



4. Petitioners also appeal the issuance of a 4-year Certificate of Compliance rather than a 5-year certificate which they previously had.

5. William Ward explained that Section 18-19 of the Minimum Housing Code allows for a 5-year certificate of compliance if there is no deficiency at the rental property. However, even 1 deficiency means that only a 4-year certificate of compliance is issued.

### **CONCLUSIONS OF LAW**

6. Section 18-42(d) of the Minimum Housing Code gives the Board the authority “to reverse or affirm, in whole or in part, any order or other action of the inspector and to make such order, requirement, decision or determination as ought to be made....”

7. Section 18-18 of the Minimum Housing Code requires an owner of a rental property to have a certificate of compliance in order to rent the property.

8. Under Section 18-19(c) of the Code, Permitting and Inspections shall issue a 5-year certificate of compliance for a rental property found to have no violations of the minimum housing standards. Under Section 18-19(d) a property found to have 5 or fewer violations of the minimum housing standards, and the violations are corrected within the time set for compliance, shall be issued a 4-year certificate of compliance.

9. Two violations of the minimum housing standards were found at petitioners’ property when it was inspected on September 1, 2020. Petitioners did not contest the violations. Under the Minimum Housing Code, Permitting and Inspections could only issue a 4-year certificate as there were 5 or fewer violations found. Permitting and Inspections was correct to do so.

### **ORDER**

Accordingly, it is hereby ORDERED:

10. The Board affirms the Minimum Housing Order dated September 8, 2020 and determines that only a 4-year certificate of compliance can be issued for the property.

Dated at Burlington, Vermont this 4<sup>th</sup> of November, 2020.

CITY OF BURLINGTON  
HOUSING BOARD OF REVIEW

/s/ Josh O'Hara  
Josh O'Hara

/s/ Olivia Pena  
Olivia Pena

/s/ Betsy McGavisk  
Betsy McGavisk

/s/ Charlie Gliserman  
Charlie Gliserman