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Subject Septic Betterment Loans
Attachments Legal-Handbook-3rd-Edition-2021.pdf

Good afternoon,

I am reaching out in regards to the inquiry about septic betterment loans. I have included relevant information below. I also attached a copy of the MA Board of Health Legal Handbook. Chapter 15 of this handbook contains detailed information on betterments.

Please let me know if you have any questions, or if there is further information I can provide. Thank you. Have a great weekend!

Best regards,
Maxy Gangadharan

[Mass Gov – Title 5/Septic Systems: Financial Assistance Opportunities for System Owners](#)

Checklist for betterment loan:

- *
Designer contract
- *
System plans and design
- *
Construction contract(s)
- *
Project budget
- *
certificate(s) of insurance
- *
Disposal system construction permit

Key points from MABH Ch. 15:

Betterments, General

- *
"A 'betterment' is an improvement put upon an estate which enhances its value more than mere repairs..."

Authority & Board Jurisdiction

- *
Section 127B1/2 of Chapter 111 of public health remediation statute "gives BOH special authority to

address the specific health hazards of inadequate septage systems, the release of home heating oil, and dangerous lead paint levels...”

Process

- *

“In order to be eligible for remediation under this section, the owner of any such dwelling must first petition the BOH to agree to remediate the situation”

 - *

“This petitioning may occur prior to or in the course of Section 127B proceedings in relation to the dwelling.”
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“Section 127B gives boards of health the authority, upon a determination that a building is unfit...to order the occupants to vacate, remediate, or comply....:
- *

“Once an agreement is reached between the Board and the property owner, the Board may enter into contracts with third parties to repair or replace the defective septic system, or to remove the underground storage tank or lead paint.”

Limitations

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Home serviced by inadequate septic system in neighborhood with sewerage, section 127B1/2 does not provide for connection to sewerage system. Relief is limited to causing the premises to be serviced by a septic system.