



City of Malibu

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Point Of Sale Inspections

Onsite Wastewater Treatment System (OWTS)

What is a Point of Sale Inspection?

A Point of Sale inspection is required when an OWTS inspection of a property that is in the process of being purchased or changing ownership reveals a repair, alteration, upgrade or replacement is necessary. Prior to the renewal or completion of the acquisition or change of ownership, the property owner may request a certificate of inspection from the City to obtain an OWTS Operating Permit.

What is a Transfer of Operating Permit?

Within 30 days of any change in ownership of the property served by an OWTS with a valid, unexpired Operating Permit, the purchaser/transferee of the property must submit a Transfer of Operating Permit application along with the appropriate fees to ensure the Operating Permit is transferred into the name of the new owner.

When Can a Certificate of Inspection be Issued to the Property Owner?

Prior to the issuance of a certificate of inspection, a City Registered Inspector shall submit an Operating Permit Inspection Report to the City indicating failure of the OWTS. An authorized representative of the property owner or the owner of the property served by the OWTS, and the administrative authority must sign a compliance agreement binding the property owner to a time schedule for any necessary repairs, upgrades, or replacement.

What Are the Terms of a Compliance Agreement?

- The owner of the real property served by the OWTS must record the compliance agreement with the City within three to five business days after its execution.
- The terms of the compliance agreement assures that the notice of the obligations contained within the agreement are bound to all future owners and assigns of the real property served by the OWTS.
- Any interim measure governing the operation of the OWTS deemed suitable by the system inspector and/or administrative authority shall be included in the compliance agreement.
- If the property owner fails to secure an operating permit or a certificate of inspection prior to a purchase or change of ownership, it is obligatory upon the successor in interest/transferee/purchaser to secure an operating permit for the OWTS within 180 days of the effective date of purchase or change in ownership.



When Can an OWTS Operating Permit be Issued?

The Operating Permit can be issued when all required repairs, modifications, replacements, and/or upgrades identified in the official inspection for, and the compliance agreement have been completed and when the owner has satisfied all obligations from the compliance agreement.

Timelines:

When an OWTS fails the Operating Permit inspection, the property owner must sign and notarize a compliance agreement within 30 days of the OWTS inspection failure date. The certificate of inspection shall be issued to the property owner within 45 days from the OWTS inspection failure date. The certificate of inspection includes the Operating Permit Inspection Report indicating failure, the recorded compliance agreement, and appropriate fees in accordance with the City’s fee schedule.

