

**Report Title: Residential Pre-Sale Inspections – Should Marin County Also Require Them?****Report Date: May 30, 2002****Response by: Edmund H. San Diego Title: Belvedere City Manager****FINDINGS**

- I (we) agree with finding number: **8**
- I (we) disagree wholly or partially with the findings numbered: **6 & 7**

***With respect to finding #6, the City of Belvedere has little or no knowledge whether the actual scope of pre-sale inspections in other jurisdictions bears any relationship to enabling legislation in their local municipal codes and/r applicable State law. We can only speak to the situation in our jurisdiction and we are in compliance with the code (Chapter 16.24 or the Belvedere Municipal Code [BMC]) that requires pre-sale Residential Building Records Reports to be prepared whenever a property is offered for sale.***

***With respect to finding # 7, we have no way of knowing how widely the scope of pre-sale inspections varies from jurisdiction to jurisdiction, nor whether realtors are in fact frustrated by the alleged variances.***

**RECOMMENDATIONS**

- Recommendation number 2 has been implemented.

***The City of Belvedere has been requiring pre-sale continuously since 1973, and in so doing, is complying fully with its enabling legislation (Chapter 16.24 of the BMC). However, the City Attorney has been requested to review the existing ordinance for adequacy.***

- Recommendations numbered \_\_\_\_\_ have not yet been implemented, but will be implemented in the future.

(Attach a timeframe for the implementation.)

- Recommendations numbered \_\_\_\_\_ require further analysis.

(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)

- Recommendations numbered 3 will not be implemented because they are not warranted or are not reasonable for the following reason:

***Regarding recommendation #3, it is important to recognize that the various jurisdictions sometimes have different thoughts about what should be included in a pre-sale inspection report that may be germane only to that jurisdiction. Given that, standardization of the pre-sale inspection process, other than to require it, may not be appropriate.***

Date: June 14, 2002 Signed: \_\_\_\_\_

Number of pages attached 0