
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 399 Session of
2013

INTRODUCED BY KORTZ, CUTLER, READSHAW, DAVIS, HELM, O'NEILL,
CALTAGIRONE, V. BROWN, KINSEY, HARHAI, SNYDER, HANNA,
KIRKLAND, SWANGER, P. DALEY, DeLUCA AND D. COSTA,
JUNE 27, 2013

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 27, 2013

A RESOLUTION

1 Urging the Pennsylvania State Real Estate Commission to require
2 the disclosure of "accessible attic" conditions in the
3 Seller's Property Disclosure Statement.

4 WHEREAS, Homebuyers heavily rely on the information provided
5 within a Seller's Property Disclosure Statement when considering
6 which property is the best choice to purchase; and

7 WHEREAS, Being aware of the conditions of areas of a home,
8 especially those that are prone to water damage and dampness, is
9 extremely important to homebuyers in understanding the
10 habitability and affordability of a property; and

11 WHEREAS, 49 Pa. Code § 35.335a (relating to seller property
12 disclosure statement) sets forth a standard form, the Seller's
13 Property Disclosure Statement, that sellers can use to satisfy
14 the statutory requirement to disclose any material defects with
15 their property; and

16 WHEREAS, The Seller's Property Disclosure Statement currently
17 requires property owners to disclose the conditions of some

1 areas of a home that are prone to water leakage and dampness
2 accumulation, such as basements and crawl spaces; and

3 WHEREAS, The Seller's Property Disclosure Statement further
4 requires property sellers to disclose whether any measures,
5 other than household cleaning, have been taken to remediate or
6 repair the moisture damage in the basements or crawl spaces of a
7 property; and

8 WHEREAS, Attics, along with basements and crawl spaces, are
9 prone to moisture damage, a condition known to potentially
10 result in mold infestation, certain types of which can pose
11 significant health risks to those living with the
12 microorganisms; and

13 WHEREAS, The Seller's Property Disclosure Statement does not
14 require sellers to disclose the condition of accessible attics,
15 whether any water leaks or accumulation of dampness has occurred
16 or whether sellers have taken any measures to remediate those
17 issues within attics; and

18 WHEREAS, By requiring sellers to disclose the condition of
19 accessible attics, including the occurrence of moisture damage
20 and the remediation of the damage, potential homebuyers can be
21 better informed of the condition of a property prior to making
22 the decision to purchase a home; therefore be it

23 RESOLVED, That the House of Representatives urge the
24 Pennsylvania State Real Estate Commission to amend 49 Pa. Code §
25 35.335a, the Seller's Property Disclosure Statement, to include
26 "accessible attics" along with basements and crawl spaces as
27 areas where the conditions must be disclosed by property
28 sellers; and be it further

29 RESOLVED, That the House of Representatives direct a copy of
30 this resolution to be delivered to the Pennsylvania State Real

1 Estate Commission, P.O. Box 2649, Harrisburg, Pennsylvania
2 17105-2649.