To:   Distribution

From: Barry G. Cox

Date: 6 March 1992

Subject: Temporary Certificates of Occupancy

OPERATIONS
POLICY AND PROCEDURE NOTICE # 5/92

Effective: Immediately

Purpose:

To assure that purchasers of newly constructed one, two and three family homes are aware that all objections required for this agency to issue a final certificate of occupancy may not have been corrected by the developer/builder and that it is the developer/builder's responsibility to do so.

Specifics:

When an application is received for a certificate of occupancy and the necessary inspections indicate that the structure substantially complies with code and other applicable law, but sufficient objections exist precluding the issuance of a final certificate of occupancy, none of which affect the public safety, the Borough Commissioner/Superintendent may, in his/her discretion, issue a temporary certificate of occupancy.

In addition to any other condition or requirement, no temporary certificate of occupancy shall be issued unless the following documents are supplied:
- a signed statement from the developer/builder accepting responsibility to cure the stated objections to qualify for a final certificate of occupancy.

- a signed statement from the developer/builder's attorney indicating that in an escrow account there has been deposited an amount sufficient to complete the work required for a final certificate of occupancy and that it is the developer/builder's responsibility to obtain the final certificate of occupancy.

- a signed statement from the developer/builder agreeing that at every closing on a house with a temporary certificate of occupancy, he/she will inform the buyer of outstanding objections required to be cured in order to obtain a final C of C, and the name of the holder of the escrow account.