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TOWN OF LOOMIS BUILDING DEPARTMENT

Change of Responsible Party

Purpose

Building Services and/or Counter Services often receives requests to change the owner, contractor, architect, engineer, special inspection agency or designer information provided on a permit application, plans, engineering design calculations, foundation investigation or other documents related to a construction project. To assure continuity of responsibility for the project, relative to the California Building Code, Section 107.3.4, where documents are required to be designed by a registered design professional, this policy intends to clarify changes to the responsible party.

Policy

Change of Responsible Party

Change Prior to Issuance of a Permit

1. When a change of **owner of record** is desired *prior* to issuance of a permit, the following steps must be taken.

The new owner of record shall submit to the following information:

- A statement that the new owner has a legal or equitable interest in the property where the proposed project is to be located.
- A statement that the new owner has the consent of the original owner of record to be named as the responsible owner of record on all pertinent construction documents.
- The date of transfer of ownership.
- The name and address of the new owner of record as recorded with the Town Clerk and listed with the Tax Assessor.

2. When a change of **contractor of record** is desired *prior* to issuance of a permit, the new contractor of record shall provide the following information:

- The name and contractor license number of the new contractor.
- The date the new contractor of record contracted with the owner to begin work on this project.
- A declaration that the new contractor of record assumes full responsibility for all work to be authorized by this permit including all work performed by the original contractor.

3. When a change of **architect or engineer of record** is desired *prior* to issuance of the permit, the new architect or engineer of record shall provide a statement that will include:

- A declaration that the new architect or engineer of record has reviewed all plans, documents test and inspection reports, and other work performed by the previous architect or engineer and concurs with the statements, conclusions and recommendations therein including:

- A statement that the new architect or engineer of record assumes all responsibility for any Revisions to documents prepared by the previous architect or engineer of record subsequent to the date of hire.
- A statement that the new architect or engineer of record assumes all of the responsibilities and obligations related to that portion of the documents the original architect or engineer of record prepared and was obligated to prepare by the laws of the State of California and the regulations of the Town of Loomis.
- OR that the new architect or engineer of record will submit alternate plans, reports, and other work replacing the existing design documents.

Change After Issuance of a Permit

1. When a change of **owner of record** is desired *after* issuance of a permit, the following steps must be taken:

- The new owner of record shall comply with all the requirements listed previously for change of owner of record above and, in addition, shall include the following:
 - A statement that the new owner agrees to assume full responsibility for satisfactory completion of all work authorized under the permit, including work performed prior to ownership.
 - The applicant shall complete a new permit application indicating the change of owner of record to be filed with the original application in the permanent records of the Building Division.
 - All plans and other documents shall be revised by the party responsible for their preparation to indicate the change of ownership.

2. When a change of **contractor of record** is desired *after* issuance of a permit, the following steps must be taken:

- The applicant shall provide the following information:
 - A statement that the original contractor of record is no longer the project contractor and/or
 - A written statement on letter head from the original contractor asking to be removed from the project/permit.
 - The date the contract to perform the work authorized by the permit was terminated.
- The applicant shall complete a new permit application, using the same previously issued permit number, indicating the change of contractor to be filed in the permanent records of the Building Division.

3. When a change of **architect or engineer** of record is desired *after* issuance of a permit, the following steps must be taken:

- The new architect or engineer of record shall comply with all the requirements listed previously for change of architect or engineer of record above and, in addition, shall include a statement that the new architect or engineer of record assumes all responsibility for any subsequent work on the project under this permit, same permit number maintained, and within their review, including any exceptions noted by the original architect or engineer;
- Or that the new architect or engineer of record will submit alternate plans, reports, and other work replacing the existing design documents.

Any request for a change of responsible party related to permitted work regulated by the Building Division is subject to review and approval by the Building Official or his/her designee.

Hold Harmless Clause

Applicant/s, Owner/s, Contractor/s, Architect/s or Engineer/s shall be aware of all applicable Copy Right laws related to the use of plans. Every request for a change of responsible party shall include a clause holding the Town of Loomis harmless for any loss or liability occurring as a result of change of responsible party related to the permitted work.

Nonconforming Change of Responsible Party

When a change of responsible party occurs that does not conform to the conditions specified above, the Building Official, or his/her designee, shall suspend that permit until those conditions have been met.

When requesting change of a responsible party either during the application process, or after the permit has been issued, the following form will aid in conforming with the policies of this Division.

Timing of Change

This section is designed to indicate the stage of the project:

- The project is in the application/plan review stage? Yes___ No___
- The permit has been issued for this project? Yes___ No___
- Provide application/permit number: BP _____ - _____

Responsible Party Change

Indicate which responsible person is changing. If more than one, please indicate each.

Ownership Change

Yes___ No___

Utilize the section below to indicate an ownership change.

- The new owner has a legal or equitable interest in the property where the proposed project is to be located.
- The new owner has the consent of the original owner of record to be named as the new responsible owner of record on all pertinent construction documents.
- The date of transfer of ownership _____.
- The name and address of the new owner of record as recorded with the Town Clerk and listed with the Tax Assessor.

New Owner Name	Address
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- If a permit was previously issued and work commenced, the new owner agrees to assume full responsibility for satisfactory completion of all work authorized under the permit, including work performed prior to assuming ownership.
- The new owner agrees to assume full responsibility for payment of any monies owed or due to the Town of Loomis for this project.
- The new owner shall complete a new permit application indicating the change of owner of record to be filed with the original application in the permanent records of the Building Division.
- All plans and other documents shall be revised by the party responsible for their preparation to indicate the change of ownership.

Contractor Change

Yes___ No___

Utilize the section below to indicate a change of Contractor.

- The original Contractor of record is no longer the project Contractor.

Original Contractor Name	California Contractor License Number
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New Contractor Name	California Contractor License Number
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- The date the new contractor of record contracted with the owner to begin work on this project: _____
- The new contractor of record assumes full responsibility for all work to be authorized by this permit including all work performed by the original contractor.
- The date the contract with the initial contractor to perform the work authorized by the permit was terminated: _____
- The applicant or permit holder shall complete a new permit application, using the same previously issued permit number, indicating the change of contractor to be filed in the permanent records of the Building Division.

Architect/Engineer Change

Yes ___ No ___

Utilize the section below to indicate a change of Architect or Engineer.

- The new architect or engineer of record has reviewed all plans, documents, tests and inspection reports, and other work performed by the previous architect or engineer and concurs with the statements, conclusions and recommendations therein.
 - The new architect or engineer of record assumes all of the responsibilities and obligations related to that portion of the documents the original architect or engineer of prepared and was obligated to prepare by the laws of the State of California and the regulations of the Town of Loomis.
 - The new architect or engineer of record assumes all responsibility for any revisions to documents prepared by the previous architect or engineer of record subsequent To the date of hire; Yes ___ No ___

- **OR**, the new architect or engineer of record will submit alternate plans, reports, and other work replacing the existing design documents. Yes ___ No ___

- The applicant or permit holder shall complete a new permit application, using the same previously issued permit number, indicating the change of architect or engineer to be filed in the permanent records of the Building Division.

The undersigned hereby holds the Town of Loomis harmless for any loss or liability occurring as a result of a change of responsible party related to the permitted work as requested herein.

Contractor Signature (when initiated) Date

Property Owner (when initiated) Date

Architect/Engineer (when initiated) Date