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Landlord Registration Statement

Property Information

At least one form must be filled out and returned to the above address for each qualifying property within the City of Troy

Address of Property: _____

Is this Property Owner Occupied: _____ Total Number of Units: _____ Total Number of Tenants: _____

Properties are Rented (check all that apply): yearly lease month to month per person per room
 other (explain) _____

Use the space below to indicate the number of units, occupants and bedrooms per unit. If the property exceeds six (6) units please provide information of additional units on a separate sheet.

Unit Number	Number of Occupants	Number of Bedrooms

Please check here if tenants are allowed to have pets

Landlord and Manager Information

Both Landlord/Owner and Manager/Management Company Information is MANDATORY

Property Owner's Name: _____

Name as Listed on Deed: _____

Owner's Physical Address (no PO Boxes): _____

Owner's Mailing Address: _____

Owner's Home Phone: _____ Business Phone: _____

Owner's Insurance Company: _____ Insurance Phone: _____

Please provide a copy of your insurance policy with this form as provided in § 177-7 A (4).

If Applicable:

If property owner lives more than twenty miles outside of City of Troy, local management company/manager is mandatory

Management Company Name : _____

Address: _____

Manager: _____ Manager Phone: _____

Comments

Please provide any comments or feedback (add additional sheets if necessary)

Verification

I swear that all the information given is true to the best of my knowledge and acknowledge that I have read Chapter 177, Titled Landlord Registry, of the City of Troy Code (attached to the back of this form).

Signature of Owner/Designee

Date

Any person who fails to comply with the provisions of this chapter shall be guilty of a violation and upon conviction thereof shall be subject to a fine of not less than \$100 nor more than \$500, or imprisonment not to exceed 15 days, or both.

Chapter 177: LANDLORD REGISTRY

ARTICLE I Purpose and Definitions

§ 177-1. Purpose.

The purpose of this chapter is to establish a procedure for the identification and registration of rental properties, and to ensure that the City of Troy, hereinafter "City", has a meaningful, efficient, and effective means of communicating with the persons and companies who own said rental property. This chapter is adopted to promote the health and safety of tenants and residents of the City, and to alleviate conditions of substandard housing, including slums and blight.

§ 177-2. Enforcement.

This registry shall be enforced by the Bureau of Code Enforcement. See § 176-5. **Enforcement Authority.**

§ 177-3. Definitions.

MANAGING AGENT - Any individual or individuals, partnership or corporation or any similar type of business organization who accepts responsibility for and control of a building.

OWNER — Any individual or individuals, partnership or corporation or any similar type of business organization, whether for profit or otherwise, in whose name title to a building stands, including a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of the property.

PROCESS — A summons or any notice, mandate or any other paper process issued under any provision of the Code of The City of Troy or any law or regulation of the State of New York.

RENTAL PROPERTY — Any building containing residential units which are either rented, leased, let or hired out to be occupied for residential or mixed use (commercial-residential), and are non-owner occupied. For any rental property to be considered owner occupied, the owner must prove that all individual owners, all partners, or all shareholders of a corporation actually have their principal residence at the rental property and reside therein on a full-time basis, it being the actual domicile of all individual owners, all partners, or all shareholders. At the request of the City, any owner who claims to occupy the rental property shall provide a sworn affidavit providing the necessary information to support his or her claim that the premises are owner-occupied.

RENTAL UNIT — A residential unit occupied by a party other than an owner.

RESIDENTIAL UNIT — One or more rooms with provision for sanitary and sleeping facilities, for food preparation, for living and for working.

TENANT — A party whose right to possession of a rental unit is subject to the express or implied consent of the owner.

ARTICLE II Property Registration

§ 177-4. Registry Authority.

- A. The Registry Authority shall be responsible for administering and managing the Landlord Registry.
- B. The duties of the Registry Authority shall be fulfilled by the Bureau of Information Services (B.I.S.), with the assistance of the Bureau of Code Enforcement.

§ 177-5. Registration of owner.

- A. The owner of a property constituting a rental property shall register the same with the Registry Authority within ninety (90) days of the effective date of this chapter. The registration form shall be known as a "landlord registration statement", and shall be signed and affirmed by the property owner of record, and if applicable, the managing agent.
- B. It shall be unlawful for any owner to offer any unit for rent, or to rent any unit, or to allow any rental unit to be occupied without having first registered pursuant to this chapter as required herein within the time prescribed for such registration. Failure to receive notice of the registration deadline shall not be a defense for failure to register rental property. It is the owner's responsibility to fulfill the requirements of this article.

