

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 430 Session of
1989

INTRODUCED BY GREENLEAF, AFFLERBACH AND ANDREZESKI,
FEBRUARY 6, 1989

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
FEBRUARY 6, 1989

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 the broker's disclosures to
5 the buyer.

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

8 Section 1. Sections 607 and 608 of the act of February 19,
9 1980 (P.L.15, No.9), known as the Real Estate Licensing and
10 Registration Act, added March 29, 1984 (P.L.162, No.32), are
11 amended to read:

12 Section 607. Broker's disclosure to buyer.

13 In any sales agreement or sales contract, a broker for the
14 seller shall make the following disclosures to any prospective
15 buyer of real 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 and any
8 deposits tendered by the buyer shall be returned to the buyer
9 without any requirement for any court action] voidable by the
10 buyer.

11 Section 608. Information to be given at initial interview.

12 The commission shall establish rules or regulations which
13 shall set forth the manner and method of disclosure of
14 information to the prospective buyer or seller during the
15 initial interview. Such disclosure shall include, but shall not
16 be limited to:

17 (1) A statement that the broker is the agent of the
18 seller or the buyer.

19 (2) The purpose of the Real Estate Recovery Fund and the
20 telephone number of the commission at which further
21 information about the fund may be obtained.

22 (3) A statement that the duration of the listing
23 agreement or contract and the broker's commission are
24 negotiable.

25 (4) A statement that any sales agreement must contain
26 the zoning classification of a property except for single-
27 family dwellings.

28 Section 2. This act shall take effect immediately.