



City of Morgan Hill Private Sewer Lateral Inspection Program
Transfer of Responsibility to Repair

The responsibility for inspecting the building sanitary sewer is the sole duty of the seller and may not be transferred to the buyer. If the inspection shows that repairs are necessary, the responsibility to repair may be transferred from the seller to the buyer before the time of sale, if both parties mutually agree to do so.

Important: A valid Compliance Certificate or this completed form must be submitted to the City of Morgan Hill Utility Billing Department when new utility services are initiated.

1. Property Information

Street Address: _____

Assessor's Parcel Number: _____

2. Inspection Information

Inspector name: _____

Inspector License Number: _____

Inspection Date: _____

Was the inspector able to video inspect the entire sewer lateral?

YES NO

If NO, please provide explanation: _____

Was the inspector able to fully define the scope of work for the repairs that will be required to bring the sewer lateral up to City standards and pass inspection?

YES NO

If NO, please provide explanation: _____

3. Seller's Signature:

By signing below, I, the seller, declare that an inspection of the sanitary sewer at the above-referenced property has been completed and a copy of that inspection report has been made available to the buyer. I declare that the buyer has agreed to assume the responsibility for correcting any defects in the private sewer lateral at the above-referenced property.

Seller's name (please print) *Seller's signature* *Date* *Telephone*

Estimated Escrow Closing Date: _____

Seller's Mailing or Email Address: _____

4. Buyer's Signature

By signing below, I, the buyer of the above-referenced property, confirm that I have received a copy of the inspection report and agree to accept the responsibility of repairing the private sewer lateral as required in Morgan Hill Municipal Code Chapter 13.20. I understand that the initial inspection may not have been able to fully characterize the extent of the existing defects and required repairs. I understand that **I will be required to repair or correct any defects to meet the City's standards**, and to obtain a Compliance Certificate for Private Sewer Lateral within one hundred eighty (180) calendar days following the date of change in ownership, in accordance with the procedures outlined on the back of this form. I understand that if I have not obtained a Compliance Certificate within 180 days, I will be subject to penalties and/or the suspension of water service to the property.

Buyer's name (please print)

Buyer's signature

Date

Telephone

Buyer's Mailing or Email Address: _____

THIS FORM MUST BE SIGNED BY THE UTILITY BILLING DEPARTMENT TO BE VALID.

City Approved Signature _____

Filing Date _____

NOTARY ACKNOWLEDGMENT OF BUYER'S SIGNATURE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California County of _____

On _____ (date) before me, _____ (insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature _____ (Seal)

Background

Prior to the time of sale, all residential, commercial and industrial buildings within the City of Morgan Hill shall have the private sanitary sewer lateral inspected for any defects and be repaired or corrected to meet the City's standards as specified by the Private Sewer Lateral Inspection Report unless exempted under Section 13.20.070 of the Morgan Hill Municipal Code or unless the responsibility to repair is transferred to the buyer. The buyer then has 180 days from the time of sale to complete the repairs and submit a completed inspection report showing that the sewer has been corrected to meet the City's standards.

Instructions for the Transfer of Responsibility to Repair to the Buyer

Step 1 – Seller completes parts 1, 2, and 3 of this form. Buyer completes part 4 of this form and has buyer's signature notarized.

Step 2 - Bring in or mail this completed Transfer of Responsibility form and the initial inspection report (provided by the seller) to the City when starting new utility services. The City's Utility Billing Division is located in City Hall at 17575 Peak Ave.

Step 3 – Have the property's building sanitary sewer repaired by a Qualified Contractor to meet the City's standards as specified on the Private Sewer Lateral Inspection Report. (Note: the buyer is not responsible for inspections, repairs, or corrections if the property sale is not completed.)

Step 4 – After the repairs have been completed, have a re-inspection performed by a qualified sewer lateral inspector and submit the completed Private Sewer Lateral Inspection Report documenting that there are no remaining deficiencies in the private sewer lateral to the City of Morgan Hill Utility Billing Department within 180 days.

Keep a copy of this form for your records. One copy should be given to the seller's real estate agent to be included with documents transferring title to the property.

Failure to Inspect or Repair

If it is determined that the required repairs were never completed by the buyer as agreed to in this form, the City of Morgan Hill will exercise its legal remedies, including, but not limited to, a notice of violation recorded against the property, additional civil or criminal penalties in accordance with the Morgan Hill Municipal Code, and the suspension of water service.

For Additional Information, Please Contact Utility Billing Department (408) 779-7221