



# BROKERS' ACTIONS



## SEPTIC SYSTEM

### HOW TO AVOID IT

The **septic system**<sup>1</sup> consists of a septic tank and a soil absorption field. You must always be able to validate the information you transmit to your clients in addition to informing them of the risks and factors that could affect the property. The fact that the seller has never had a problem with his septic system does not mean that it is necessarily functional and compliant.

In all cases, you must get a **letter from the city** confirming whether or not any violation notices have ever been issued, advise the seller to **lift his warranty on the septic system**, obtain all the **documents showing reported or resolved problems** and recommend to the seller to drain his septic tank or obtain the **invoice for the last drainage**.

Remember to keep copies on record and refer your clients to an expert in the field.

### TIP FROM THE PRO

Depending on the date of installation of the septic system, other documents may be required. Check with the municipality.

If the seller has no document about the septic system and your verifications are not conclusive, you must indicate it on the detailed **description sheet**, (for example unknown system or compliance certificate not available). In addition, you need to have your client complete the *Declarations by seller of the immovable* mandatory form and advise him to exclude from the contract the warranty of quality on the septic system for more caution. This information must also be included in the detailed description sheet.

### CONSEQUENCES

In addition to exposing the client to an unpleasant situation, consider the consequences of this type of error for the broker. If you are held responsible and compensation is paid to the claimant, you will have to pay the **deductible** on your insurance. You should also know that a court action will have an impact on your personal credit report during the entire length of the dispute, not to mention the **loss of time** that this will cause you. You are always better safe than sorry.



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1. Water supply, wells and septic tanks: duties and obligations of the broker, article no. 119270, OACIQ