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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1438

Session of  
1985

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INTRODUCED BY HONAMAN, PRATT, SWEET, MOEHLMANN AND PICCOLA,  
JUNE 18, 1985

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 18, 1985

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AN ACT

1 Amending the act of February 19, 1980 (P.L.15, No.9), entitled  
2 "An act establishing the State Real Estate Commission and  
3 providing for the licensing of real estate brokers and  
4 salesmen," further providing for disclosures of the zoning  
5 classification of property.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Section 607 of the act of February 19, 1980  
9 (P.L.15, No.9), known as the Real Estate Licensing and  
10 Registration Act, added March 29, 1984 (P.L.162, No.32), is  
11 amended to read:

12 Section 607. Broker's disclosure to buyer.

13 In any sales agreement or sales contract, a broker shall make  
14 the following disclosures to any prospective buyer of real  
15 property:

16 (1) A statement that the broker is the agent of the  
17 seller, not the buyer.

18 (2) A statement describing the purpose of the Real  
19 Estate Recovery Fund established under section 801 and the

1 telephone number of the commission at which the purchaser can  
2 receive further information about the fund.

3 (3) A statement of the zoning classification of the  
4 property except for single-family dwellings. Failure of any  
5 sales agreement or sales contract to contain a statement of  
6 the zoning classification of the property shall render the  
7 sales agreement or sales contract [null and void] voidable  
8 prior to settlement at the option of the buyer, and any  
9 deposits tendered by the buyer shall be returned to the buyer  
10 without any requirement for any court action. Nothing in this  
11 section shall be deemed to modify existing postsettlement  
12 remedies.

13 Section 2. This act shall take effect in 60 days.