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TO: Detroit City Council

FROM: David Whitaker, Director 
Legislative Policy Division

DATE: April 15, 2026

RE: Proposed Ordinance Amendment Requiring Property Inspections for Housing Sales

The Legislative policy Division (LPD) has been requested by Council Member Latisha Johnson to provide an amendment to the Detroit City Code. The amendment is to require a pre-sale home inspection to be included in the sale of single family or two-family residential homes prior to the closing of the transaction. LPD utilized the Detroit City Codes prior "Sales or Conveyances of One- or Two -Family Dwellings" ordinance as a model for this draft. The draft ordinance amendment is being presented to City Council for referral to the Law Department for review and approval as to form.

If we can be of further assistance, please call upon us.

S U M M A R Y

AN ORDINANCE to amend Chapter 22 of the 2019 Detroit City Code, *Housing*; by adding Article XI, Sales or Conveyances of One- or Two -Family Dwellings; Section 22-11-1, Definitions; Section 22-11-2, Pre-sale inspection required; Section 22-11-3, Exemptions; Section 22-11-4, Inspection guidelines and inspection report; Section 22-11-5, Dangerous conditions and deficiencies found in dwellings; Section 22-11-6, Violations; Section 22-11-7, Penalty; to provide for the health, safety and general welfare of the public.

AN ORDINANCE to amend Chapter 22 of the 2019 Detroit City Code, Housing; by adding Article XI, Sales or Conveyances of One- or Two -Family Dwellings; Section 22-11-1, Definitions; Section 22-11-2, Pre-sale inspection required; Section 22-11-3, Exemptions; Section 22-11-4, Inspection guidelines and inspection report; Section 22-11-5, Dangerous conditions and deficiencies found in dwellings; Section 22-11-6, Violations; Section 22-11-7, Penalty; to provide for the health, safety and general welfare of the public.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT

THAT:

Chapter 22 of the 2019 Detroit City Code, Housing; by adding Article XI, Sales or Conveyances of One- or Two -Family Dwellings; Section 22-11-1, Definitions; Section 22-11-2, Pre-sale inspection required; Section 22-11-3, Exemptions; Section 22-11-4, Inspection guidelines and inspection report; Section 22-11-5, Dangerous conditions and deficiencies found in dwellings; Section 22-11-6, Violations; Section 22-11-7, Penalty, to read as follows:

CHAPTER 22,

HOUSING

ARTICLE XI,

**SALES OR CONVEYANCES OF
ONE- OR TWO-FAMILY DWELLINGS**

Section 1.

Sec. 22-11-1. - Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Certified home inspector means a professional who has completed training and obtained a certification establishing that they meet the profession's standards for home inspection. A certified

home inspector shall provide to the Department evidence that they have been certified by one of the industry's certifying entities including but not limited to; International Association of Certified Home Inspectors (InterNACHI); American Society of Home Inspectors (ASHI); National Academy of Building Inspection Engineers (NABIN). The certification verifies the home inspectors can provide thorough inspections to identify issues with a property, which can include structural integrity, safety, and compliance with building codes.

Department means the buildings and safety engineering department.

Dwelling means a one- or two-family residential structure.

Pre-sale inspection report means the written report prepared by a certified home inspector of a dwelling for compliance with the guidelines referred to in section 22-11-5 of this Code.

Sale or transfer means to convey any interest in a dwelling except by lease, mortgage, gift, devise, bequest or lien foreclosure. The sale or transfer shall be deemed to occur upon the transfer of title, the execution of a land contract, or the exercise of an option to purchase a dwelling.

Sec. 22-11-2, Pre-sale inspection required

It shall be a condition precedent to a lawful sell or transfer of a dwelling without subjecting said dwelling to a pre-sale inspection:

- (1) The pre-sale inspection may be obtained from a certified home inspector. The certified home inspector may be selected by the seller, or the buyer may seek to have their own certified home inspector.
- (2) A valid pre-sale inspection report shall be tendered to the purchaser or transferee at or before the time of the sale or transfer.
- (3) The selected certified home inspector shall present to the Department evidence of being a certified home inspector. The certified home inspector shall obtain a pre-sale inspection form from the Department to be utilized in the inspection of the subject dwelling. After completion of the pre-sale inspection, the

certified home inspector shall provide a copy of the pre-sale inspection report to the buyer and submit a copy of the report to the Department for verification of compliance with this article.

Sec. 22-11-3, Exemptions.

The provisions of this article shall not apply to:

- (1) A sale or transfer by one governmental agency to another;
 - (2) A sale or transfer which has occurred prior to the effective date of this article;
- or
- (3) A sale or transfer where the seller or transferor and the purchaser or transferee have signed a purchase agreement prior to the effective date of this article.

Sec. 22-11-4, Inspection guidelines and inspection report.

- (a) In accordance with section 2-111 of the 2012 Detroit City Charter, the director of the buildings and safety engineering department shall have authority to adopt and promulgate rules and procedures setting forth guidelines for inspections relating to the enforcement of this article. Upon publication of the proposed rules and procedures under section 2-111 of the 2012 Detroit City Charter, the buildings and safety engineering department shall provide to the city council, for its information, a copy of the notice for the public hearing and of the proposed rules and procedures.
- (b) The buildings and safety engineering department shall prepare an inspection report form to be used in inspections relating to the enforcement of this article.
- (c) The pre-sale inspection guidelines and pre-sale inspection report form shall be provided to the applicant and made available without charge to the public.

Sec. 22-11-5, Dangerous conditions and deficiencies found in dwellings.

Where the Department determines that there are conditions which constitute an imminent danger to health and safety, it may order the conditions to be remedied and may limit or prohibit occupancy where appropriate. In all other cases, the Department shall not penalize any person for full disclosure of defects or any deficiencies discovered in the dwellings as a result of an inspection conducted in accordance with this article whether the sale or transfer does or does not occur.

Sec. 22-11-6, Violations.

Any person, being owner or agent, who sells or transfers a dwelling in violation of this article or any person who knowingly violates this article shall be subject to the penalty provided for in section 1-1-9 of this Code.

Sec. 22-11-7, Penalties.

A penalty created by this article shall not limit or derogate any other statutory or common law right or action.

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 3. This ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the people of the City of Detroit.

Section 4. If this ordinance is passed by a two-thirds (2/3) majority of City Council members serving, it shall be given immediate effect and shall become effective upon publication in accordance with Section 4-118 of the 2012 Detroit City Charter; if passed by less than a two-thirds (2/3) majority of City Council members serving, it shall become effective no later than thirty (30) days after publication in accordance with Section 4-118 of the 2012 Detroit City Charter; if

this ordinance specifies a certain date to become effective, it shall become effective in accordance with the date.

Approved as to form:

Conrad L. Mallett, Jr.
Corporation Counsel