

Approved On: \_\_\_\_\_



1465 Orange Turnpike  
Monroe, NY 10950  
[www.townofmonroeny.gov](http://www.townofmonroeny.gov)  
845-783-1900 ext. 208

Permit No. \_\_\_\_\_

Building Inspector approval/review. \_\_\_\_\_

## **APPLICATION FOR CHAPTER 40 ARTICLE II "RESIDENTIAL RENTAL PERMITS"**

(revision as of 8/22/2024)

### **INSTRUCTIONS:**

Pursuant to §40-25 (A), The owner of a dwelling unit shall apply for a rental permit before the dwelling unit is leased or advertised for lease. Failure to file an application or to apply within the specified period shall be deemed a violation of this article. **Each rental dwelling shall require a separate rental permit.**

Each application shall include the following information as is determined applicable in the discretion of the Building Inspector:

- (1) A copy of the latest deed to the property.
- (2) Latest survey of the property, if available or a plot or schematic showing the size and location of the lot and all buildings and structures thereon.
- (3) Government issued proof of residency of each owner with picture ID (driver's license, passport, etc.), the address and contact numbers thereof.
- (4) The name, address and contact number of the managing agent, if applicable.
- (5) Signed and notarized "Certification Form Attesting Compliance with Article II-Residential Rental Permits"; See attached form.
- (6) A floor plan of each dwelling unit and the accommodations.
- (7) Where the applicant is a corporate entity or partnership, an entity disclosure form.
- (8) A certification from an independent professional engineer or registered architect, other than the property owner, licensed in the State of New York and containing their seal, or the certification of the Town Building Inspector/code enforcement officer, or of an independent state certified code enforcement official, attesting that the property complies with the Monroe Town Code, and meets the requirements of all applicable county, state and federal laws, codes, rules and regulations.
- (9) Such other documentation deemed necessary by the Building Inspector, which may include:
  - a. The names, business and residence address of the owners; executor/administrator of the estate; all trustees/grantors; all principals/officers; shall be provided;
  - b. If none of the persons listed above are within the State of New York, the registration statement shall provide the names, business and residence addresses of a person who resides within the State of New York and who is authorized to accept service of process on behalf of the owner(s) and shall designate a responsible local party or agent for purposes of notification in the event of an emergency involving the property which affects the public health, safety or welfare.

**APPLICATION IS HERBY MADE for a Residential Rental permit to the Building Inspector in accordance with the provisions of §40-21 through §40-37. The applicant agrees to comply with all applicable laws, ordinance and regulations. By signing this application, acknowledges and understands it shall be unlawful for the owner or managing agent to lease or rent, any rental dwelling unit within the Town of Monroe for which a valid rental permit has not been issued.**

Name of Applicant: \_\_\_\_\_

Applicant's Full Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

1. Address of rental: \_\_\_\_\_

2. Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

3. Property and Rental Unit Information:

a) The number of dwellings units located therein: \_\_\_\_\_

b) Total number of persons occupying each rental property or rental unit: \_\_\_\_\_

c) The maximum number of vehicles expected to be parked on the property: \_\_\_\_\_

d) The number of vehicle spaces available on the property: \_\_\_\_\_

4. Application Type and Fees: (Check all that apply)

☐ New Rental App. Fee: \$500/unit

☐ Initial Approved Permit Fee: \$100/unit

☐ Inspections Fee: \$100/unit

(If owner/agent fails to appear for a scheduled inspection, any rescheduled inspection shall be subject to payment of another inspection fee.)

☐ Annual Renewal Fee: \$50/unit

(A late charge equal to two times the amount of the permit fee, prorated for the period of delay, shall be charged if failure to apply for a rental permit or renew existing permits on a timely basis.)

5. Fee: \_\_\_\_\_ (Checks made payable to Town of Monroe)

6. Property Owner Name(s) \_\_\_\_\_

Address: \_\_\_\_\_

Phone #(s): \_\_\_\_\_

Email(s): \_\_\_\_\_

7. Name of Manager \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

**CERTIFICATION FORM ATTESTING COMPLIANCE WITH ARTICLE II-RESIDENTIAL RENTAL PERMITS**

I, the undersigned, acknowledge that I am the owner or managing agent of the property to which I am applying for a rental permit pursuant to §40-Article II of Monroe Town Code and attest compliance with the following:

**§ 40-22.2 Prohibited Acts.**

**A. By owner, it shall be unlawful for the owner to:**

- (1) lease any rental dwelling for which a valid rental permit has not been issued pursuant to this article.
- (2) to submit for filing false or misleading statements or information, or submit a certification or other document generated by one who did not inspect all portions of the rental dwelling.
- (3) to concurrently lease or offer to lease one rental dwelling to more than one family as defined herein.
- (4) to lease or offer to lease less than the entire dwelling unit to a family.
- (5) to allow any lessee to sublet the property or portion thereof. It shall be unlawful for an owner to fail to reasonably enforce such restriction upon a lessee once a subletting arrangement is known.
- (6) to allow a property containing a rental dwelling to also be used for the operation of a business, including the outside storage of vehicles, equipment or supplies that are not customarily stored on a residential lot. It shall be unlawful for an owner to fail to reasonably enforce such restriction upon a tenant once a business use is known.

