

RENTAL PROPERTY REGISTRATION

Public Hearing 1-6-2026: Pending Law Adoption

- To establish a registry to identify property owners of rental property
- To identify contact for emergencies, water/sewer issues, and to ensure all rental units within the Village are maintained in a safe, sanitary, and habitable condition
- A *Rental Property Registration* form must be completed or penalties will apply
- A one-time registration of \$75 applies to each property owner/ NOT each property
- A \$25 fee will be assessed when adding properties to an existing owner list
- Multiple properties can be listed on the registry document
- Multi-dwelling units (3 or more units) are required to be inspected every (3) years by an already established NYS Law
- Rental properties with (1) or (2) units are NOT mandated to be inspected unless under a 3rd party subsidy
- Dormitory Dwellings are inspected annually as required under an already established NYS Law
- A written inspection report is issued to the owner listing any observed violations and time allowed for correction
- If no violations are cited a letter of full compliance will be issued

RENTAL PROPERTY REGISTRATION

Purpose and Authority

Pursuant to the authority granted under New York State Executive Law §381 and Village Law §4-412(1), the Village of Gowanda establishes the following Rental Property Registration to ensure that all rental units within the Village are maintained in a safe, sanitary, and habitable condition in compliance with Article 19 NYCRR Part 1203.3 of the New York State Uniform Fire Prevention and Building Code, Property Maintenance Code of New York State, and applicable Village of Gowanda Codes.

Definitions

For the purpose of these guidelines, the following terms shall have the meanings indicated:

Rental Property: Any dwelling unit, structure, or portion thereof that is occupied or intended to be occupied by someone other than the legal owner, under any form of agreement (written or oral) in exchange for payment or consideration.

Multi-Dwelling (MD): Any building or portion thereof containing three (3) or more residential units under single ownership or management.

Dormitory Dwelling (DD): A structure designed or used to house multiple unrelated individuals, including boarding houses, dormitories, or similar occupancies.

Property Owner: Any person, firm, corporation, partnership, or entity holding title to a rental or multi-dwelling property.

Code Enforcement Officer: The duly appointed officer or their designee responsible for enforcing the New York State Uniform Code and local property maintenance ordinances.

Registration Requirements

A. All rental property owners located within the Village of Gowanda shall register each property with the Code Enforcement Department within 90 days of the effective date of this chapter.

B. Registration shall include:

1. The legal owner's name, address, and contact information;
2. The property address and number of dwelling units;
3. The name and phone number of a local agent or property manager, if applicable;
4. Failure to provide and submit a completed, accurate information, or providing false information on the rental registration form, shall be deemed non-compliance, shall be a violation and be subject to possible penalties and enforcement.

RENTAL PROPERTY REGISTRATION

C. Registration forms are available in the Village Clerks Office and must be completed and returned within 90 days of this law being effective.

D. It is the property owner's responsibility to keep this information accurate and updated. The owner shall amend the registration to reflect any change in the required information within 30 days of such change. Failure to comply shall constitute a violation and the owner may be subjected to penalties and/or fines.

E. The acquisition or transfer of property constituting as a rental property shall require the new owner complete, sign, and submit the Rental Registration form to the Code Enforcement office within 30 days of the date of grant or transfer.

Penalties and Enforcement

A. Any person or entity who fails to register a rental property, multi-dwelling unit, dormitory dwelling, or violates any provision of this policy shall be subject to penalties as follows:

1. Fine of not less than \$100 nor more than \$1,000 per day, or imprisonment not exceeding 15 days, or both; and
2. Each week that a violation continues shall constitute a separate offense.

B. The Village may also seek injunctive relief or other civil remedies pursuant to Executive Law §382.

Fees

A. There is a one-time fee of \$75.00 to register as a "landlord". This is not per property. However, all properties must be listed. A fee of \$25.00 will be assessed when adding properties to an already established list.

Recordkeeping and Coordination

A. All rental registration and inspection records shall be maintained by the Code Enforcement Office for a minimum of five (5) years, in accordance with the New York State Records Retention Schedule MU-1.

B. Copies of inspection results shall be shared with the Gowanda Fire Department for pre-fire planning and life safety purposes.

RENTAL PROPERTY REGISTRATION

Inspection Requirements

A. Inspection Frequency as per Article 19 NYCRR Part 1203.3

- Multi-Dwellings (MD): Inspected at least once every three (3) years.
- Dormitory Dwellings (DD): Inspected at least annually.
- Additional inspections may be conducted upon change of ownership, tenant complaint, or as otherwise deemed necessary by the Code Enforcement Officer.

B. Notice of Inspection.

The Code Enforcement Officer shall provide written notice to the property owner at least thirty (30) days prior to scheduling an inspection. It is the owner's responsibility to coordinate access and to notify tenants not less than 24 hours prior to the inspection date.

C. Failure to Provide Access.

If access is denied or inspection is refused, the Village may seek an administrative search warrant in accordance with Executive Law §381(3) and 19 NYCRR Part 1203.3.

D. Inspection Report.

Upon completion, an inspection report shall be issued to the owner listing any observed violations and the time allowed for correction.

Violations and Orders to Remedy

A. When an inspection violation(s) is identified, a written Notice and Order to Remedy shall be issued specifying:

1. An inspection violation(s) found and the specific code sections violated;
2. The corrective actions required; and
3. A compliance deadline of thirty (30) days, unless otherwise noted.

B. The property owner shall correct all cited violations within the specified time.

C. Failure to comply may result in the issuance of appearance tickets, fines, or revocation of the Certificate of Rental Compliance.