

Bradley D. Sellers, Mayor



Benjamin W. Brown, Building Commissioner

**APPLICATION FOR COMMERCIAL POINT OF SALE  
CERTIFICATE OF INSPECTION**

**Address of Location to be inspected:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Lock Box: \_\_\_\_\_

Seller: \_\_\_\_\_ Phone No: \_\_\_\_\_ Fax: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Alt Phone No: \_\_\_\_\_ - \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Buyer: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Real Estate Company: \_\_\_\_\_

Agent: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State/ \_\_\_\_\_ Zip: \_\_\_\_\_

Title Company: \_\_\_\_\_

Escrow Officer: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Mailing Address: n \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

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**Building Information:**

Construction Type: \_\_\_\_\_ Number of Units in Building: \_\_\_\_\_

Size of Building: Square feet: \_\_\_\_\_ Length: \_\_\_\_\_ Width: \_\_\_\_\_ Height: \_\_\_\_\_

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**Fire Sprinkler System:**

N/A  Require  Non-Required

System Type: \_\_\_\_\_ Location: \_\_\_\_\_

Hazard Classification: \_\_\_\_\_

Storage Height: \_\_\_\_\_ Aisle Width: \_\_\_\_\_

Sprinkler System Demand @ base of riser: \_\_\_\_\_

Standpipe System Demand @ base of riser: \_\_\_\_\_

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The City of Warrensville Heights has established this Point of Sale inspection procedure to benefit the total community and not to benefit nor assist any specific group or individual. While performing a Point of Sale inspection and identifying code violations, the City is fulfilling its duty to protect the health, safety, and welfare of its citizens and to maintain property values.

I hereby request the City of Warrensville Heights to make a Point of Sale inspection at the property listed above in order to comply with the provisions of Chapter 13 of the Building Code. A fee of \$200.00 for the first unit + \$90.00 for each additional unit in such structure must accompany this application.

This application is tendered with the understanding of, and agreement with the following:

The City of Warrensville Heights Building Department realizes that the sell and purchase of property is one of the most serious decisions you will have to make. Our goal is to make this process as smooth as possible. While we are aware that many costly factors may arise, it is our job to ensure that all new businesses or owners move into a violation free structure. We pride ourselves on doing as thorough of an inspection as possible. Our inspections are done by three inspectors: general inspector, plumbing inspector and electrical inspector.

A complete and detailed report of any violations will be sent to the address specified by the property owner. Any additional reports will incur a copy fee per page and may be picked up at the Building Department. Our Point of Sale Administrator is willing and available to answer any questions you may have. Remember, we are here to serve you and make this process easy for you.

**Seller Obligation:** Owners of residential and commercial real estate, including single -family and two-family dwellings, duplexes, apartments, and condominiums, are required to obtain a Certificate of Inspection (Point of Sale) prior to entering into an agreement to sell or convey an interest in such property.

**Application Fee:** The fee for the Residential Point of Sale inspection is \$50 for the first unit and \$30 for each additional unit. The fee for the Commercial Point of Sale inspection is \$90 for the first unit and \$30 for each additional unit.

**Reinsertion Fees:** A reinsertion fee of \$25 is charged for each requested reinsertion after the first two requested reinsertions, to be paid at the time of issuance of the Certificate of Compliance or a transfer release.

**Required Use of Certificate:** Sellers must provide the prospective purchaser with a copy of the Certificate of Inspection or a copy of a Certificate of Compliance prior to the execution of a contract of sale.

**Time Limit:** The Certificate of Inspection or Certificate of Compliance provided to the purchaser must have been issued within one (1) year prior to the agreement.

**Buyer's Acknowledgement:** An Acknowledgement Form signed by the purchaser affirming receipt of a Certificate of Inspection or Certificate of Compliance must be deposited in escrow and a copy provided to the Building Department as a condition of title transfer.

**Escrow Requirement:** If all violations listed on a Certificate of Inspection are not corrected prior to transfer of title, an escrow account must be established and funds, in an amount not less than \$100 and equal to 150% of the estimated cost of repairs, must be deposited to pay for the cost to correct all remaining violations.

**Escrow Determination:** The amount to be held in escrow shall be determined by procuring a written estimate from a company currently registered to do business in Warrensville Hts. The estimate must reflect current market rates for labor and materials, and be itemized to correspond to the Point of Sale inspection notice. The City may reject an estimate that fails to reasonably reflect the fair market cost of repairs.

**City Estimate:** If the party establishing the escrow (seller or buyer) can demonstrate to the City that, after a good faith effort, he/she is unable to obtain a written estimate, the City may establish the amount of the escrow with the understanding that such determination is non-negotiable.

**Escrow Notification:** The escrow agent must notify the Housing Inspection Department in writing of the amount of funds proposed to be held to correct all remaining violations.

**Transfer Release:** If the City determines the estimate and escrow amount comply with the requirements of the ordinance, a written transfer release will be issued.

**Escrow Disbursement:** Funds held in escrow shall be disbursed only upon written authorization from the City. If the amount held is less than \$5,000, no funds shall be released until all violations are corrected. If the amount is \$5,000 but less than \$20,000, the City may authorize one (1) partial release of funds from escrow if it is determined that substantial progress has been made in correcting the violations and that sufficient funds remain in escrow to correct all remaining violations. If the amount is \$20,000 but less than \$40,000, two (2) partial releases may be approved. If the amount is \$40,000 but less than \$60,000, three (3) partial releases may be approved. On escrow accounts equal to or exceeding \$60,000, four (4) partial releases may be authorized.

**Escrow Agent Obligation:** No person, firm or corporation acting in the capacity of an escrow agent in any real estate transaction shall transfer title or disburse funds from any sale unless the provisions of Chapter 13 of the Codified Ordinance of the City of Warrensville Heights have been satisfied.

**Failure to Comply:** Any person violating any provision of Chapter 13 of the Building Code will be guilty of a misdemeanor of the first degree and shall be punished as provided in Section 13.99 of the Administrative Code of the Codified Ordinances.

- *The inspection is valid for one year from the date of issuance for the purpose of selling or otherwise conveying an interest in the property.*
- *A Buyer's Acknowledgement form signed by the purchaser confirming receipt of Certificate of Inspection or Certificate of Compliance must be returned to the Building department prior to transfer of title.*
- *The city requires funds be held in escrow for any violations not corrected prior to transfer. The amount to be retained shall be equal to 150% of the estimated cost of repairs. The estimate used to establish the escrow amount must be in writing from a company registered to do business in Warrensville Heights, and must reflect current market rates for labor and materials. Funds held in escrow shall be disbursed only upon written authorization from the city.*
- *The owner is responsible for correcting all violations found at the time of inspection within (90) days, irrespective of whether or not the property is on the market.*
- *The City of Warrensville Heights by issuing a certificate of inspection does not in any way ensure, warrant or guarantee that all violations pursuant to the Codified Ordinances of the City Of Warrensville Heights have been noted. The city does not guarantee the finding of all violations nor does it warrant the repairs made pursuant to the inspections. The certificate of inspection shall be considered the city's best effort to make known to the applicant and the owner the violations on the property at the time of the inspection.*
- *No occupancy of the above property is take place until an occupancy permit has been issued.*

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Applicant's Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

FEE: **\$200.00 for 1<sup>st</sup> unit + \$90.00 for each additional unit**

Receipt # \_\_\_\_\_

**Note: All fees should be paid in the form of a company check, or money order.**

Revised 11/2017