

Safety and Buildings Division Procedures for Filling Out Stipulation and Waiver Forms

This is an item-by-item list of instructions for filling out stipulation and waiver forms. All of the information requested on these forms must be supplied in order to qualify the form for validation. If any of the information is incomplete or unclear, validation will be delayed until the necessary information is supplied. Note: Black ink must be used, as specified by the Register of Deeds.

1) Sellers Name: This section should be filled out in full to include name, address, city, state, zip code and phone number including area code. If the seller is a firm or organization, the name of a contact person should be included since the department may need to contact the seller at some time in the future.

2) Rental Building Location: The street address of the building and the city or village and the county in which the building is located should be provided.

If the building is at a rural address, the complete mailing address should be provided. This should include not only the rural postal route or highway number, but also the box or fire number.

3) Number of Rental Buildings on the Property: The number of buildings containing residential units should be entered here. Do not enter garages, outbuildings or commercial units. Before proceeding, see instructions below concerning the legal description of the property.

4) Total Number of Rental Units: Total number of residential rental units on the property.

5) Legal Description: Enter the complete legal description of the property. If the legal description is too lengthy to fit in the space provided, a separate sheet may be attached. It is recommended that the tax key or parcel number also be entered, but this does not substitute for the legal description. Only one stipulation or waiver may be issued per legal description. If a legal description contains reference to more than one lot or parcel, it is not one legal description, but a combination of more than one. Such a legal description must be broken down into separate legal descriptions designating each lot or parcel, unless there is only one rental building. A separate stipulation or waiver must be issued for each such legal description containing one or more residential rental buildings, and the appropriate legal description shall be entered on or attached to the appropriate stipulation or waiver form.

The Safety and Buildings Division will accept one rental building located on two or more lots, but will not accept two or more rental buildings located on two or more lots, parcels or multiple legal descriptions. If buildings overlap lots or parcels and cannot be separated, one stipulation or waiver is all that is necessary. If one cannot determine whether two or more buildings are on one legal description, then you may use one stipulation if there is only one Tax Key Number for the property.

Examples of legal descriptions requiring only one stipulation or waiver form:

Lot 1, CSM #54, York County

Lot 15 to Capitol Hill Subdivision, City of Madtown, County of York

Lot 10, Kennedy View Plat, City of Madtown, County of York

South 50' of Lot 1 and the North 50' of Lot 2, Block 101, Reagen Addition, City of Madtown, County of York

A Parcel of Land Located in NE 1/4 of the NE 1/4 of Section 84, T1N, R19E, County of York, Beginning at ----- (Metes and Bounds)

A Parcel Comprising Lots 1, 2, 3, Block 14, Original Plat, City of Madtown, County of York. (2 buildings, one Tax Key Number.)

Examples of legal descriptions that require more than one stipulation or waiver:

Lots 2, 3, 4, 5 to Capitol Hill Subdivision, City of Madtown, County of York. (2 Buildings, 2 Tax Key Numbers)

Parcels 9, 10, 17, 18, CSM #54, York County, (4 Buildings)

South 50' of Lot 1 and the North 50' of Lot 2 and South 50' of Lot 6 and North 50' of Lot 7, Block 101, Reagen Addition, City of Madtown, County of York, (2 Buildings)

Parcel A: Consisting of ----- Parcel B: Consisting of ----- (2 Buildings with lots not contiguous)

6) Recording Information: This portion of the form is for use by the Register of Deeds for recording purposes.

7) Stipulation Agreement: This portion of the form constitutes the actual agreement between the purchaser and the Dept. of Safety and Professional Services wherein the purchaser agrees to satisfy the provisions of the stipulation or waiver. **It is the most important part of the form.** Following are item by item instructions.

A. Purchasers Name: The names of all purchasers should be entered here. Purchasers may fall into one of three categories; 1) individual, or individuals or sole proprietorship business, 2) partnerships; 3) corporations or organizations.

When an individual or more than one individual submits a stipulation or waiver for validation, the name of each purchaser should be entered. If a sole proprietorship business submits a stipulation or waiver, the name of the proprietor should be typed or printed legibly in this space, in addition to the name of the company.

If a partnership submits a stipulation or waiver for validation, the name of the partnership and the name of the person who will be signing the stipulation should be entered in this space (typed or printed legibly).

If a corporation or any type of registered organization submits a stipulation or waiver for validation, the name of the person who will sign the form should be entered with corporation and organization name (typed or printed legibly).

B. Purchaser's Signature: It is imperative that the name entered in the space provided for purchaser's name be accompanied by the signature of that person in this part of the form. The division will not recognize the validation of any stipulation or waiver by a DSPS agent if a name is not accompanied by a supporting signature. If there are multiple purchasers, the name and signature of only one is acceptable.

C. Date Signed: The date the stipulation or waiver was signed by the purchaser(s) should be entered here.

D. Purchasers Street Address: The street address of the purchaser is required. Post office box numbers are not sufficient, but may be included in addition to street addresses.

E. Purchaser's City, State, Zip Code: This information should be supplied as requested.

F. Purchaser's Telephone Number: This is a required entry. Entries of "Confidential" or "Not Applicable," or other nonresponsive entries, are not acceptable.

8) Validation Section: (To be filled out by only the DSPS agent, authorized municipality or the department.)

A. Validated By: Enter according to status (DSPS agent, authorized municipality, or Safety and Buildings Division). Include entire DSPS agent number, for example: "A14-296."

B. Date Validated: Enter the date upon which a properly and fully completed form, with fee paid and fit for validation, is submitted and actually validated.

C. Expiration Date: Add one year to validation date in the case of a stipulation and two years to validation date in the case of a waiver.

D. Official's Name: Type or print the name of the qualified person who will sign the form.

E. Official's Signature: The person indicated in the previous item should sign here.

F. Municipality or County Name: Enter as applies (if county official or quasi-governmental body, enter county name; if municipality or municipal quasi-governmental body, enter municipality name).

G. Office Of: Enter as applicable.

H. DSPS Transfer Authorization Number: An entry must be made in this part. That entry should match the number on the yellow stipulation stamp or blue waiver stamp to be affixed in the adjacent section to the right.

I. Space Provided for Validation Stamp: Affix the appropriate Transfer Authorization Stamp (yellow for stipulations, blue for waivers) in the space provided on the original.

Validation of the form is now completed. The deed for the property along with the original of this form may now be recorded.

9) Transfer of Stipulation or Waiver: The stipulation or waiver may be transferred to another purchaser if this transfer occurs within the original one year in the case of a stipulation, or two years in the case of a waiver. The agent does not become involved in this since nothing more is required than the filling out of this portion on the original or a certified copy (obtainable from the Register of Deeds) by the subsequent purchaser and signing and dating in the appropriate spaces by this purchaser.

10) Copy Distribution: After validation the white copy with Transfer Authorization stamp affixed and the pink copy should be given to the purchaser. The yellow copy should be sent by the agent to DSPS along with required fees. The green copy should be kept by the agent for at least two years. The pink copy should be provided by the purchaser to the seller.

It is important that stipulations and waivers be filled out in accordance with these instructions. Do not hesitate to reject improperly or evasively filled out forms. Stipulations and waivers are binding agreements with important legal consequences. Incomplete or misleading information will seriously impede follow-up or enforcement efforts if these become necessary. Stipulations or waivers validated by agents, but not filled out according to these instructions will be declared invalid by the division until the information in question is supplied or corrected.

Rev 11/11