

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 727 Session of  
2017

---

INTRODUCED BY FONTANA, GREENLEAF, RESCHENTHALER, YUDICHAK, COSTA  
AND HUGHES, MAY 19, 2017

---

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
MAY 19, 2017

---

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," in duties of licensees, further providing for  
5 mandatory provisions of sales contract.

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

8 Section 1. Section 608.2 of the act of February 19, 1980  
9 (P.L.15, No.9), known as the Real Estate Licensing and  
10 Registration Act, is amended to read:

11 Section 608.2. Mandatory provisions of sales contract.

12 In a sales agreement or sales contract, a broker shall  
13 disclose the following information which shall be disclosed in  
14 the manner and method the commission shall establish by  
15 regulation:

16 (1) A statement identifying the capacity in which the  
17 broker is engaged in the transaction and whether the broker  
18 or any licensee affiliated with the broker has provided  
19 services relating to the subject transaction to any other

1 party to the transaction.

2 (2) A statement describing the purpose of the Real  
3 Estate Recovery Fund established under section 801 and the  
4 telephone number of the commission at which the parties to  
5 the transaction can receive further information about the  
6 fund.

7 (3) A statement of the zoning classification of the  
8 property, except in cases where the property or each parcel  
9 of the property, if subdividable, is zoned solely or  
10 primarily to permit single-family dwellings. Failure to  
11 comply with this requirement shall render the sales agreement  
12 or sales contract voidable at the option of the buyer, and,  
13 if voided, any deposits tendered by the buyer shall be  
14 returned to the buyer without a requirement for court action.

15 (4) A statement that access to a public road may require  
16 issuance of a highway occupancy permit from the Department of  
17 Transportation.

18 (5) A statement indicating the buyer may elect to have  
19 lead levels in water tested.

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