

## EXISTING

### 15.12.250 Rental Conditions-Certificate of Apartment Occupancy

- A. No owner or other person shall rent to another, or permit the occupation by another, of any vacant dwelling unit unless it and the premises are clean, sanitary and fit for human occupancy, and comply with all applicable legal requirements of the state of Connecticut and the city.
- B. An apartment or dwelling unit in any structure containing three or more housing units shall not be occupied for human habitation, after a vacancy, until a certificate of occupancy has been issued by the authorized representative, certifying that such apartment or dwelling unit conforms to the requirements of Section 16-11 et seq. of the housing and commercial code of the city and Title 47a, Chapter 833a of the Connecticut General Statutes. No provision of this section shall apply to any structure occupied by the owner thereof and containing three or less housing units. No provision of this section shall be construed to prohibit human occupancy of such apartment or dwelling unit during the pendency of an application for such certificate.
- C. A certificate of occupancy shall be valid for a minimum of six months, and following this six-month period until the apartment or dwelling unit is vacated.
- D. Any person aggrieved by the refusal of a certificate of occupancy may appeal to the housing session at Bridgeport of the superior court for the judicial district of Fairfield. Such appeal shall be privileged.
- E. The owner or lessor of such structure shall not recover, receive or collect rent or use occupancy payments for the occupancy of any apartment or dwelling unit for which a certificate of occupancy has not been obtained prior to the rental thereof in violation of subsection B of this section.
- F. The provisions of this section shall not apply to any structure which has been constructed or substantially reconstructed within the ten-year period immediately before the date such certificate of occupancy would otherwise be required under this section. The provisions of this section shall not apply to any apartment house owned by a housing authority organized under the provisions of Title 8, Chapter 128 of the Connecticut General Statutes, which has been constructed or altered pursuant to a contract with the federal government or the state providing for annual contributions or other financial assistance. Notwithstanding the aforesaid, this section is not intended to include, nor shall it be construed to apply to: (1) buildings containing dwelling units as defined and created under Title 47, Chapter 825 of the Connecticut General Statutes, wherein seventy-five (75) percent of such units are in individual ownership other than by the declarant; nor (2) dwelling units in a single ownership and owned and leased under the cooperative form of ownership.
- G. Housing code enforcement officer may set a reasonable schedule of fees which are to be paid prior to the issuance of the certificate of occupancy required by this section.
- H. No person filing an application for a certificate of occupancy shall knowingly make any false statement as to the names, ages, relationship or number of persons who will occupy a dwelling unit. Any person who violates any of the aforesaid provisions shall be subject to the penalty provided for violations of the provisions of the housing and commercial code.
- I. The certificate of apartment occupancy for any apartment or dwelling unit shall be immediately revoked upon the failure of the owner to comply with an order of abatement issued pursuant to Section 15.12.080 or 15.12.150(H) or (I) of this chapter or to be otherwise in violation of the provisions of this chapter prohibiting the presence of lead-based paint. No apartment or dwelling unit shall be issued a certificate of apartment occupancy if it is in violation of Sections 15.12.080 or 15.12.150(H) or (I), or is otherwise in violation of the provisions of this chapter prohibiting the presence of lead-based paint. (Ordinance dated 4/1/91 (part); prior code § 16-35)