

**Office of Code Enforcement  
City Hall, Room 26  
Everett, Massachusetts 02149  
617-394-2227  
Fax: 617-394-2283**

## **Certificate of Habitability Frequently Asked Questions**

**1. Is anyone exempt from the Certificate of Habitability?**

No, This ordinance applies to all rental property owners in the City of Everett, including apartment complexes and rooming/lodging housing.

**2. What is the cost of the certificate?**

The fee for the inspection is \$25.00 and must be submitted with the application.

**3. Do I need to get a new certificate every time a new tenant moves in?**

Yes, the Certificate of Habitability is valid for the duration of the tenancy. Each time that a new tenant moves in, the property owner is required to apply for and obtain a new certificate.

**4. Is there a benefit to the property owner by complying with the Certificate of Habitability program?**

Yes, the program benefits the property owner by documenting compliance with the state sanitary code or housing code for future reference. The property owner can think of it as an insurance policy against allegations that the apartment was damaged before a tenant moved in.

**5. Can a tenant move in before the Certificate of Habitability is issued?**

No, Each day that the owner allows someone to live in the apartment without the Certificate of Habitability will be a separate offense fined at \$25.00 per day.

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**6. What types of violations will the inspector be looking for?**

The inspectors will be looking for any violations of the state sanitary code and the state building code. The inspectors will also be on the lookout for illegal or attic apartments.

**7. If I have a certificate of habitability, does that mean I do not**

**have lead paint?**

No, inspectors will not be inspecting for lead paint and you do not have to remove lead paint to receive a Certificate of Habitability. However, Massachusetts State Law requires all apartments with residents under six years old to conform to State Lead Regulations 105 CMR 460.

**8. What happens if the inspection fails and the certificate is not issued?**

A written order or copy of the inspection will be presented to the owner at the conclusion of the inspection that will document the violations.

**9. Do I have to correct the violations?**

Yes, once the inspection has been conducted, the violations must be corrected within 30 days as set forth in the State Sanitary Code.

**10. When will the inspection be conducted?**

The inspection must be conducted within 10 business days of your application submittal. If the inspection is not conducted within this time, the owner may rent the apartment.

**11. What do I need to submit to the Board of Health with my application?**

With the application, a check for the amount of \$25.00 for each apartment and a document from the Building Department showing the legal use for that dwelling.