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Do You Know Which Sellers' Inspections You Need Before Closing?

I was just in a closing where I had just received the seller's closing documents from her lawyer and the fire inspector certificate was not in the stack of documents. Upon further inquiry, we learned that the seller had never called the fire department for an inspection. Major problem.

New Jersey law requires all residential buildings to have a fire inspection before the closing on a resale. The house needs to have smoke detectors, carbon monoxide detectors, and fire extinguishers. The smoke detectors and carbon monoxide detectors must be located on each level of the home. The detectors must be located between sleeping areas in the hallway or, if the sleeping areas and living areas are on different levels, a detector in the living area must be located in a place where it can detect smoke or carbon monoxide throughout the floor (but don't put smoke detectors in the kitchen or bathroom because you will get plenty of false alarms from the steam and smoke).

The seller must schedule the inspection with their town fire department. Typically, this means going to your town hall or fire department to complete an application and/or pay for the inspection. Depending on your town, the inspection may be scheduled a few days after your payment or a couple of weeks after your payment.

There are New Jersey state requirements on precisely where you must place the smoke detectors, carbon monoxide detectors and the fire extinguisher. Your real estate agent should be able to help you with the requirements or you can get information from your town fire department.

In some towns (but not all), the seller must **also** obtain a Certificate of Continued Occupancy (or it may be called a Certificate of Occupancy Upon Resale). This is usually obtained from your town Building Department. The inspectors will be checking basic safety issues to ensure that your house complies with your municipal codes. This means no broken steps, handrails, the electrical box is up to code, the plumbing is working and/or capped, where necessary, and all permits that were required for any work were obtained. If there are violations of your town's building codes (for whatever reason), you will fail the inspection and be required to correct the violations. Again, before the closing, you need to go to your town hall to complete an application for a Building Department inspection and pay for the inspection. The Building Department will schedule the appointment anywhere from a few days to a couple of weeks after you apply.

You cannot wait until the last minute to have these inspections done. There is always the possibility that your town takes a few weeks to schedule its inspections. There is also the possibility that you may fail the inspection and need to do some work to correct the failures and then you need more time for a re-inspection. Your emergency

call to the fire department or building department will not get them to schedule your appointments for the next day – after all it's not their emergency.