



Transfer of Responsibility to Repair/Retrofit

It is the sole duty and responsibility of the seller to *inspect* the building's sanitary sewer and plumbing fixtures and may not be transferred to the buyer. However, if the inspection shows that repairs are necessary, then the responsibility to repair and/or retrofit 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 Division when applying for new water services.

Instructions for the Transfer of Responsibility to Repair/Retrofit

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: Include completed Transfer of Responsibility Form and the initial inspection report with CCTV footage (provided by the seller) to the City's Utility Billing Division with your water service application.

Step 3: The Buyer has the property's private sewer lateral repaired and/or plumbing fixtures retrofitted to meet the City's standards as specified on the Utility Inspection Report.

Step 4: After the repairs and/or retrofits have been completed, have a new inspection performed by a Qualified Contractor/Licensed Plumber and submit a new passing Utility Inspection Report documenting that there are no remaining deficiencies in the private sewer lateral and/or retrofitting of plumbing fixtures to PSL.WC@morganhill.ca.gov within 180 days.

Step 5: Keep a copy of this form for your records.

1. Property Information

Street Address: _____ Assessor's Parcel Number: _____

2. Inspection Information

a. Private Sewer Lateral Inspection

Was the qualified contractor¹ able to video inspect the entire **private sewer lateral** in accordance with the Private Sewer Lateral Ordinance (ORDINANCE NO. 2322)?

YES NO N/A

If NO or N/A, please provide explanation: _____

Qualified Contractor/Licensed Plumber Name: _____

CA State Contractor (C-36) License Number: _____

NASSCO Inspection Date: _____

¹ A qualified contractor for private sewer lateral inspections meets the following requirements: State of California Licensed Plumber, City of Morgan Hill Business License, and NASSCO certified.

b. Water Conservation Inspection

Was the licensed plumber able to verify **all plumbing fixtures** comply with the Water Conservation Ordinance (ORDINANCE NO. 2323) for the entire parcel?

YES NO N/A

If NO or N/A, please provide explanation: _____

Qualified Contractor/Licensed Plumber Name: _____

CA State Contractor (C-36) License Number: _____

Inspection Date: _____

c. Repair/Retrofit Recommendations

Was the qualified contractor and/or licensed plumber, as applicable, able to fully define the scope of work for the repairs and/or retrofitting that will be required to bring the private sewer lateral and/or plumbing fixtures 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 private sewer lateral and plumbing fixtures at the above-referenced property has been completed and a copy of that inspection report has been made available the inspection report and video footage to the buyer. If exempt from either inspection the Exemption Form has been completed and will be submitted. I declare that the buyer has agreed to assume the responsibility for correcting any identified defects in the private sewer lateral and/or retrofits of plumbing fixtures at the above-referenced property.

Seller's name (please print)

Seller's signature

Date

Telephone

Estimated Escrow Closing Date: _____

Seller's Mailing Address: _____

Seller's 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 video footage. I agree to accept the responsibility of repairing the private sewer lateral and/or retrofitting the plumbing fixtures as required in Morgan Hill Municipal Code Chapter 13.20.070 and 13.04.335, or if exempt from either inspection have received and/or will submit the completed Exemption Form. I understand that the initial inspection may not have been able to fully characterize the extent of the existing defects and required repairs and/or retrofits. I understand that **I will be required to repair or correct any identified defects of the private sewer lateral and/or retrofit any plumbing fixtures to meet the City's standards**, and to obtain Compliance Certificate(s) within one hundred eighty (180) calendar days following the date of change in ownership, in accordance with the procedures outlined at the end of this form. I understand that if I have not obtained the Compliance Certificate(s) 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 Address: _____

Buyer's Email Address: _____

NOTARY ACKNOWLEDGMENT OF BUYER'S SIGNATURE

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)

FOR OFFICE USE ONLY: CITY ACKNOWLEDGEMENT OF RECEIPT

Date of Receipt:

City Reviewer:

Background

Prior to the time of sale all residential, commercial, and industrial buildings within the City of Morgan Hill shall complete both Utility Inspections (private sewer lateral and water conservation plumbing fixtures), unless the responsibility to repair and/or retrofit has been transferred or exempted. This includes an inspection of the private sanitary sewer lateral and/or plumbing fixtures inspected by a qualified contractor/licensed plumber for any defects and be repaired, corrected, or retrofitted to meet the City's standards as specified by the Utility Inspection Report unless exempted under Section 13.20.070 or Section 13.04.335 of the Morgan Hill Municipal Code. If exempt, an Exemption Form must be submitted.

The buyer then has 180 days from the time of utility activation to complete the repairs and/or retrofits and submit a completed inspection report showing that the sewer and/or plumbing fixtures have been corrected to meet the City's standards.

Failure to Repair/Retrofit

If it is determined that the required repairs and/or retrofits 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 Environmental Services Department by phone at (669) 253-4332 or email at PSL.WC@morganhill.ca.gov.