



DIVISION OF CODE ENFORCEMENT

A DIVISION OF THE DEPARTMENT OF NEIGHBORHOOD
AND BUSINESS DEVELOPMENT
CITY OF SYRACUSE, MAYOR BEN WALSH

August 12, 2021

Division of Code Enforcement

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Central Permit Office

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Office of Zoning Administration

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Dear Mr. Smith,

Our records indicate you are the current owner of real property located within the University Area Special Neighborhood District ("District"). The District was established to protect the quality of life and safety of residents against problems associated with overcrowding, absentee owners, and the conversion and utilization of housing in ways inconsistent with its proper use and the residential character of the area. While the proximity of properties within the District to Syracuse University and other attractions has led to great demand for rental space within the District be advised that the City of Syracuse ("City") takes the illegal use, conversion or rental of properties within the District very seriously. Violations of an owner's duties in the ownership or rental of property within the District are detrimental to the area's quality of life and can unnecessarily imperil the lives and safety of tenants and other residents and may punished by fines, prosecution in court, and/or incarceration.

This notice is designed to help familiarize property owners with some important requirements of owning and renting residential real property in the District and to avoid violation of those requirements. Be advised that this notice does not constitute legal advice and property owners are responsible for ascertaining and adhering to all laws, rules, and regulations relating to the ownership and rental of real property within the District. For convenience the contact information of offices charged with administering the requirements referenced below has been included on the left margin of this notice.

Illegal Rentals: There are a number of ways in which residential space can be illegally rented within the District. Among the most common types of illegal rentals are the improper rental of existing dwelling units or the renting of space that was never properly legalized as habitable for human occupation.

Rental property must be properly rented in a manner consistent with the number of legal dwelling units in the property. A dwelling unit is a residential unit intended for use by a single family. In the context of persons renting a dwelling unit and not living together as a family, no more than five unrelated persons over age eighteen may share a dwelling unit and must occupy the dwelling unit as a

single housekeeping unit. Occupation as a single housekeeping unit means that each occupant utilizes the dwelling unit so that it functions in an integral and unified manner for living, cooking, eating, and sleeping. Features such as bedrooms with cooking equipment or exterior locks or renting per bedroom are indicative of a dwelling unit that is not functioning as a single housekeeping unit. Additionally, the conversion of spaces intended for the enjoyment of all occupants of the dwelling unit, such as living rooms, dining rooms, parlors, or porches, into bedrooms is also inconsistent with occupation as a single housekeeping unit. Dwelling units which are not appropriately rented to a single housekeeping unit may instead be functioning as a rooming or boarding house or other class of property generally prohibited within the residential zones of the District.

All rented space must be legally habitable. The rental of space, such as attics, porches, or basements, without the required permits, certifications, inspections or other required approvals to convert such space into legally habitable space is not only dangerous but may subject the property owner to potential litigation from tenants as well as enforcement actions from the City or other government agencies.

Certificates of Suitability: A certificate of suitability is generally required before any certificates or building permits can be issued by the Division of Code Enforcement for non-owner-occupied residential properties in the District to ensure that their construction and use remains appropriate for the area. A certificate of suitability is also generally required prior to the transfer of title of a residential property from an owner-occupant to a non-owner-occupant. Applications for certificates of suitability may be obtained from the Office of Zoning Administration.

Rental Registry: To protect tenants of non-owner-occupied one and two-family dwellings owners must have the code compliance status of such properties assessed every two years as part of the process of obtaining a rental registry certificate. Be advised that it is illegal to collect rent for such properties without a valid rental registry certificate. Applications for a rental registry certificate can be obtained from the Division of Code Enforcement.

Certificates of Compliance: To protect tenants in residential properties containing three or more family dwelling units and buildings containing mixed occupancy (a combination of residential and commercial tenants) owners must obtain a certificate of compliance every three years or prior to any sale of the property. During the process of obtaining the certificate the property will be inspected to verify its code compliance status. Applications for certificates of compliance may be obtained from the Division of Code Enforcement.

Fire Protection Systems: By law the owner or other person responsible for any structure within the city of Syracuse must ensure that their property is protected by an appropriate fire protection system. Such protection requires the installation, maintenance and periodic testing of a suitable fire protection system. All one and two-family dwellings must be equipped with working smoke detectors which must be installed to protect both sleeping and common areas and which must be tested annually to ensure that they are in proper working order. Be advised that the type of protection system required for each structure and any corresponding

certification which must be submitted varies based on the use and occupancy of the structure. Fire protection certification forms may be obtained from the Division of Code Enforcement.

Parking Requirements: Residences in the District are required to have adequate and appropriate parking. Generally, for one and two-family dwellings a parking space is required for each dwelling unit. Other types of residential structures may have different parking requirements. Parking on the grass is prohibited. All parking areas must be appropriately surfaced with all-weather dustless material. For specific parking size and spacing requirements, please consult the City of Syracuse Zoning Rules and Regulations or Office of Zoning Administration. You must obtain approval from both the Office of Zoning Administration and the Division of Code Enforcement for any expansion of a legally existing parking area. The Central Permit Office can assist you with obtaining such approvals and with questions related to the expansion of parking areas or other parking improvements.

Sincerely,

Jacob R. Dishaw
Director of Code Enforcement