections required to carry out the residential rental permit program shall apply to all residential rental dwelling units within the City of Pittsburgh. All properties which are deemed residential rental dwelling units shall be inspected by a designated inspector for compliance with the City of Pittsburgh housing and property maintenance standards. The City of Pittsburgh will utilize the International Property Maintenance Code for the purposes of carrying out and enforcing compliance with minimum residential rental housing quality and standards.

A Good Landlord Guide furnished by PLI shall include a checklist of rental housing quality and standards and shall be available electronically.

G. Inspection Exemption and Reductions

Effective three (3) years following the implementation of Ordinance No. 60 of 2015:

1. Units that successfully pass inspection shall be inspected only once (1) every five (5) years, other rules notwithstanding. An inspection is deemed successful if all inspection list items are marked “acceptable” or “not applicable” by the inspector.

H. Enforcement

Under no circumstances will a rental inspection be completed without the affirmative consent and presence of either the property owner, responsible agent, facilities or maintenance employee for the owner, or the tenant of the property who is 18 years of age or older. Exceptions to this consent requirement may exist where there is a court order allowing such entry and/or if exigent circumstances (i.e. imminent and urgent threat to safety and/or health) are present at the rental unit.

Subject to the consent requirement described above, all residential rental dwelling units shall be inspected a minimum of one time every three years, unless otherwise exempted or reduced in accordance with these Rules and Regulations.

In addition, a rental dwelling unit may be scheduled for immediate inspection, subject to the consent requirement described above, under the following circumstances:

- i. After the registration of the rental dwelling unit;
- ii. Upon receipt of written or verbal complaint from an owner, owner’s representative, occupant, or member of the public that the premises is in violation of any property maintenance code standard;
- iii. Upon receipt of a report or referral from the police department, fire department, public or private school, any public agency, or member of public, for a failure to comply with the rental registration ordinance.
- iv. Upon evidence of an existing ordinance violation observed by a designated inspector.

Subject to the consent requirement described above, any unit that has not passed its inspection shall be inspected at the discretion of the Department of Permits, Licenses, and Inspections until such time that it does pass an inspection.

Property owners and/or the designated responsible agent will be contacted with an initial request to schedule an inspection on their rental dwelling unit(s). Subject to the consent requirement described above, a reasonable effort shall be made to schedule the inspection on a date and time which is convenient to the effected parties.

Under no circumstances will a rental dwelling inspection be completed without the presence of either the property owner, responsible agent, facilities or maintenance employee for the owner, or the tenant of the property who is 18 years of age or older.

Subject to the consent requirement described above, a designated inspector shall conduct a thorough inspection of the premises and complete a rental dwelling inspection as indicated in the inspection checklist furnished during the Landlord Academy and publicly available online. On the report form every applicable item will be marked either "Acceptable," "Unacceptable," or "Not Applicable." If an item is marked as "Unacceptable" the inspector will state on the report the minimum repairs that are required to correct the deficiency. A report noting any violations of the property maintenance code or any other provision of City Code Ch. 781 in PLI's scope of enforcement shall be provided to the property owner or the responsible agent. If requested, a copy of a completed checklist with no violations may be electronically provided to the property owner or the responsible agent, if requested. Rental registration violations will be issued according to the standard PLI code enforcement violation process.

I. Inspector Safety

If at the time of the scheduled inspection the designated inspector determined that there is reasonable cause to be concerned for their personal safety, the inspector shall leave the premises and notify the Building Code Official immediately. The following list represents examples of items which may cause reasonable concern for the inspector's personal safety:

1. Presence of major health violation(s) which pose threat to inspector's safety (e.g. severe insect or rodent infestation, severe sewage backup).
2. Evidence of structural deficiencies which pose imminent danger.
3. Presence of threatening individuals.
4. Presence of unrestrained and threatening animals.

J. Notice of Violations

When PLI determines that there has been a violation of any provision of this Chapter, the License Officer or their designee shall send the Owner or Responsible Local Agent a Thirty (30) Day Notice of Violation, warning of the failure to comply with the Chapter. Such written notice shall provide with specificity any violation, any corrective actions required, and the right to appeal in accordance with this Chapter. Notice shall be served by the method of service of process set forth in City Code §781.03(e)(3).

