



**TITLE 5 RIDER TO PURCHASE
AND SALE AGREEMENT**

Revised 7/24/2025

The following is hereby incorporated into and made a part of the Agreement:

The Premises are serviced by an on-site subsurface sewage disposal system (the “System”), which is regulated by Title 5 of the Massachusetts State Environmental Code, codified at 310 Code of Massachusetts Regulations 15.000 (the “Title 5 Regulations”).

As provided by the Title 5 Regulations, SELLER has or will arrange to have the System inspected, at SELLER’s expense, by a person licensed to perform such inspections (the “System Inspector”). Such inspection shall have been performed not earlier than two years prior to the Closing Date.

BUYER’s obligation to purchase the Premises is contingent on SELLER, on or before _____, 20__:

1. Providing to BUYER a conformed copy of the Subsurface Sewage Disposal System Form, prescribed by the Title 5 Regulations, certified by the System Inspector, evidencing that the System “Passes” inspection under, and is otherwise in full, unconditional compliance with, the Title 5 Regulations; and
2. In those instances where the Title 5 Regulations require the local approving authority to review the condition, design and operation of the System, or where local by-laws impose additional requirements, such authority determines that the System is functioning in compliance with the Title 5 Regulations and the local by-laws.

If SELLER is unable to satisfy condition #1 and/or #2 above, BUYER may, at its option, terminate this Agreement by written notice to SELLER, given on or before _____. If BUYER so elects to terminate this Agreement, the Deposit shall be promptly refunded to BUYER, and this Agreement shall become null and void, without further recourse to either Party.

SELLER’s obligation to perform the above inspection shall not otherwise alter its obligation under the Agreement as regards the physical condition of the Premises at Closing. Capitalized terms used herein but not defined shall have the meanings ascribed in the Agreement.

Initials:

Seller

Buyer

Seller

Buyer