

Covenant Basics

What is a Preservation Covenant?

A covenant is a formal agreement between the State Historic Preservation Office and the owner of a historic property in which the owner agrees to ensure the maintenance and preservation of the architectural and historical characteristics that qualified the property as eligible for the National Register of Historic Places.

Why is there a covenant on my property?

Covenant agreements are frequently required as a condition for grant-funded stabilization work. To protect their monetary investment in a property, the state or federal government retains a right to review any work on the building for a period of time through the covenant agreement. Additionally, federal agencies are charged with maintaining the historic properties that they own. If historic properties are sold, transferred, or leased to non-federal entities the federal agency will often execute a covenant with the State Historic Preservation Office to protect a property in perpetuity.

What happens when the property is sold?

Covenant agreements are recorded as part of the deed for the property. The responsibility for upholding the terms of the covenant transfer to any new owner.

How long does the covenant last?

Covenants can be in place for a period of time or may run in perpetuity.

So I can't change anything on my property?

Many changes are permissible but you must receive **written** approval from the State Historic Preservation Office prior to starting any work. Most architectural covenants require work to meet the Secretary of the Interior's Standards for Rehabilitation (see inside); ten guiding principles for protecting the historic character of the building while allowing for reasonable changes. The terms of every covenant are different so be sure to read carefully your covenant.

Other Resources for Historic Property Owners

National Park Service Guidance

Technical Preservation Services:

www.nps.gov/history/hps/tps/index.htm

Preservation Briefs:

www.nps.gov/history/hps/tps/briefs/presbhom.htm

Illustrated Guidelines for Rehabilitation:

www.nps.gov/history/hps/tps/tax/rhb/index.htm

Electronic Rehab:

www.nps.gov/history/hps/tps/e-rehab/index.htm

Checklist for Rehabilitating Historic Buildings:

www.nps.gov/history/hps/tps/checklist.htm

Rehab Yes/No Learning Program:

www.nps.gov/history/hps/rehabyes-no/index.htm

From the Roof Down...and Skin Deep:

www.nps.gov/history/hps/tps/roofdown/index.htm

The Walk Through:

www.nps.gov/history/hps/tps/walkthrough/index.htm

SC Department of Archives & History

List of Preservation Professionals:

<http://shpo.sc.gov/pubs/pages/profs.aspx>

Association for Preservation Technology

www.apti.org/

Old House Journal

www.oldhousejournal.com/

Traditional Building Magazine

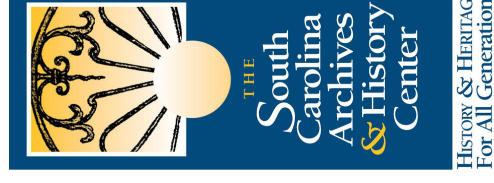
www.traditional-building.com/

- Visit the State Historic Preservation Office at:
<http://shpo.sc.gov>

Contact Us

- Call the State Historic Preservation Office at:
(803) 896-6178

Complying with Architectural Covenants



State Historic Preservation Office
South Carolina Department of
Archives & History
8301 Parklane Road
Columbia, SC 29223-4905

The Covenant Review Process

Check your deed records to see what the requirements are for the covenant on your particular property.

If you have a question of whether there is a covenant on your property or on the duration of your covenant contact the State Historic Preservation Office at (803) 896-6178.

To initiate a review under an architectural covenant, you will need to submit the following items to the State Historic Preservation Office:

- A signed cover letter with a clear and detailed description of the proposed work
- Photographs of the overall property
- Photographs of specific areas of proposed work

If available or necessary, please also provide:

- Architectural drawings and specifications
- Samples of proposed replacement materials
- Historic photographs

The State Historic Preservation Office will respond in writing to covenant review requests within thirty (30) days of receipt.



Covenants in perpetuity were placed on many of the buildings at the former Charleston Naval Base when the property was transferred from Navy ownership in the 1990s.

Secretary of the Interior's Standards for Rehabilitation

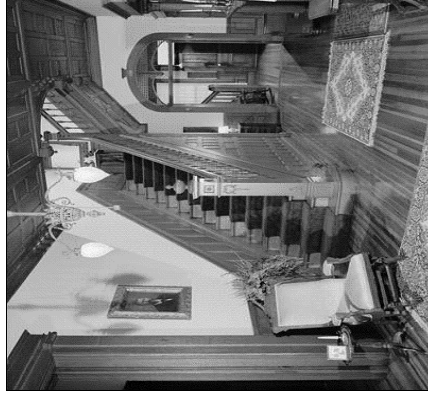
Most architectural covenants require work to meet the Secretary of the Interior's Standards for Rehabilitation. First developed in 1976, these ten guiding principles for preserving the character of historic properties allow for modern changes and are a widely accepted standard for evaluating the appropriateness of proposed work. In addition to the Standards, a more detailed set of Guidelines has been developed for interpreting the principles below. The following list is a common sense version of the Standards. To access the full version and the Guidelines, please visit: www.nps.gov/history/hps/tps/standards/Rehabilitation.pdf

Standard 1

Use the property for its historic purpose or a new use that requires minimal changes.

Standard 2

Retain and preserve the historic character. Avoid altering historic materials.



Detailed woodwork, staircase details, and the arrangement of space in this entry hall are of primary importance to define the historic character of this building. Few changes should be made in this area.

Standard 3

Each property is a record of its time, place, and use. Changes shall not create a false sense of development.

Standard 4

Retain and preserve historically significant changes.

Standard 5

Distinctive features, finishes, and examples of craftsmanship or construction techniques shall be preserved.

Standard 6

Repair rather than replace. Replacement of any missing feature shall be based on documentary, physical, or pictorial evidence.



These craftsmen are repairing not replacing historic materials.

Standard 7

Avoid physical or chemical treatments that damage historic materials, and use the gentlest means possible for cleaning.

Standard 8

Protect and preserve archaeological resources.

Standard 9

Make new work compatible but different.



This addition is on the rear of the historic building and attached with a hyphen to make it distinct.

Standard 10

New construction should be reversible.