§ 177-6. Designation of managing agent.

- A. In the event that the owner of a rental property does not reside within twenty (20) miles of the City limits, or if the owner is not a natural person, such owner shall be required to designate a managing agent.
- B. The managing agent shall be a natural person, eighteen (18) years of age or older, who actually resides within twenty (20) miles of the City limits or has a regular place of business within twenty (20) miles of the City limits.
- C. The managing agent shall be designated by the owner as the person responsible for and in control of the maintenance and operation of such rental property, and upon whom process may be served on behalf of the owner.
- D. Nothing contained in this section shall be construed as preventing a corporation which is an owner of real property from designating as its managing agent with respect thereto any officer of such corporation who meets the requirements of this subsection as to location of the residence or the place of transacting business of the managing agent.
- E. Any designation as managing agent made pursuant to the provisions of this section shall remain in full force and effect until changed or terminated as herein provided.

§ 177-7. Landlord registration statement.

- A. Every owner of a rental property as defined above shall file with the Registry Authority, within ninety (90) days after the adoption of this chapter, a landlord registration statement on forms to be supplied by the Registry Authority, containing the following information:
 - (1) Property Description: A description of the premises, including: address, number of units, number of floors, total number of bedrooms, whether the units are rented or leased, the name listed on the property deed, and any other identifying information as requested by the Registry Authority.
 - (2) Owner Information: The owner's name, physical address (P.O. Box is not acceptable), mailing address, and primary and secondary voice telephone numbers. If available, a fax number and/or an e-mail address may be provided.
 - (3) Designation of Managing Agent: If a managing agent is required by § 177-6, then the owner shall provide the following

- information: the name, business address, business telephone number, and fax number of the managing agent.
- (4) Insurance Information: The name, address, and business telephone number of the insurance provider, along with a copy of the insurance policy.
 - B. The owner shall be obligated, at all times, to keep this information updated, and when there is a change in any of the requested items (ownership, managing agent, insurance coverage, etc.), the owner shall update the information by amending the landlord registration statement within thirty (30) days from the date of any such change.
 - C. Upon completion, execution and submission of the landlord registration statement as aforesaid, said registration shall be reviewed by the Registry Authority or their designee for adequacy. Should the Registry Authority and/or their designee determine that said application is incomplete for any reason, said application shall be marked "rejected" and returned to the filer. A rejected application shall not be deemed compliant with the requirements of this article.
 - D. Where after filing any landlord registration statement in relation to any rental property under the applicable provisions of this article, the owner of such property shall have granted or transferred his/her right, title or interest therein or in any part thereof, the new owner shall file a new landlord registration statement with the Registry Authority within thirty (30) days after such grant or transfer.
 - E. Any designation of the managing agent made pursuant to the applicable provisions of this section shall cease to be effective if such agent shall die or be judicially declared incompetent. An owner may terminate such designation by filing with the Registry Authority a sworn written statement designating a new managing agent made in conformity with the provisions previously cited.
 - F. The landlord registration statement shall be signed by the owner, or if such owner is a corporation, by an officer thereof, or if such owner is a partnership, by a partner thereof, and said statements must be sworn to under the penalties of perjury.
 - G. If a managing agent is designated pursuant to the applicable provisions of this section, the landlord registration statement shall also be signed by said managing agent.
 - H. Any such landlord registration statement or designation of a managing agent shall be deemed prima facie proof of the statement therein contained, in any criminal or civil prosecution instituted by the City or by any proper prosecutorial agency against the owner or managing agent of a rental property.

§ 177-8. Fees.

- A. There shall be a filing fee of \$150 per rental property, which shall be paid with the filing of the Landlord Registration Statement, as outlined in § 177-7 herein. The Registry Authority is hereby authorized to waive the above filing fee so long as the Landlord Registration Statement is received by the Registry Authority within ninety (90) days of the effective date of this chapter, or within ninety (90) days of landlord receipt of a certificate of occupancy for newly constructed residential units.
- B. There shall be a late fee assessed in the amount of \$75 for each additional sixty (60) days that a rental property remains unregistered in violation of any registration period defined herein above.
- C. All unpaid fees imposed on or after the effective date of this chapter shall be added to the annual City tax levy for each affected property.

§ 177-9. Penalties for offenses.

Any person who fails to comply with the provisions of this chapter shall be guilty of a violation and upon conviction thereof shall be subject to a fine of not less than \$100 nor more than \$500, or imprisonment not to exceed 15 days, or both.