In the event that the violation is a serious health and/or safety issue, PLI will accelerate

enforcement to more immediate action at the discretion of PLI Code Officials.

RULE 6 – RIGHT TO APPEAL

Section 781.08 of the City Code establishes the right of any person aggrieved by any action of the License Officer to appeal such action. City Code §701.15 establishes the Board of License and Inspection Review. City Code §701.16 thereof establishes the following means of appealing issues that arise from enforcement of Business Licensing:

Pittsburgh City Code, Title VII

§701.16 - Right of Appeal

(a) Any person aggrieved by any action of the License Officer related to the issuance, transfer, renewal, refusal, suspension, revocation, or cancellation of any City license issued pursuant to this Title shall have the right to appeal to the Board of License and Inspection Review.

(b) Appeals shall be filed in writing in a form and manner prescribed by the License Officer. Each appeal shall be accompanied by a copy of the notice, order, or other official document which is the subject of the appeal, as applicable. Each appeal shall be filed within thirty (30) days of the date of the action being appealed.

(c) All appeals considered by the Board of License and Inspection Review shall be heard in a public forum at a publicly advertised time as determined by the Board of License and Inspection Review.

(d) The Board of License and Inspection Review shall maintain an official record of all hearings and such hearings shall be conducted in compliance with all applicable laws.

City Code §701.17 establishes actions prohibited during the time of appeal, while City Code §701.18 establishes penalties for violation of any provision of Title 7 (“Business licensing”) as follows:

§ 701.17 - Action Pending Appeal

Whenever an appeal is filed pursuant to this Chapter or Title X, Chapter 1004, Section 1004.02 is pending, compliance with the order, decision, notice of violation, or license suspension or revocation which is the subject of the appeal shall not be required except where there exists a condition of immediate danger or hazard to health, safety, or welfare which requires immediate compliance.

§ 701.18 - Penalty

(a) Whoever violates any provision of Title 7 Business Licensing shall be punished as provided in Section 101.09 of Title 1 Administrative.

(b) Administrative penalty fee shall be charged on all late filings for license permits under this Title.”

RULE 7 -- LANDLORD & TENANT RIGHTS & RESPONSIBILITIES

The Owner and/or Responsible Local Agent shall be responsible for all the following:

- (1) Operating the registered rental unit(s) in compliance with all applicable City ordinances
- (2) Providing access to the rental unit(s) in compliance with all applicable City ordinances

- (3) The owner may designate a Responsible Local Agent for the acceptance of all legal notices or services of process with respect to the rental units. If not a resident of Allegheny County, and if no Responsible Local Agent is designated, the Owner and Landlord, by virtue of execution and acknowledgement of the Registration Form will accept service of original process for matters related only to the rental units by accepting service of process in accordance with the Pennsylvania Rules of Civil Procedure 403 Service by Certified Mail at the Owner's address as set forth in the registration form. This service of process by mail will constitute original service of process as directed in the Pennsylvania Rules of Civil Procedure 403.

RULE 8 -- GOOD LANDLORD ACADEMY

The Department of Permits, Licenses and Inspections (PLI) will provide training available to Owners and Responsible Agents for the purposes of explaining the rental registration inspections program and providing information on governmental resources and enforcement activities.

Applicants and registrants that successfully complete the training and the accompanied evaluation will be eligible to halve their rental registration unit fee for the upcoming registration year (Rule 3 (B)(1)).

In order to be eligible for the incentives outlined in the Rules and Regulations, both the Responsible Agent Listed and the Owner(s) must successfully complete the Good Landlord Academy and accompanied test.

APPENDIX A

Good Landlord Academy

Trainings by Department:

1. Permits, Licenses and Inspections:
Proper completion of permits and licenses, and the inspection process.
(2 hours)
2. Department of Public Works:
Environmental services, street maintenance, refuse & recycling obligations
(1 hour)
3. Public Safety:
EMS, Police and Fire safety resources,
Fire Code and Fire Prevention
(1 hour)
4. Commission on Human Relations:
Fair Housing 101
(1.5 hours)
5. Lead Based Paint Overview
TBD
TBD
6. 311 Response Center
Complaint process
TBD
TBD