**§ 40-25 Application for rental permits.**

- (A) The owner of a dwelling unit shall apply for a rental permit before the dwelling unit is leased or advertised for lease. Failure to file an application or to apply within the specified period shall be deemed a violation of this article. Each rental dwelling shall require a separate rental permit.
- (B) Transfer of property. The rental permit for a rental dwelling shall expire 30 days following the closing of title transferring ownership of the rental dwelling or the property on which the rental dwelling is located. Where an owner purchases a property having a rental permit and existing lawful lessees in accordance with the rental permit, and were the new owner files a new permit application prior to the expiration of the previous rental permit, the previous permit shall be extended for a term of six months or until such time as a permit decision is made, whichever occurs first, except that the new owner shall not lease the property to any new tenants while the application is being processed.
- (C) In no instance shall the filing of an application and payment of fees be construed as to exonerate the owner or managing agent of responsibility for compliance with the building, housing and maintenance requirements of any local, county, state or federal agency having jurisdiction.
- (D) Duty to amend. If the status of the information changes during the course of any calendar year, it is the responsibility of the owner or managing agent to submit such changes to the Building Inspector in writing within 30 days of the occurrence of such change.

**§ 40-28. Denial of permit application.**

A. Basis for denial. Any application for a rental permit, including the renewal or transfer of a permit, can be denied for the reasons set forth in § 40-36.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
(Date)

State of \_\_\_\_\_ County of \_\_\_\_\_  
The foregoing instrument was acknowledged before me  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_,  
\_\_\_\_\_  
Notary Public Signature

**§ 40-36. Grounds for denial of rental permit.**

- A. An application for the issuance of a rental permit may be denied, including an application for the renewal or transfer of a permit, under the following circumstances.
- (1) The rental dwelling, or parts thereof, is determined to be unfit for human habitation or occupancy or a hazard to the public because of the failure of the owner or occupant to comply with notice(s) or order(s) issued by the town, or due to a prolonged lack of maintenance or owner failure; or
  - (2) The rental dwelling, or parts thereof, contains unsafe equipment, wiring, pipes or other conduit or installation, or lacks illumination, ventilation, sanitation, heat or other facilities adequate to protect the health and safety of the occupants or the public; or
  - (3) The rental dwelling, or parts thereof, is damaged, decayed, dilapidated, unsanitary, unsafe or infested in such a manner as to create a hazard to the health and safety of the occupants or the public; or
  - (4) The rental dwelling or the property it is located on, because of its location, general condition, state of the premises, number of occupants or other reason, is unsanitary, unsafe, hazardous, overcrowded or for other reasons is detrimental to the health and safety of the occupants or the general public in whole or part, including but not limited to the parking of a number of vehicles that routinely exceeds the available parking on the site; or
  - (5) Occupancy of the rental dwelling or the property it is located on by the persons using the premises creates a hazard or public nuisance or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order or quality of life in the surrounding community; or
  - (6) The certificate of occupancy or letter in lieu of the rental dwelling is in the process of being suspended or revoked. In such cases, any pending application for a rental permit, or for the renewal or transfer of a permit, shall be held in abeyance pending the outcome of such suspension or revocation proceeding, and the application shall be denied if the certificate of occupancy or letter in lieu is ultimately suspended or revoked. Any decision to deny an application for a permit, or a renewal or transfer of same because of the suspension or revocation of a certificate of occupancy or letter in lieu shall be final.
  - (7) The existence of any other condition or circumstance which, in the opinion of the Town is dangerous, illegal, unsafe or jeopardizes the health, welfare and safety of the general public or occupants.
- B. Notwithstanding anything contained herein to the contrary, the Building Inspector, or his designee, as the circumstances warrant and, on a case-by-case basis, may authorize a short extension of time to allow the property owner to rectify a minor condition or irregularity on the property prior to denying the application outright, including, for example, the installation of working smoke detectors and carbon monoxide detectors. Nothing contained herein shall authorize the Building Inspector to permit a property owner or person in charge of the property time to rectify an illegal extension, alteration, conversion, use or other change made in violation of the Town Code or other applicable law or rule. In such event, the application shall be denied and a notice of violation, notice to comply, notice to remedy, and/or summonses issued.