



ADDENDUM TO REAL ESTATE TRANSFER DISCLOSURE STATEMENT

LOCAL DISCLOSURE REGARDING  
INSTALLATION OF WATER CONSERVATION DEVICES

This form is to be used when the Seller’s property, whether residential, commercial, or industrial, is situated within:

- **unincorporated Santa Cruz County outside of the Santa Cruz City water service area.**

**Summary of Ordinance**

Authority: Santa Cruz County Code Chapter 7.69

Prior to the recording of any deed transferring title to the property to implement a sale of the property or prior to the recording of a contract of sale, all sellers of residential, commercial, or industrial property shall install water conservation devices that restrict maximum water flow from showerheads to 2.5 gallons per minute and reduce the amount of water used in toilets to 1.6 gallons per flush.

**Exemptions**

A. The requirement for the installation of water conservation retrofit devices on showers shall not apply to any of the following:

1. All structures that include plumbing fixtures on the property changing ownership with evidence documenting they were constructed or renovated in 1994 or later;
2. Any shower that is fitted with a low-flow showerhead with a maximum flow rate that does not exceed 2.5 gallons per minute;
3. Any emergency shower installed for health or safety purposes that cannot safely operate with a maximum flow rate that does not exceed 2.5 gallons per minute;
4. When the retrofit of a shower fixture to comply with this chapter would require a significant expense;
5. Any shower that will not function properly after being retrofitted in accordance with this chapter (Ord. 4698 § 2 (part), 1/07/03.

B. The requirement for the installation of ultra low flush toilets shall not apply to any of the following:

1. Any toilet that already uses less than 1.6 gallons per flush;
2. When the retrofit of a toilet fixture to comply with this chapter would require a significant expense (Ord. 4781 § 1 (part), 4/05/05;
3. Any toilet that will not function properly after being retrofitted in accordance with this chapter (Ord. 4698 § 2 (part), 1/07/03.

**Certification**

Seller must provide Buyer with a written certification of compliance with the requirements of this ordinance stating that the water conservation devices have been installed or that the installation of devices is not required because of the specific exemption(s) allowed under this law.

**Failure to Comply**

If the Seller fails to comply with the retrofit requirements, the Buyer shall install the low consumption plumbing fixtures within 90 days from the date of sale. Any seller who fails to comply with the requirements of this chapter may be liable to the buyer in the amount of two hundred and fifty dollars (\$250) for each fixture that does not comply with this chapter at the time of sale, or the actual costs of the buyer to comply with this chapter, whichever amounts are greater. Violation of these requirements is also deemed an infraction.

The undersigned hereby acknowledges receipt of a copy of this Addendum.

Date \_\_\_\_\_ Date \_\_\_\_\_

Buyer \_\_\_\_\_ Seller \_\_\_\_\_

Buyer \_\_\_\_\_ Seller \_\_\_\_\_