



COMMONWEALTH of VIRGINIA

Department of Health

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RICHMOND, VA 23218

KAREN REMLEY, MD, MBA, FAAP
STATE HEALTH COMMISSIONER

TTY 7-1-1 OR
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Appendix II

MEMORANDUM

DATE: _____
TO: PROVIDERS OF BETTERMENT LOANS
FROM: _____
Environmental Health Specialist, Sr.
Virginia Department of Health
SUBJECT: BETTERMENT LOAN ELIGIBILITY
THROUGH: PETITIONER OF BETTERMENT LOAN

Name: _____

Address: _____

Property Identification: Tax Map: _____
Street Address: _____
City/Town/Zip Code: _____
County: _____

Title 32.1-164.1:2 of the *Code of Virginia* states that the issuance of a permit to repair, replace, or upgrade an onsite sewage system, combined with an estimate provided by the owner to the Virginia Department of Health (VDH), shall demonstrate eligibility for a betterment loan. Upon determination of eligibility, VDH must notify the owner in writing. This letter acknowledges eligibility for a betterment loan when joined with the following information:

1. Estimate of the approximate cost of such remedial work to repair, replace, or upgrade the sewage system located on the above referenced property.
2. Permit to repair, replace, or upgrade the sewage system on the above referenced property from the local health department holding jurisdiction.

VDH's affirmation of eligibility does not validate the estimate or affirm it is an accurate reflection of the cost to repair, replace, or upgrade the sewage system. VDH does not review estimates or substantiate their validity. Providers of betterment loans and owners must ensure loans are properly recorded, that estimates are reasonable, and that the betterment loans are proper.

Betterment loans must be recorded in the deed book of the circuit court clerk's office for the locality in which the land is located and an abstract of the loan and betterment loan eligibility letter issued by VDH must be indexed in the name of the owner. Betterment loans may be recorded in increments as the repair or replacement of the onsite sewage system is completed, provided the total amount recorded does not exceed the estimate provided to VDH unless the local health department amends the construction permit and the owner receives a revised betterment loan eligibility letter.

This letter of eligibility is not transferable to another sewage system or property and is not transferable to another owner. The statement of eligibility becomes invalid if the construction permit to which it is attached expires or is revoked. The statement of eligibility also becomes invalid if the estimate associated with the eligibility expires or becomes invalid.

Refer to the expiration date on the construction drawing page (lower right corner of the first page) to determine whether the permit has expired. Permits are valid for 18 months unless they are revoked or become void. To determine whether a permit has been revoked, you may contact the local health department in the county in which the property is located. Visit <http://www.vdh.virginia.gov/lhd/> to locate and contact the local health department holding jurisdiction.

The incurrence of a betterment loan shall not be considered a breach of limitation or prohibition contained in a note, mortgage or contract on the transfer of an interest in the owner's property.