



## TRUTH-IN-SALE OF HOUSING PROGRAM

Chapter 189 of the Saint Paul Legislative Code requires all single family, duplex, condo, townhouse and co-op homes for sale in the city to have a Truth-in-Sale of Housing disclosure report prepared and available to prospective buyers.

Failure to obtain a Truth-in-Sale of Housing disclosure report as required by Chapter 189 or failure to make that disclosure report available to prospective buyers, is a violation of law and is punishable as a misdemeanor carrying up to 90 days in jail and/or a \$1,000.00 fine.

The City of Saint Paul requires only one inspection (report) to be done and available on residential properties for sale. If the owner has a letter of Code Compliance from the Department of Safety and Inspections Vacant Buildings Inspector, or a Certificate of Occupancy (only on rental properties) from the Department of Safety and Inspections Fire Inspection Division, then this document is an "Alternatively Accepted\*" report and may be used in lieu of the Truth-in-Sale of Housing report. Either of these Alternatively Accepted reports must be less than one year old and meet the definition of an Alternatively Accepted City Inspection Report in the ordinance, Chapter 189.01.

For the full text of the ordinance, go to: <https://www.stpaul.gov/departments/safety-inspections/truth-sale-housing> and scroll to the bottom of the page to access the City of Saint Paul Legislative Code of Ordinances, [Chapter 189. - Truth-in-Sale of Housing.](#)

This Truth-in-Sale of Housing disclosure report must be conspicuously displayed at the premises for all prospective buyers to see. A valid disclosure report, or an Alternatively Accepted report, issued under the ordinance shall be provided to the buyer before or at the time of sale of the dwelling. Disclosure reports shall be prepared and signed only by an independent evaluator who has been certified as a Truth-in-Sale of Housing evaluator under the ordinance.

### WHAT THE DISCLOSURE REPORT IS NOT:

- The report is not a V.A. or FHA appraisal or inspection.
- It is not a technically extensive report. It is prepared through a visual inspection and is only a disclosure.
- It is not a warranty or guarantee, expressed or implied, by the City or the independent evaluator, for any of the building's components or fixtures. The City does not guarantee or warranty the accuracy of the report.
- The Truth-in-Sale of Housing disclosure report does not address formaldehyde, lead paint, any airborne gas (including radon), asbestos, fiberglass fiber, insect or animal pests, wells or septic tanks. The evaluator is not required to ignite the heating plant, use a ladder to observe the condition of the roof, evaluate inaccessible or concealed areas, disassemble or remove anything for the evaluation.

A Truth-in-Sale of Housing report cannot grant permission to occupy a registered vacant building, nor does it provide certification that the dwelling may be rented to tenants.

## COMMONLY ASKED QUESTIONS:

### WHAT IS A DISCLOSURE REPORT?

This disclosure report is an overview of the building components and fixtures. It is to inform prospective buyers of the observed condition of a dwelling at the time of the evaluation. The disclosure report is intended to provide basic information to the home buyer and the seller prior to the time of sale; it is not necessarily detailed information. Prospective buyers may also seek additional opinions from various experts in the home inspection field prior to purchase.

### IS THE CITY GOING TO USE THE REPORT FOR CODE ENFORCEMENT?

A Truth-in-Sale of Housing report is "disclosure only", EXCEPT that the Fire Marshal's office will require the installation of at least one hard-wired smoke detector if there is none in the dwelling at the time of the Truth-in-Sale of Housing inspection. The Code Compliance report for vacant buildings and the Certificate of Occupancy issued by the Fire Marshal require some degree of code compliance and enforcement. The V.A., FHA, or some other mortgage or finance company may demand certain codes or standards be met before a mortgage is approved; they have their own standards and while they may be similar, they may not be the same as those noted on the TISH disclosure report.

### ARE ALL DWELLINGS INCLUDED?

One and two-family dwellings, town homes, condominiums and co-ops require a Truth-in-Sale of Housing disclosure report, or an Alternatively Accepted\* report, whenever there is an intended change of ownership. A Truth-in-Sale of Housing disclosure report must be done for Contract-For-Deed sales.

### HOW LONG IS THE DISCLOSURE REPORT VALID?

The report is valid for one (1) year from the date on the report and is valid only for the owner named on the report, and for only one sale. An Alternatively Accepted\* report has the same period of validity.

### WHEN SHOULD THE EVALUATION BE DONE?

The ordinance requires an evaluation be done no later than three (3) calendar days after a dwelling is offered, listed or posted for sale, or other action intended to start the marketing process. It is the responsibility of the owner or the owner's agent and/or agent's broker to comply with requirements.

### HOW DO I CONTACT AN EVALUATOR AND WHAT WILL BE THE COST?

Evaluators are private contractors, not employees of the City. The City maintains a list of licensed Evaluators and provides this list (which includes telephone numbers for each evaluator) upon request. You may hire an Evaluator through a Realtor or agent as long as the evaluator you hire is licensed by the City of Saint Paul. The City will not recommend an Evaluator. You may request a list of licensed Evaluators by calling (651) 266-8989. You may print out a list of Evaluators from the City of Saint Paul Truth-in-Sale of Housing [Website](#).

### *Exceptions to the requirement for a Truth-in-Sale of Housing Disclosure report:*

1. Any newly constructed dwelling when title is transferred to the first owner.
2. The conveyance of title of the dwelling to a public body.
3. The sale or conveyance of any dwelling by a public or court officer in the performance of their official duties. This does not apply to the sale of a dwelling by a personal representative or guardian appointed by a probate court or a sale ordered by a probate court.
4. The sale of a dwelling to an heir or part owner, sale to a member of the current owner's immediate family: narrowly defined as one of the linear relationships between a parent, child, sibling and/or grandparent.
5. The building is going to be demolished within 365 days/1 year.
6. Properties owned or sold by the Department of Housing and Urban Development.
7. Transfer of ownership from an individual to a legal entity such as an LLC, partnership, corporation or trust where the individual owner has a legal interest in the entity.