

**THIS REGULATION
REQUIRES:**

1. The inspection and evaluation of septic systems and/or wells before residential property changes ownership.
2. Inspections to be performed by private sector inspectors who are certified by the County. (NOTE: Inspection fees are set by individual inspectors.)
3. Inspection reports to be filed with the Department of Environmental Health Regulation. These reports include:
 - ◆ a description of the water supply and septic 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 non-conformance.
6. All necessary corrections to be completed within 180 days.



**WHY DO WE NEED THIS
PROGRAM?**

Nearly half of the septic systems in the county have reached their service life expectancy, and studies show that drinking water quality and availability are decreasing. Inspections over the first 18 months have shown that:

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

**WHEN CAN I EXPECT
THE RESULTS?**

The Department of Environmental Health is committed to processing all submittals in a fair and timely manner. Reports will be reviewed in the order they are received. The County will send the owner a letter to authorize the sale or identify necessary correction in no more than 5 business days of receiving a complete report. If a report is incomplete or cannot be interpreted, the inspector will be contacted for clarification and asked to submit a complete report.

On June 9, 1999, the Washtenaw County Board of Commissioners adopted the *Washtenaw County Regulation for the Inspection of Residential Onsite Water and Sewage Disposal Systems at Time of Property Transfer.*

This Regulation protects public health and safety by ensuring safe and adequate water supplies and proper disposal of human sewage.

If you have additional questions, please visit our web site at:

www.eWashtenaw.org

Washtenaw County Department of
Environmental Health

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IMPORTANT!



**BEFORE YOU SELL
YOUR HOME. . .**

*Regulation for the Inspection of
Onsite Well & Sewage Disposal Systems
at Time of Property Transfer*



Washtenaw County Department of
Environmental Health
Protecting Your Health and Safety

Frequently Asked Questions

WHAT DOES THIS MEAN TO HOMEOWNERS WHO WANT TO SELL THEIR PROPERTY?

Homes with municipal sewer and water are not affected. Only homes serviced by an onsite well or septic system must be inspected. Homeowners are advised to contact a certified inspector as soon as possible before selling a home. This allows necessary repairs to be completed and prevents delays due to inspector or contractor scheduling. Approvals are valid for one year.

MUST ALL SYSTEMS BE BROUGHT UP TO CURRENT STANDARDS?

No. The regulation clearly states that it is not intended to bring all systems up to current construction standards. Only systems that are failing or in substantial non-conformance require corrective action. The Department of Environmental Health considers repairs on the basis of **maximum feasible compliance*** for inadequate systems that cannot be brought into compliance. The use of alternative sewage disposal systems is encouraged on such sites. Property owners have the option to appeal decisions to the Health Code Board of Appeals/Public Health Advisory Committee.

*A solution that brings a system as close to current codes as site conditions will allow.

ARE THERE ANY EXCEPTIONS TO THIS REGULATION?

Property transfers that are exempt from inspections include:

- ◆ Transfer from a spouse
- ◆ Change in ownership solely to exclude a spouse
- ◆ Transfer subject to life lease or life estate until its expiration
- ◆ Transfer to effect foreclosure or forfeiture of real property
- ◆ 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 or her spouse
- ◆ Transfer to establish or release a security interest
- ◆ Premises built within 24 months prior to date of property transfer
- ◆ Premises that shall be demolished and shall not be occupied after the property transfer
- ◆ New homes that have not been occupied

The Department of Environmental Health promises a turn-around time of **5 business days** on completed inspection reports.

DOES THIS PROGRAM DELAY HOME SALES?

The program requires the Department of Environmental Health to complete the inspection report review in 5 business days or less. This does not delay closings when the inspections are done in a timely manner. Some sales are delayed when the inspection is done after an offer is tendered. This is particularly true if corrections are necessary. Since inspection results are good for 12 months, homeowners are encouraged to start the process when listing the home.

HOW ARE THESE INSPECTIONS ACCOMPLISHED?

Homeowners hire Washtenaw County certified private inspectors to conduct these inspections. To become certified, inspectors must demonstrate competency based on training and testing. A standardized inspection procedure is used and reports are submitted on a standardized form. A list of certified inspectors is available on the County's web site and in the Department's office.

Download the list of certified inspectors and the full text of the Regulation at:

http://www.ewashtenaw.org/government/departments/environmental_health/wells_septic/eh_owds/home.html

HOW CAN I SELL A HOUSE BEFORE THE REPAIRS ARE COMPLETED?

The Department of Environmental Health will approve the property transfer if the following is submitted to and approved by the Department:

- ◆ 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

WHAT DOES THIS PROGRAM COST?

The actual inspection prices are market-driven, and private 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 processing costs. This fee schedule is available on the website. Note that many inspectors include the County's fee in their pricing schedule, so be sure to ask your inspector for details.