

**City of Middletown
Building Department
245 deKoven Drive
Middletown, CT
860-638-4870**



SUBMIT APPLICATION

At this stage you will document the “Who, What, When, Where, and How” of the job, along with any sketches or plans of the unpermitted work.

REVIEW PROCESS

The building official will review your application and supporting documents and determine if there is sufficient information for compliance with the current building code. A review of the plans WILL NOT be performed at the counter, most projects take approximately two weeks to go through the approval process.

PERMIT ISSUANCE

Once the permit is issued, the plans may have some notations that will need to be addressed prior to an inspection being performed by the building official. Generally we require a weeks’ notice for an inspection.

FINAL APPROVAL

The building official will provide documentation when construction is completed and code compliance is determined

How to Legalize Unpermitted Work

You’ve remodeled your home and turned it into your dream home. When you did the remodeling, you used reputable contractors, but because they were friends, family members or other people you knew, no one pulled permits for the work. Now, you’re trying to sell or refinance your home and you don’t know what to do. The best option? Confess.

IT’S A MATTER OF PUBLIC RECORD

If you are working with a real estate agent, he or she will ask you if there is anything to disclose to potential buyers. Remodeling or renovating your home without the proper permits is one of those “problems” that you are required by law to disclose. And if you don’t fess up to the permit-less work, it may be discovered anyway by the title company or by a search of the public housing tax and deed records.

CONFESSION CONSEQUENCES

The first consequence of your confession is that it may cause an issue with an interested home buyer. The good news is that this is a fixable situation. The fix, however, may require you to confess to your building department. The department will then require you to pay the permit fee that you should have paid to begin with, which is typically based on the cost of the remodel.

ANCILLARY CONSEQUENCES

Renovating a home without permits may have other consequences as well. What if the additional bathroom or bedroom, or other work you did without a permit is damaged in a flood, hurricane or fire? When you make your insurance claim, the insurance company may deny the claim because the work is technically not legal – that room doesn’t exist to them. Probably one of the worst consequences of all, although rare, is that the building department may require you to tear down any work completed without a permit, especially if it is not up to code. If you have done any remodeling, renovations or made additions to your home without pulling a permit, the best thing to do when you get ready to sell is to fess up to everyone. It may cost you some extra money before the sale takes place, but it can save you from lawsuits, additional expenses and further hassle in the long-run.

BEWARE: ISSUES TO CONSIDER FOR WORK CONSTRUCTED WITHOUT A PERMIT

- > **Change of ownership does not make unpermitted work legal.** If any work was done illegally in the past, the passage of time or a change in ownership does not absolve the current owner of the responsibility to correct the illegal construction.
- > **Insurance may not extend to unpermitted improvements.** Liability insurance typically does not cover the portions of a property that have been improved without a permit (illegally improved).
- > **Work based on the current code.** Even if the work was done 5, 10, 15 years ago. The building code that will be used for reviewing the application is the building code that is in effect at the time of the submission of the application. Depending on the scope and location of the unpermitted work, approvals may be required from other departments (planning and zoning, water & sewer, health department).

PERMITTING PROCESS

The following is required in order to apply for a building permit. We've used the example of a finished basement, however, the same requirements would be required for other construction projects as well;

1. A sketch, drawn to scale showing the layout of the entire basement, including unfinished areas. Show the location of all mechanical equipment, electrical panels, well pump, etc. Label the rooms or areas on the use of the space. Include dimensions on the sketch along with information on wall construction, insulation, ceiling height and type.
2. Download and complete the building application form.
3. For all concealed mechanical, electrical and plumbing work that is concealed we will require a letter from each trade contractor, on their letterhead with license number, verifying the work is done correctly and list any corrections performed.
4. There may be conditions that will require the removal of wall, floor and/or ceiling finishes as deemed necessary by the building official. Concerns may include lack of fire stopping, draft stopping, structural concerns, mechanical work, etc.
5. Smoke alarms and CO detectors are required to be installed in all dwellings and shall be verified at the time of the inspection.
6. All permits that are issued for work that is done without a permit will have the following notation: "CONDITION OF ISSUANCE: This permit is being issued to address construction work previously done without the proper permits and inspections. It is not known at this time if any violations of the Connecticut State Building Code exist, which must be remedied before a certificate of approval/occupancy will be issued. This permit should not be construed as approval of any portion of the work previously done."

FREQUENTLY ASKED QUESTIONS

- **Is there a penalty fee?** NO, in fact the Office of the State Building Inspector has issued a formal interpretation (I-23-12) on this matter and has determined no municipality has the authority to establish a fee or penalty for work commencing before a building permit is issued.
- **How can I determine if work was done without the proper permits and approvals?** The building department files are public information and you are welcome to come into our office during normal business hours to review the file. The staff is more than willing to answer any questions you may have and make copies as needed.
- **Will this increase my taxes?** We do not know which work would change your property taxes. The Assessor will be able to answer your questions on taxes.
- **I have a closing in five days?** This is an unfortunate circumstance, once we receive an application and construction documents it takes approximately two weeks to go through the approval process. Most projects require approval from other departments

