



Building Division
Community Development Department
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Residential Building Report (“RBR” or “Resale Report”)

Frequently Asked Questions

Q: What is a Residential Building Report (RBR)?

A: An RBR involves a building permit/zoning permit record search and a physical inspection of each dwelling unit to be sold or exchanged, including all accessory buildings and structures. Any prior building permits that are not complete or have expired are identified, as are unresolved Stop Work Orders and incomplete corrections required in prior resale inspections. Typically, these issues must be rectified either before or within 30 days of the sale or exchange of the unit, either by the seller or the buyer. Time extensions to complete corrections may be authorized by the Building Official.

Q: Who Requests an RBR?

The RBR is typically requested by the seller and a copy of the report is required to be provided to the buyer, who signs a statement verifying receipt of the RBR. This receipt is then returned to the Tiburon Building Division and kept with the RBR in the Town’s records.

Q: When do I need a RBR?

A: An RBR is required when any residential property changes ownership. This includes single family homes, duplexes, triplexes, apartment buildings, townhouses and condominiums. There are a few exceptions, such as the first sale of a newly-built home or when a property is changing hands through inheritance.

Q: What does the RBR process involve?

- A:**
1. Completing an application, paying the filing fee and scheduling the inspection;
 2. The Town then performs a building/zoning permit records search;
 3. The Town performs the physical inspection;
 4. The Town issues a written report.
 5. Potential follow-up by the Building Division may occur for serious safety violations or work found to have been done without proper permits.
 6. Once corrections have been made, a follow-up inspection verifies completion.

Q: How much does the RBR cost?

A: In Tiburon, the cost is \$250 for a single family home, individual townhouse, or individual condominium unit. The cost for a building with more than one living unit, such as an apartment building or duplex, is \$250 for the first unit and \$75 for each additional unit. Payment is due at the time the RBR application is filed.

Q: As part of the RBR, do I need to bring the entire house up to current Building Codes?

A: No. There are some items that are considered “Life/Safety” issues under current codes that must be corrected; these items are listed in the “Mandatory Items” section of the RBR. Permitted work that complied with the Building Code in effect at that time will not be required to meet the requirements of current codes. Work discovered through the RBR process that was done without permits and that is proposed to be retained and not removed may be legalized as an “as-built” project provided that such work meets current zoning and Building Code provisions.

Q: Are RBR’s required everywhere in Marin County?

A: All of the municipalities in Marin County have ordinances requiring resale reports in one form or another. The County of Marin does not require resale reports for the unincorporated areas of Marin County.

Q: When in the sale process should I apply for and obtain a RBR?

A: A resale report must be requested and completed prior to the close of escrow. It is important to apply for an RBR as soon in the sale process as possible so that a completed report will be available in a timely manner. This also allows sufficient time to correct any identified mandatory items or resolve unpermitted work prior to the close of escrow.

Q: How long is an RBR valid?

A: In Tiburon, an RBR is valid for one year from the date of issuance, provided that no modifications requiring a building permit have been made to the dwelling since issuance of the report. After one year, a new RBR is required in all cases.

Q: Is a physical inspection of the premises always required?

A: Yes. In Tiburon a physical, on-site inspection is always required. The inspection shall constitute a good faith effort to identify deficiencies, but the scope of inspection is necessarily limited and code deficiencies may exist that are not identified during the inspection.

Q: Once the application is filed and the fee has been paid, how soon can I expect the on-site inspection to be scheduled?

A: RBR inspections are scheduled on a “first come – first served” basis. Depending on the level of demand, your inspection could be scheduled within a few days or as far out as two weeks. Because of this, we strongly suggest scheduling the RBR inspection as early as possible in the

sale process. If you need to change the inspection date for some reason, the Town will attempt to accommodate that change.

Q: How long does it take before we receive the completed report?

A: Our goal is to provide the report on the same day, at the conclusion of the inspection, which is usually possible. However, if there are any complications that require further research or investigation, every effort will be made to complete the report within three business days following the inspection.

Q: Who does the RBR inspection?

A: The inspection is usually conducted by the Tiburon Building Official or Building Inspector.

Q: Who must be present for the inspection? How long will it take?

A: A responsible adult must be present to accompany the inspector and must be able to provide access to all areas of the dwelling (such as attics and beneath the building) and to other structures. This person can be the seller, buyer, agent for either, a tenant or any other person over 18 years of age with a legal right to be on the premises. Depending upon the size and condition of the property, the inspection usually takes less than an hour.

Q: What sorts of things will the inspector be looking for during the inspection?

A: The inspector strives to identify any life/safety or sanitation issues that may have the potential to cause injury. For a list of the most common items, review the on-line inspection report sample form, especially noting the “Mandatory Items” section. Additionally, the inspector will seek to verify that any modifications or improvements to the structures were done with appropriate permits. There are three types of items that could be listed:

1. Mandatory items that are life-safety issues and must be corrected within 30 days of the transfer of ownership and must be re-inspected by a Town inspector to verify completion;
2. Advisory items that are considered safety issues that should be corrected, but are not mandatory and will not be re-inspected;
3. Items that require a permit (See below).

Q: How do I take care of items that require a permit?

A: The same procedure as applying for a permit before-the-fact should be followed to apply for work that was completed without a permit. This unpermitted work is referred to as an “as-built” or “after-the-fact” project. Depending upon the type of work, permit applications, fees and plans may be required. Additional requirements for as-built permits may include zoning permit approval, penalty fees, inspections that can involve removal of wall coverings (sheetrock), roofing materials, etc., to inspect work that has been covered over. On occasion and depending on the nature of the as-built work, inspection reports from registered structural engineers or licensed architects may be required.

Q: If there are items on the report that require correction and we don't complete them in time, will that hold up the sale of the property?

A: The Town of Tiburon has no authority to hold up the sale of the property. However, if the property is sold, any required actions, permits and fees become the legal responsibility of the buyer. Buyers and sellers often work out these responsibilities prior to closing escrow.

Q: Are there any exceptions to the RBR requirement for a "Short Sale"?

A: No.

Q: When all of the "Mandatory items" have been addressed, do I call for a re-inspection?

A: Yes. Once all Mandatory Items have been corrected either the owner or buyer (new owner) should call for a re-inspection. The cost of one re-inspection is included in the initial RBR fee. Additional re-inspections are \$75 each. To schedule an RBR re-inspection, please call the Building Division Inspection Request line at 415-435-7380, extension 1. State that you are requesting an RBR re-inspection. Please provide the date you want the inspection, whether a morning or afternoon inspection is requested, the address and your name and phone number.

Q: How will I receive the RBR?

A: Completed reports will be faxed, e-mailed or mailed to the applicant at their choice, or they can pick it up in person at Town Hall. Copies of resale reports are public record and are available on request.

Q: If I cancel an RBR application after having filed, can I get a refund?

A: Partial refunds may be issued pursuant to the Town's adopted Refund Policy.

If you have any additional questions regarding the RBR process, please contact the Tiburon Building Division at (415) 435-7380.