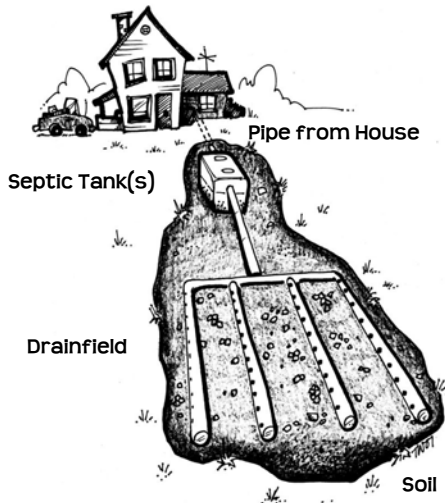


## What does this Regulation require?

1. The inspection and evaluation of onsite sewage systems and/or wells before residential property changes ownership.
2. Inspections to be performed by private inspectors who are certified by the County.
3. Inspection reports to be filed with the Environmental Health Division. These reports include:
  - ◆ a description of the water supply and sewage system construction
  - ◆ a summary of functional status
  - ◆ recommendations
4. The County to generate a written notice either authorizing the transfer of property or requiring corrections. Authorization must be issued before the deed can be transferred.
5. Corrective action plans to be submitted within 30 days in cases of inadequate or failing systems.
6. All necessary corrections to be completed within 180 days.



Nearly half of the sewage systems in Washtenaw County have reached their service life expectancy, and studies show that the availability of quality drinking water is decreasing. Inspections over the first 18 months of the Time of Sale program showed:

- ◆ 18% of the sewage systems were failing or inadequate
- ◆ One out of every 18 sewage systems (5.5%) had an illicit discharge
- ◆ 15% of the wells did not have adequate protection against contaminants
- ◆ One out of every 7 wells tested (14%) had chemical or bacterial contamination

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**This Regulation protects public health and the environment by ensuring that drinking water is safe and that sewage is properly treated.**

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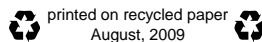
**Washtenaw County  
Department of Public Health  
Environmental Health Division**

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# WASHTENAW COUNTY Time of Sale Program



**REGULATION REQUIRING THE  
INSPECTION OF ONSITE WELL & SEPTIC  
SYSTEMS BEFORE A HOME CAN BE SOLD**



**Washtenaw County,  
Michigan**

# Time of Sale Program

## Are there any exceptions to this Regulation?

**Yes!** Exceptions include:

- ◆ Transfer from a spouse.
- ◆ Change in ownership solely to exclude a spouse.
- ◆ Transfer subject to life lease or life estate.
- ◆ Transfer to effect foreclosure or forfeiture of property. (When the property is taken back by the bank, it is exempt. When the bank sells the property to another entity, it is NOT exempt from this Regulation.)
- ◆ 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.
- ◆ Premises that will be demolished and will not be occupied after the property transfer.
- ◆ New homes that have not been occupied.

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

**Yes!** The sale can take place if the following are submitted to and approved by the Environmental Health Division:

- ◆ 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



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

**Homeowners with municipal water and sewer are not affected by the Regulation.** Only a home with an onsite well and/or sewage system must be inspected before it can be sold. Homeowners are encouraged to have the inspection performed when listing the home. This allows any necessary repairs to be completed in time, and prevents delays due to inspector or contractor scheduling. Approvals are valid for one year.

## Who does the inspections?

Homeowners hire inspectors certified by Washtenaw County to do the inspections. To become certified, inspectors must demonstrate competency through training and testing. A standard inspection procedure is used, and all reports are submitted on a standardized form. A list of inspectors is available at the Environmental Health Division office, and on the County website: [www.eWashtenaw.org/tos](http://www.eWashtenaw.org/tos)

## What does this Regulation cost?

Inspectors set their own rates. The County does not regulate these rates and does not receive any portion of the inspection fees. The County does charge a fee to cover report processing costs. Many inspectors include the County's fee in their pricing schedule, so be sure to ask your inspector for details.

## Does this Regulation delay home sales?

This process does not usually delay closings. However, some sales are delayed when the inspection is done after an offer is made, especially if corrections are necessary. **Since inspection results are good for 12 months, homeowners are encouraged to start the process when listing the home.**

Within five business days of receiving an inspection report, the County will send the homeowner a letter either authorizing the sale or identifying necessary corrections.

If a report is incomplete or cannot be interpreted, the County will contact the inspector for clarification.



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

**No!** Only systems that are failing or that are significantly inadequate require corrections. Repairs are based on "maximum feasible compliance", which means finding a solution that brings the system as close to current codes as possible. This may involve the use of alternative sewage systems. Property owners have the option to appeal decisions to the Washtenaw County Environmental Health Code Board of Appeals / Public Health Advisory Committee.