



## **Refund/Cancellation Policy**

### **PURPOSE:**

The purpose of this policy is to establish guidelines that outline the refund procedures for the Department of Building and Development (B&D), Permits Division. A refund is a request for the return, in full or in part, of fees paid for by the Applicant, contractor or owner for a previous transaction regarding a building or trade permit. A cancellation is a request for the return, in part, of fees paid for by the Applicant, contractor or owner for a permits that was previously approved and issued. This policy creates a means of feedback, by which the public understands the department's calculations in determining the refund and reduces the risk of improper and unnecessary refunds, both in terms of lost time and revenue.

### **POLICY:**

- A. B&D financial staff shall limit and monitor physical access by unauthorized users to systems that process refund transactions.
- B. B&D staff shall process refund transactions for this department only. You may be asked to help process another department's refund transactions, such as Planning and Zoning or Health, but this department is financially and legally responsible for the transactions this department processes, and therefore liable for any improper or unauthorized refunds. Processing refund transactions for another department may be considered fraud.
- C. All refund and cancellation requests of building and trade permit fees must be submitted by the original permit Applicant or his/her agent to B&D using the Refund/Cancellation Form (see attached form). The completed and signed Refund/Cancellation Form shall be accompanied by the permit associated with the refund request and if applicable, a copy of the receipt showing the completed transaction.
- D. Upon receipt of the required refund request documentation outlined in subsection C., the B&D Budget Specialist or Financial Analyst shall research the permit(s) status, determine the amount of work completed by County staff (i.e. plans review completed, inspections conducted, etc.) and calculate the dollar amount to be refunded, if any, based on this work completion.
- E. An administrative fee for processing the refund request will be deducted from the refund amount, if any.
- F. Minimal base fees on trade permits are non-refundable.
- G. Revoked or suspended permits are not eligible for refunds.
- H. No refund will be authorized for an expired permit. A permit will be considered expired by the Building Official, or his designee, if after three (3) years no work has commenced.
- I. A full permit fee refund shall be issued to the Applicant or his/her agent if the Building Official, or his designee, upon justification from the Applicant and/or internal County Staff, determines the permit was set up in error.



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- J. Prior to any refund, the Building Official, or his designee, shall review the Budget Specialist or Financial Analyst permit refund calculation sheet. Once the Building Official, or his designee, has reviewed and signed off on the calculated refund amount, if any, the Permits Division Manager shall draft a response letter to the refund Applicant and/or his or her agent, outlining the results of the County's refund review. Whether a refund is issued or not, the Permits Division Manager shall always send a letter to the requester outlining the County's decision.
- K. Documentation of the refund or cancellation request (i.e., the Refund/Cancellation Request Form, calculations sheet, letter from the Permits Division Manager) will be scanned and stored in the Land Management Information System (LMIS).
- L. Refunds are not issued over the counter.
- M. Checks are currently the only means by which a refund can be issued. If the original permit was paid via cash or credit card, and if a refund is deemed appropriate, the Applicant will receive their reimbursement through a County-issued check. Checks are processed weekly.
- N. A minimum thirty (30)-day time period is required to complete the building and/or trade permit refund process. If a refund is approved, staff will process the refund through the County's accounting system and a check will be issued. If the original permit or fee was paid for in cash, then the refund check will be issued and made payable to the name of the person/company listed as the property owner on the original record. If the original permit or fee was paid for via check, then the refund check will be issued and made payable to the name of the person/company listed as the check writer on the original record. If the name of the person/company receiving the check is different from the original payer or property owner of the permit, a notarized authorization letter, signed by the original payer or owner and the designated recipient shall be submitted before funds will be disbursed.
- O. If the Applicant, or his/her agent do not agree with the Permit Division Manager's written decision, the Applicant may appeal this decision in writing to the Building Official. Any appeal by the Applicant shall be submitted within fifteen (15) calendar days from the date of the Permit Division Manager's decision letter. The Building Official shall render his/her decision within fifteen (15) calendar days after receipt of the appeal notice.
- P. Documentation of the appeal request (i.e., the appeal request, Building Official's decision) will be scanned and stored in LMIS.

