



# WASHINGTON REALTORS®

## Legal Hotline Q&A of the Week

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### Question:

Buyer is interested in a home that has a bathroom addition that was not permitted. What are the risks to buyer for purchasing a home that has modifications that weren't permitted?

### Answer:

This is not a question that broker or the Hotline lawyer can answer for buyer. Broker should advise buyer to seek the information buyer needs, related to unpermitted remodel work, from buyer's lawyer or a consultant who is familiar with the local building department. The risks could include, but are not limited to: construction defects that necessitate future repairs to the bathroom plumbing and to surrounding areas if failed bathroom plumbing causes damage to surrounding areas; a requirement by the local jurisdiction to complete a started permit application; a requirement by the local government to remove the bathroom addition; a refusal by local government to allow any other remodels of the home until the unpermitted work is permitted, which typically requires cutting into walls to view the plumbing; dangerous living conditions if improper materials or construction practices were utilized in the remodel; a requirement to disclose to the next buyer that the bathroom remodel was unpermitted; etc. Again, broker should not attempt to answer this question for buyer but should advise buyer, in writing, to seek the advice of buyer's lawyer. This is the type of communication to a client that should be preserved in the firm's transaction folder as future proof of the communication.

*The Legal Hotline Lawyer does not represent Washington REALTORS® or its members. The advice contained herein does not constitute legal counsel. To browse through our database of past Q&A's, visit [warealtor.org/legal-hotline](http://warealtor.org/legal-hotline). Attorney Annie Fitzsimmons writes the Legal Hotline Question and Answer of the Week. This is a WR members-only benefit so you will be prompted to log in with your MI number and password. Your Designated Broker is cc'd on Legal Hotline inquiries.*

