

MEMO



DEC 14 2010

Senate of Pennsylvania

December 14, 2010

TO: ALL SENATORS

FROM: Stewart J. Greenleaf

Stewart

SUBJECT: Cosponsorship -- **Flood disclosure: sale**

I am reintroducing **Senate Bill 1082**, amending the Real Estate Seller Disclosure Law, 68 Pa.C.S. Chapter 73, to require disclosure of a property's flood history. In 2009, flooding damaged a 144-unit apartment complex located in Upper Moreland Township, Montgomery County leaving many residents seeking assistance. Heavy rains, 10 inches or more, from Tropical Storm Allison in 2001 resulted in seven deaths and damage to more than 600 homes and businesses in and around Upper Moreland Township. Floodwaters 10 to 20 feet high inundated the Village Green apartment complex in Upper Moreland Township causing a natural gas explosion that killed six people.

Many of the people affected by these flooding events were unaware that their residence had a history of flooding. Currently, the Real Estate Seller Disclosure Law, applying to the transfer of real property, only vaguely references water problems by requiring the disclosure of information on "soils, drainage and boundaries."

I am amending the law to make sure that a prospective buyer is told whether the property being purchased is located in a flood zone or wetlands area and whether the property has a flood history, including the frequency and the extent of flooding.

Knowing the flood history of a property is not only a matter of potential property damage; it may be matter of life and death.

I introduced similar legislation during the 2005-2006 legislative session as Senate Bill 503, which was favorably reported from the Senate Urban Affairs and Housing Committee.

If you would like to cosponsor this legislation, please contact Pat Snively of my office by e-mailing her at psnively@pasen.gov.