

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1209 Session of  
2007

INTRODUCED BY MCILHINNEY, RAFFERTY, WASHINGTON, COSTA, WOZNIAK  
AND KITCHEN, DECEMBER 10, 2007

REFERRED TO URBAN AFFAIRS AND HOUSING, DECEMBER 10, 2007

AN ACT

1 Amending Title 68 (Real and Personal Property) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 purchaser's right to cancel.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 5406(c) of Title 68 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 5406. Purchaser's right to cancel.

9 \* \* \*

10 (c) Penalty for noncompliance by declarant.--If a declarant  
11 fails to provide a purchaser to whom a unit is conveyed with a  
12 public offering statement and all amendments thereto as required  
13 by subsection (a), the purchaser, in addition to any other  
14 relief, is entitled to receive from the declarant an amount  
15 equal to 5% of the sales price of the unit [up to a maximum of  
16 \$2,000] or actual damages, whichever is the greater amount. A  
17 minor omission or error in the public offering statement or an  
18 amendment thereto that is not willful shall entitle the

- 1 purchaser to recover only actual damages, if any.
- 2 Section 2. This act shall take effect in 60 days.