



## What are rental inspection programs?

Rental inspection programs require scheduled inspections of rental properties to protect the health and safety of the public. Depending on the program, these inspections occur on a routine basis or at the transfer of occupancy. In communities without a rental inspection program, the Board of Health typically inspects a rental property based on a specific complaint received by a municipal employee, tenant, or member of the general public. Rental inspection programs are a more proactive method of protecting the health and safety of residents by identifying violations through regular site visits. Rental inspection programs are typically established through a local bylaw or ordinance.

Some communities simply require an inspection when the tenancy is changing. While a useful approach, health and safety concerns within the unit of a long-term tenant could go undetected, perhaps for many years. A more robust program requires a routine inspection based on years of rental occupancy. Common routine rental inspection requirements are that every 2, 3 or 5 years, the unit must be inspected. Some rental inspection programs exclude multi-unit housing when the building is owner-occupied. Others exclude multi-unit housing that is less than three units.

## Benefits of rental inspection programs:

Without a routine rental inspection program, tenants may be unwilling to file a health or safety complaint due to fears, such as the risk of eviction. A routine rental inspection program means violations can be identified and addressed without the involvement of the tenant. By addressing health and safety violations sooner, housing quality is enhanced, occupants are safer, and livability is improved. By enforcing the correction of minor violations, the likelihood of more serious violations and, ultimately, the potential condemnation of the property by the Board of Health is lessened.

## Establishing a rental inspection program:

A rental inspection program is established by the local legislative body, town meeting, or city council as a bylaw or ordinance. The local law explains which properties are subject to an inspection, the frequency of the inspections, and how violations must be addressed.

To manage the inspections, the city or town may require that all rental properties are officially registered with the Board of Health. An inspection fee may be required to register a rental property.

Before beginning a rental inspection program, it is important to determine staff requirements and whether additional staff will be needed to conduct the inspections.

Once passed, contacting all rental property owners is necessary to explain the requirements. Some communities have created a brochure or webpage to describe the process, fees, and inspection schedule.

## BRPC PROGRAM

Community Planning Program  
[berkshireplanning.org/programs](http://berkshireplanning.org/programs)

### Rental inspection programs in Berkshire County:

#### Adams

The town of Adams requires a pre-rental inspection prior to occupancy.

#### North Adams

The city of North Adams requires inspection of rental units prior to the transfer of occupancy. If approved, a Certificate of Compliance is issued.

#### Pittsfield

The city of Pittsfield requires non-owner-occupied properties to be registered with the Board of Health.

### Other Massachusetts rental inspection programs:

#### Boston

The Boston rental inspection program requires an inspection every five years. If the property contains six or fewer rental units and the owner lives at the property, it is exempt from the inspection requirement.

#### Chelsea

The Chelsea rental inspection program requires an inspection every five years or whenever there is a change in tenants. Occupancy is dependent on obtaining a Certificate of Habitability. If the building is occupied by the owner of the property, it is exempt from the routine rental inspection program.

#### Eastham

The Eastham rental inspection program requires an inspection every 3-5 years. The inspection includes the results of a water test.

#### Gloucester

The Gloucester rental inspection program requires an inspection every 6 years. Occupancy is dependent on obtaining a Certificate of Rental Dwelling.

#### Salem

The Salem rental inspection program requires an inspection every 3 years or whenever there is a change in tenants. If there are no sanitary or building code violations and a disorderly house citation has not been issued, then the schedule shifts to every 5 years. Occupancy is dependent on the issuance of a Certificate of Fitness.

### Additional Considerations:

Scheduling appointments, conducting inspections, notifying of violations rescheduling an inspection is time consuming.

Communities considering the implementation of a rental inspection program need to consider the staff capacity available to conduct the inspections and whether additional staff will be needed.

An inspection fee, paid by the property owner, can help offset the municipal costs associated with the program.

An additional consideration is managing municipal department responsibility for each aspect of the inspection, including health, electrical, plumbing, fire and building construction.

### More information

Examples of Rental Inspection program materials can be obtained from the Berkshire Regional Planning Commission.