

## Exceptions to the Truth-in-Sale of Housing Report

Associated definitions – excerpted from Chapter 189.01:

*Alternatively Accepted City Inspection Report.* A valid certificate of code compliance or the orders from a certificate of code compliance inspection as set forth in [section 33.06](#) of this Legislative Code or a current Certificate of Occupancy issued by the Department of Safety and Inspections Fire Prevention Certificate of Occupancy Program.

*Disclosure Report.* The written evaluation report prepared and signed by a Licensed Evaluator, on a form in compliance with the provisions of this chapter.

*Dwelling.* A building which is designed to be occupied for residential purposes but containing not more than two (2) individual dwelling units, except that townhouses, condominiums and co-ops, regardless of their number of individual dwelling units, are included within this definition.

*Immediate Family.* Those persons legally related to each other in a linear relationship such as grandparents, parents, children, grandchildren and siblings. Immediate Family does not include branching relationships such as aunts, uncles, or cousins.

### Sec. 189.04. Exceptions.

The provisions in [section 189.03](#) do not apply to:

- (1) Any newly constructed Dwelling or Dwelling Unit when title is transferred to the first owner.
- (2) The sale or conveyance or other transfer of title or control of any Dwelling or Dwelling Unit to a public body.
- (3) The sale or conveyance of any Dwelling or Dwelling Unit by a sheriff, constable, marshal, trustee in bankruptcy, or other public or court officer in the performance of their official duties. This chapter does apply, however, to the sale of a Dwelling or Dwelling Unit by a personal representative or guardian appointed by a probate court or a sale ordered by a probate court.
- (4) Any Dwelling or Dwelling Unit where the purchaser is already a part owner, heir, or a member of the seller's immediate family, as defined in section 189.01.
- (5) The sale or transfer of title of any Dwelling or Dwelling Unit for the purpose of demolition, provided such demolition actually occurs within three hundred sixty-five (365) days of the close of the qualifying sale.
- (6) Properties owned or sold by the Department of Housing and Urban Development.
- (7) The transfer of ownership from an individual owner(s) to a legal entity such as a limited liability company, partnership, corporation or trust, if the individual owner(s) have a legal interest in the legal entity after such transfer.

(Ord. No. 17732, § 2, 5-3-90; C.F. No. 01-1189, § 1, 12-5-01; C.F. No. 03-1095, § 3, 1-14-04; Ord 13-49, § 1, 9-11-