

# **GUIDANCE FOR PROCESSING WORK WITHOUT PERMITS**

Frequently our department is asked to provide final inspections, and/or certificates of occupancy, for portions of homes that were altered or converted to finished, occupiable spaces without the benefit of permits or inspections. The most common examples of this are finished basements, attics, or garage bays. In our desire to be customer friendly it can be very easy for a homeowner to mistake empathy for an assumed approval. We may sympathize with the current owner who unwittingly owns this violation, or, there may be pressure applied because of an upcoming closing on the sale of the property. This is where we all need to step back and remember that our overriding obligation is to protect the safety and health of the community. That includes the current owners, future owners, and visitors to these properties. Do we serve the interest of safety when we try to exercise latitude and relax code requirements in order to be expedient? No, not in the least. Let's examine the inconvenience.

The creation, alterations, or addition of habitable spaces without permits and inspections are a violation of the 2021 International Residential Code portion of the 2022 Connecticut State Building Code. Section R105.1 requires permits for this work, Section R109 requires inspection(s) and approval(s) for the work to progress to finish, and then occupied. This has been the case since the inception of the Connecticut State Building Code when adopted October 1, 1970. The excuse, "I didn't know" rings hollow after 50 years.

The remedy for such violation requires the owner to apply for, and obtain, the required permits. Once approved, it may/will require the owner to open up finished spaces to allow for the required inspections to be performed. This could include ceilings, walls, and floor spaces. If the work is not code compliant, corrections, reinspection, approvals are required prior to covering those spaces back up. Only at that time can we issue the final CO without conditions. Keep in mind the we didn't create this scenario but are forced to deal with it. Be patient.

These possible violations are brought to our attention often by routine inspections. Other times it may be real estate agents, attorneys, home inspectors, or others. If we are able to determine that such work was, in fact, performed without the benefit of permits or inspections, we are obligated to require and ensure code compliance, regardless of the circumstances surrounding this issue. We do, of course, endeavor to gain compliance in a friendly and respectful manner. However, if an owner refuses or resists complying, we follow the procedures for violations as described in Section R113.4 which includes possible legal actions, court, fines, or beyond.

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