

GUIDANCE FOR PROCESSING WORK WITHOUT PERMITS

Frequently our department is asked to provide certificates of occupancy for portions of homes that were altered without permits and inspections sometime in the past. The most common examples of this are finished basements and finished attics. In our desire to be customer friendly it is very tempting to give conditional approvals or CO's without actually having performed inspections. We may sympathize with a current owner who unwittingly now owns the violations that were done by a previous owner or there may be pressure applied because of an upcoming closing on the sale of the house. This is where we need to step back and remember that our overriding obligation is to protect the safety and health of the community including current owners, future owners and visitors to these properties. Do we serve the interest of safety when we try to exercise latitude and relax code requirements in order to be expedient? Probably not.

The creation or alteration of habitable spaces without permits and inspections is a violation of Section R105 of the 2009 International Residential Code portion of the 2005 Connecticut State Building Code. The remedy for such a violation is for the owner to obtain permits and make it possible for this department to perform the inspections required by the building code even if that means opening up or uncovering finished work. If work is not code compliant the owner will have to make the corrections and have us approve it before the work is re-covered and finished. At that time, we will be able to issue a CO without conditions.

These possible violations are brought to our attention often by routine inspections. Other times it may be real estate agents, home inspectors or others. If we are able to determine that such work was, in fact, done without permits, we will be obligated to follow through and ensure code compliance in the end. We will, of course, endeavor to get compliance in a friendly and respectful manner. However, if the owner refuses or resists complying, then we will have to follow the procedures for violations as described in Section R113.

Borrowed from M. Gregory Grew, AIA/Building Official Town of East Hartford

Adapted by Rand D. Stanley, Building Official