

Septic Systems and Real Estate

All developed properties have a utility for the disposal of wastewater generated within the buildings on the property. The most common options for wastewater disposal are a city or municipal wastewater system or an individual septic system. Septic systems are most often located in rural areas but can also be found in cities of any size.



The seller is responsible for knowing what type of wastewater disposal system is used on the property. If a property has a septic system,

the type of system installed should be disclosed.

Records of septic system installations for individual properties can be obtained from the local health district that has jurisdiction over the county the system is installed in. Along with the installation records, the buyer should verify any regulatory requirements that are conditions of the septic permit. Buyers may need assistance in this area.

Health District Contact Information

Panhandle Health District

8500 N. Atlas Road
Hayden, ID 83835
(208) 415-5100
www.phd1.idaho.gov

North Central Health District

215 10th Street
Lewiston, ID 83501
(208) 799-3100
idahopublichealth.com

Southwest District Health

13307 Miami Lane
Caldwell, ID 83607
(208) 454-7722
www.publichealthidaho.com

Central District Health Department

707 North Armstrong Place
Boise, ID 83704
(208) 375-5211
www.cdhd.idaho.gov

South Central Public Health District

1020 Washington Street North
Twin Falls, ID 83301
(208) 734-5900
www.phd5.idaho.gov

Southeastern Idaho Public Health

1901 Alvin Ricken Drive
Pocatello, ID 83201
(208) 233-9080
www.sdhdidaho.org

Eastern Idaho Public Health District

1250 Hollipark Drive
Idaho Falls, ID 83401
(208) 522-0310
www.phd7.idaho.gov



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Real Estate Transactions and Septic Systems



A resource for homeowners (sellers) and home buyers



Public Health
Prevent. Promote. Protect.
Idaho Public Health Districts

A Cooperative Publication

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Types of Septic Systems

Several types of septic systems are approved for installation in Idaho. System types are determined based upon site conditions and regulatory requirements and can vary in their annual maintenance and regulatory requirements. The system types are grouped into three main areas:

- Basic septic system
- Basic alternative septic system
- Complex alternative septic system

Several of the complex alternative septic systems require annual maintenance in varying degrees. Annual maintenance requirements

for these systems should be described in an operation and maintenance (O&M) manual developed by the system's design engineer or manufacturer. Copies of these manuals should be available through the health district that issued the installation permit.

An extended treatment package system (ETPS) or advanced treatment unit (ATU), is one category of complex alternative systems that includes annual regulatory requirements as a condition of their installation permit. It is recommended that potential buyers be informed about ETPS O&M membership and dues.

ETPS/ATU Operation & Maintenance Entities

Prior to issuing a septic system installation permit for ETPS/ATU type septic systems, the permit applicant is required to sign a member agreement with a nonprofit O&M entity. This agreement is recorded in the county's real property records and becomes an encumbrance on the property. This encumbrance will be identified on any commitment or policy prepared by a title insurance agent. A copy of the recorded O&M agreement may be requested from the title insurance agent who provided you with the commitment or policy.

Buyers should understand that O&M member agreements:

- Grant the nonprofit O&M entity an easement to access the property for annual service, maintenance, and testing requirements.
- Require the homeowner to pay annual dues to the nonprofit O&M entity to perform the services listed within the agreement as well as the nonprofit O&M entity's bylaws.

Failure to pay annual dues may subject homeowners to liens on their property or legal action as pursued by the nonprofit O&M entity. Additional legal consequences from the regulatory authority may result for failure to test effluent quality for compliance with septic permit requirements.

Real Estate Seller Responsibilities

To assist in smooth real estate transactions, the real estate seller should disclose the following information to potential buyers:

- The type of septic system that serves a listed property.
- Whether there is a problem with the septic system.
- For parcels served by ETPS systems, the recorded member agreement on the property, and associated requirements.

Health District Services for Real Estate Transactions

The health district can

- Provide records of septic permits and installations.
- Provide information on annual maintenance requirements for septic installations.
- Provide mortgage surveys, well water testing, and septic system surveys.