

WFG Underwriting Bulletin



To: All Florida Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: August 10, 2021
Bulletin No.: FL 2021-14
Subject: Miami-Dade Septic Tank System Notice

On August 6, 2021, the Florida Land Title Association (“FLTA”) brought to our attention a new Miami-Dade County Ordinance, Section 21-49.1 (hereinafter “Ordinance”). The Ordinance was passed on July 21, 2021, and became effective on July 30, 2021.

The Ordinance requires sellers of real property that contain septic tank systems to provide to the purchaser, prior to the purchaser signing the contract, the following notice:

SEPTIC TANK SYSTEM DISCLOSURE

LAND INVOLVED IN THIS TRANSACTION HAS A SEPTIC TANK SYSTEM INSTALLED ON IT OR IS SERVICED BY A SEPTIC TANK SYSTEM. SEPTIC TANK SYSTEMS MAY BE SUBJECT TO LOCAL, STATE, AND FEDERAL REGULATIONS. IMPROPERLY MAINTAINED SEPTIC TANK SYSTEMS MAY POSE SUBSTANTIAL RISKS TO HUMAN HEALTH AND THE ENVIRONMENT. IT IS RECOMMENDED THAT THE PURCHASER OF THIS LAND CONSIDER OBTAINING AN INSPECTION OF THE SEPTIC TANK SYSTEM BY A QUALIFIED PROFESSIONAL.

The Ordinance requires the instrument conveying the real property to contain the following acknowledgment by the purchaser:

I HEREBY CERTIFY THAT I HAVE READ, UNDERSTOOD, AND SIGNED THE SEPTIC TANK SYSTEM DISCLOSURE STATEMENT FOR THE CONVEYANCE OF THIS REAL PROPERTY, AS REQUIRED BY SECTION 21-49.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA.

NOTE: The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company’s Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.

The Ordinance requires the purchaser to sign the instrument of conveyance and have his / her signature notarized. The instrument of conveyance with the acknowledgment by the purchaser must be recorded.

The Ordinance applies to residential and non-residential properties located in incorporated or unincorporated Miami-Dade County.

The Ordinance authorizes fines against any seller who violates any provision of the Ordinance.

Click [HERE](#) for a copy of the Ordinance.

NOTE: The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.