

3. The total amount of the annual fees required to be paid for a hotel or multiple dwelling shall in no case exceed the amount of the inspection fee that would be required if the annual fee option had not been chosen. In the event that the amount of the inspection fee chargeable for the hotel or multiple dwelling is increased by rule during the period between inspections, the increase shall not be retroactive to annual fees already paid.

(h) Inspection fees shall be as follows:

1. For each hotel, there shall be a fee as follows: \$20.00 per unit for the first 20 units in any building or project, \$16.00 per unit for the 21st through 100th unit in any building or project, \$10.00 per unit for the 101st through 250th unit in any building or project, and \$7.00 per unit for all units over 250 in any building or project. Additionally, there shall be a reinspection fee for hotels in the amount of \$13.00 for each dwelling unit reinspected.

2. For each multiple dwelling, there shall be a fee as follows: \$43.00 per unit for the first seven units in any building or project, \$27.00 per unit for the eighth through 24th unit in any building or project, \$23.00 per unit for the 25th through 48th unit in any building or project, and \$16.00 per unit for all units over 48 in any building or project; provided that the maximum total fee for inspection of three- and four-unit multiple dwellings owned and occupied by persons having a household income that is less than 80 percent of the median income for households of similar size in the county shall be limited to \$85.00 for a three-unit multiple dwelling and \$104.00 for a four-unit multiple dwelling. Additionally, there shall be a reinspection fee for multiple dwellings in the amount of \$52.00 for each unit reinspected, but only after the first reinspection.

3. The fee for the issuance of a certificate of acceptance for self-inspection by a condominium association of a building that is not more than three stories, was constructed after 1976, is certified as being in compliance with the Uniform Fire Code and in which at least 80 percent of the units are owner-occupied shall be \$32.00.

4. In addition to the fee determined pursuant to (h)2 or 3 above, there shall be an additional inspection fee for multiple dwellings in the amount of \$20.00 per unit; provided, however, that this additional fee shall not be charged for units registered with the Bureau as being in any of the following categories:

- i. Constructed after 1977;
- ii. Certified by a certified inspector as being either free of lead-based paint or having a lead-free interior;
- iii. Seasonal rental units rented for less than six months' duration during each year; or
- iv. Occupied by the owner of the dwelling unit as his or her residence.

5. In the case of a condominium or horizontal property regime, the additional inspection fee assessed pursuant

to (h)4 above shall be paid by the owner of the unit; provided, however, that the association or council of co-owners, as the case may be, shall be deemed to be the agent of the owner for purposes of receiving notices and orders issued by the Bureau, shall have the duty to deliver any such notice or order to the unit owner and shall promptly notify the Bureau of the name and address of any unit owner who is liable for the additional inspection fee. If the association or council of co-owners fails or refuses to provide the name and address of the owner of a unit, it shall be presumed to be the owner of the unit and shall be liable for the additional inspection fee.

Recodified April 9, 1981 from N.J.A.C. 5:10-1.29.  
Amended by R.1988 d.572, effective December 19, 1988.  
See: 20 N.J.R. 2126(a), 20 N.J.R. 3122(a).

Added (e).  
Amended by R.1990 d.230, effective May 7, 1990.  
See: 22 N.J.R. 275(b), 22 N.J.R. 1354(a).

Application of rule extended to cover retreat lodging facilities; exception to fee requirements granted such facilities.  
Administrative Correction.

See: 23 N.J.R. 1410(b).  
Amended by R.1993 d.464, effective September 20, 1993.  
See: 25 N.J.R. 2627(a), 25 N.J.R. 4482(a).

Administrative Correction.  
See: 25 N.J.R. 4901(a).  
Amended by R.1997 d.344, effective August 18, 1997.  
See: 29 N.J.R. 1437(a), 29 N.J.R. 3720(a).

Added (a)1 and 2.  
Administrative change.  
See: 31 N.J.R. 35(a).

Amended by R.2001 d.468, effective December 17, 2001 (operative July 1, 2002).  
See: 33 N.J.R. 1983(a), 33 N.J.R. 4311(a).

In (a), rewrote the introductory paragraph.  
Amended by R.2002 d.260, effective August 5, 2002.  
See: 34 N.J.R. 1572(a), 34 N.J.R. 2781(c).

In (c), substituted "(h) below" for "N.J.S.A. 55:13A-13(b)"; added (h).

Amended by R.2005 d.144, effective May 16, 2005.  
See: 36 N.J.R. 2106(a), 37 N.J.R. 1754(c).

In (h), added 4 and 5.

#### Case Notes

Property owner must pay statutorily mandated fees for reinspection following settlement agreement concerning abatement of violations. Department of Community Affairs v. Scillieri Investment Corp., 96 N.J.A.R.2d (CAF) 16.

#### 5:10-1.13 Unsafe building notice and order

(a) Upon notice from the Bureau of Housing Inspection or its authorized representatives or a local enforcing agency that violations of the provisions of this chapter exist and that such violations result in risk to the safety and welfare of the occupants, an order shall be issued to the owner forbidding occupation of any dwelling units then vacated or to be vacated during the life of the order.

(b) The notice shall be given to the owner or lessee of the property involved, or to the agents of either of them, and may be contained in an order to declare building unsafe issued stating the reasons for the issuance of the order and the conditions under which occupancy may take place.

Amended by R.1971 d.60, effective April 23, 1971.  
See: 3 N.J.R. 77(a).  
Recodified April 9, 1981 from N.J.A.C. 5:10-1.33.  
Amended by R.2001 d.468, effective December 17, 2001 (operative July 1, 2002).

See: 33 N.J.R. 1983(a), 33 N.J.R. 4311(a).

In (a), inserted "or a local enforcing agency" following "authorized representatives"; in (b), deleted "by the Bureau of Housing Inspection".