

# KANDIYOHI COUNTY

## PROPERTY TRANSFER SEPTIC SYSTEM DISCLOSURE FORM

Environmental Services Department  
400 SW Benson Ave. Willmar, MN 56201  
Telephone: (320) 231-6229  
Fax: (320) 231-6564

**Instructions for Seller:** Complete the name, address, and property information. Determine which *one* of the following seven statements applies to the septic system and check the appropriate box. Follow specific instructions for the statement. Statements 1, 2, 4, 5, 6, and 7 require supporting documentation, which **MUST** be attached to this form. Statement 3 requires that the exemption, if any, be listed where indicated. Statement 7 requires the signature of the Buyer. ***This completed form and the supporting documentation are required to be presented to the Buyer and County at or prior to the closing date.***

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**Please Print and Complete All Information:**

Seller's Printed Name: \_\_\_\_\_

Buyer's Printed Name: \_\_\_\_\_

Property Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Property ID#: \_\_\_\_\_ Legal Description: \_\_\_\_\_

Township: \_\_\_\_\_ Range: \_\_\_\_\_ Section: \_\_\_\_\_ Quarter(s): \_\_\_\_\_

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**Please check the appropriate box: (Choose only one response)**

1. The MPCA Compliance Inspection Form indicates that the septic system is in compliance. A licensed inspector has issued a Certificate of Compliance. **Attach Copy.**
2. The septic system was installed within the last five years and a Certificate of Compliance was issued by the Kandiyohi County Environmental Services Department. **Attach Copy.**
3. The MPCA Compliance Inspection Form need not be completed due to one of the following exemptions:
- The tract of land is without buildings or contains no dwelling or other building with plumbing fixtures.
  - No Certificate of Real Estate Value need be filed with the County Auditor-Treasurer, as per MN Statutes, Ch. 272.115.
  - The sale or transfer completes a contract for deed entered into prior to April 1, 2005. This applies only to the original vendor and vendee on such a contract.
  - Any dwellings or other buildings with plumbing fixtures are connected to a municipal wastewater treatment system.

- 4. The MPCA Compliance Inspection Form indicates that the septic system is FAILING and shall be replaced or upgraded to MN Rules Ch. 7080 standards within two (2) years. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the replacement or upgrade of the septic system. **Attach Copy of Agreement.**
- 5. The MPCA Compliance Inspection Form indicates that the septic system is an IMMINENT THREAT to public health or safety and shall be replaced or upgraded to MN Rules Ch. 7080 standards within ten (10) months. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the replacement or upgrade of the septic system. **Attach Copy of Agreement.**
- 6. The Seller discloses that the septic system does not meet MN Rules Ch. 7080 requirements, would be considered FAILING or an IMMINENT THREAT, and must be replaced or upgraded to MN Rules Ch. 7080 standards within ten (10) months. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the replacement or upgrade of the septic system. **Attach Copy of Agreement.**
- 7. The MPCA Compliance Inspection Form cannot be completed due to ground conditions occurring between November 1 and April 30. The property sale/transfer may occur with the stipulation that the Seller and Buyer have a signed agreement as to who is responsible for the Compliance Inspection, which must be completed by **June 1<sup>st</sup>** of the following year, and who is responsible for the replacement or upgrade of the septic system if Failing or an Imminent Threat. **Attach Copy of Agreement.**

**PLEASE NOTE: THIS FORM WILL BE RETURNED UNLESS FULLY COMPLETED WITH ALL REQUIRED DOCUMENTATION ATTACHED.**

**SIGNATURES: (Required by both parties in all cases)**

We have read and acknowledge the contents of all sections above that are applicable to the septic system on the property. We understand the compliance requirements that are necessary for the replacement or upgrade of the septic system, present or future; we also understand that no real property in Kandiyohi County shall be transferred unless the parties to the transaction have complied with the requirements of the Kandiyohi County Sewage Treatment Ordinance.

**Seller's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Buyer's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**If completed by a Third Party (i.e., realtor, attorney, auction company), please complete the following:**

Printed Name of Third Party: \_\_\_\_\_

Address of Third Party: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature/Date: \_\_\_\_\_

The MPCA Licensed Business List is available at <http://www.pca.state.mn.us/programs/ists>.