
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 19 Session of
2015

INTRODUCED BY FONTANA, KITCHEN, COSTA, HAYWOOD, YUDICHAK,
HUGHES, SABATINA, ARGALL, TEPLITZ, WOZNIAK, GREENLEAF,
FARNESE, WILEY, BLAKE, SCHWANK AND BREWSTER, MAY 17, 2016

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MAY 17, 2016

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, added November 25, 1998 (P.L.908, No.112), is
11 amended to read:

12 Section 608.2. Mandatory provisions of sales contract.

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

17 (1) A statement identifying the capacity in which the
18 broker is engaged in the transaction and whether the broker

1 or any licensee affiliated with the broker has provided
2 services relating to the subject transaction to any other
3 party to the transaction.

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

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

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

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

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