

Avoiding the Pitfalls of Remodeling Permits

Let Contractors Pull Their Own Permits

By JUNE FLETCHER



Q. I'm about to hire a contractor to redo my kitchen. The pictures he showed me of his previous work looked terrific, and he had the lowest bid. But he wants me to sign a permit application document. I thought this is something that the contractor should do. Am I being unreasonable?

--Marblehead, Mass.

A. Not at all. In fact, no matter how pretty that contractor's pictures are, I'd view his request that you to pull the permit as a red flag. No good can come to you from this arrangement, but you could experience a lot of harm.

Permits exist because it is in the public interest to ensure that houses are built according to building codes. Most municipalities don't require them for cosmetic projects like painting, but do for anything that requires work that could become a health or safety issue. Governments insist on permits not just to protect the current owners of a property, but also future ones—as well as mortgage and insurance companies that also have a stake in the home's basic soundness. They also require permits because a renovation or remodel usually adds value to a home, and taxing

authorities want to keep track of changes so everyone is assessed fairly.

Whoever pulls the permit is responsible for the work being done correctly. While it is legal for you and unpaid helpers to take out a permit to work on your own property, if you tangle up the wiring or install the sink so it is off kilter, fixing the problem so it will pass inspections is on you.

If you sign the permit, you also become responsible for any mistakes, substandard materials, shoddy workmanship, bad engineering or other problems with the project's design and construction. Worse, if a worker is injured or does damage to someone else's property, you could be held liable as well.

Because there is such an incentive for contractors to foist the responsibility on unsuspecting homeowners, it isn't unusual for them to offer a discount or lowball bid to get them to cooperate. Or they may try to convince the owner to not pull a permit at all, arguing that doing so will just mean a lot of government red tape and the possibility of a higher tax bill down the road.

Don't fall for that pitch. Yes, you will have to pay more for the contractor to stand in line, fill out the paperwork and handle the inevitable inspections—but if he's legitimate, he'll know how to answer the city's questions and concerns better than you. What's more, according to Marblehead's building and inspections department, if you don't get a required permit before beginning work, eventually you will have to pay two times the applicable fee.

That is because even if you manage to have the work done under the radar, without the proper permits and inspections, there is always a day of reckoning. That is when you try to

sell the house, and the buyer's inspector uncovers all of the unpermitted work—and you have to pay someone else to correct every flaw before the deal will close.

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