

## Are there any exceptions to this regulation?

**Yes.** Exceptions include:

- Transfer from a spouse.
- Change in ownership to exclude a spouse.
- Transfer subject to life lease or life estate.
- Transfer to effect foreclosure or forfeiture of property. (When property is taken back by the bank, it's exempt. When the bank sells the property, it's **not** exempt.)
- Transfer by redemption from a tax sale.
- Transfer creating or ending joint ownership if at least one person is an original owner of the property or his/her spouse.
- Transfer to establish or release a security interest.
- Premises built within 24 months prior to date of property transfer, or those which have never been occupied.
- Premises that shall be demolished and shall not be occupied after the property transfer. (Contact our office for more information.)



## Recommendations for a smooth process:

- Have the inspection conducted when the home is being listed.
- Do not involve two inspectors or get “second opinion” inspections. These lead to lengthy delays and confused buyers.
- If any repair or replacement work is needed, competitive bidding should only occur **after** any required permit is issued.
- Please call our office if there are questions from either the purchaser or the seller. We are able to explain the requirements of the program in a non-biased manner, which can help with the sale of the home.

To look up records for your system, including previous plans and permits, visit:  
<http://publicaccess.ewashtenaw.org>



### Washtenaw County Public Health Environmental Health Division

705 N. Zeeb Rd., P.O. Box 8645  
Ann Arbor, MI 48107-8645  
(734) 222-3800  
[www.eWashtenaw.org/tos](http://www.eWashtenaw.org/tos)

October 2014

# Washtenaw County Time of Sale Program



**regulation requiring  
onsite well & septic systems  
to be inspected  
before a home can be sold**



**Washtenaw County,  
Michigan**

# Time of Sale Program

## I want to sell my home. What does this mean to me?

Homes with municipal water and sewer are not affected by this regulation.

If a home is served by an onsite well and/or septic system, the system(s) must be inspected and approved before the home can be sold. Environmental Health must review the inspection report and give authorization before the deed can be transferred to the new homeowners.

## Who does the inspections?

Homeowners must hire inspectors certified by Environmental Health. A standard inspection procedure is used and results are submitted on a standardized form. The inspection report includes a description of the well and septic system construction, the condition of the system(s) and any recommendations. A list of certified inspectors is available at the Environmental Health office and online at:

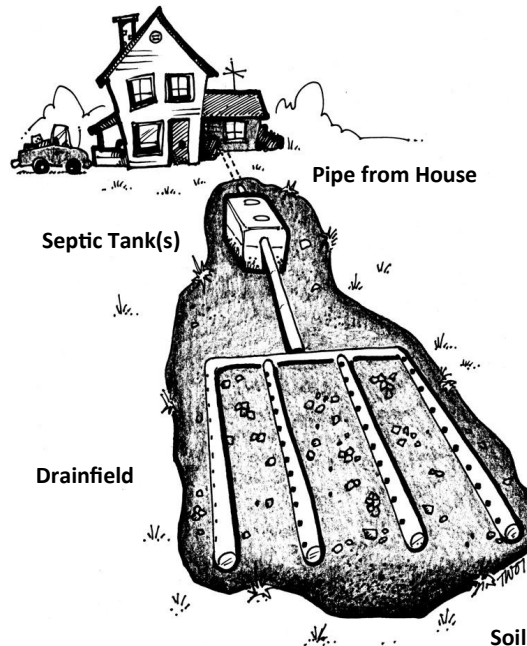
[www.eWashtenaw.org/tos](http://www.eWashtenaw.org/tos)

## Who receives the report?

Environmental Health sends the final report to the person listed as the "Applicant" on the inspection form. We also send copies to any email addresses or fax numbers the applicant included on the form. Other interested parties should request report information directly from the applicant.

## Do all systems have to be brought up to current code?

**No.** Only systems that are failing or that are significantly inadequate are required to be corrected. Repairs are based on "maximum feasible compliance," which means finding a solution that brings the system up to code, or as close to current code as possible if site conditions limit repairs. Property owners have the option to appeal decisions to the Washtenaw County Board of Health.



## Does this regulation delay home sales?

With proper planning, this program should not cause a delay in closing a home sale. The most common cause for a delay is when the inspection is not ordered until after there is a purchase offer on the home.

**Since inspection results are good for 12 months, homeowners or the listing agent are encouraged to have the inspection performed at the start the listing process.**

Once Environmental Health receives the inspection report, we always review it within 5 business days. If a report shows the system is acceptable, authorization is granted for the sale. If corrective actions are needed, it will take additional time to perform the corrections or submit a corrective action plan to our office.

## Can I sell my house before repairs are completed?

**Yes.** The sale can take place if the following are submitted to and approved by our office:

- Corrective action plan (which may be a permit to replace an existing system).
- Proof of contract to complete the work.
- Evidence of escrow account that covers 1.5 times the cost of the required repairs.
- Appropriate fee.