

1 H.827
2 Introduced by Representative Micklus of Milton
3 Referred to Committee on
4 Date:
5 Subject: Property; conveyance of real estate; flooding disclosure
6 Statement of purpose of bill as introduced: This bill proposes to authorize a
7 seller of real property who has never resided on the property while under the
8 seller's possession to notify a potential buyer that the seller cannot affirm
9 whether the property was subject to flooding or flood damage while the seller
10 possessed the property.

11 An act relating to flooding disclosures when conveying real estate
12 It is hereby enacted by the General Assembly of the State of Vermont:
13 Sec. 1. 27 V.S.A. § 380 is amended to read:
14 § 380. DISCLOSURE OF INFORMATION; CONVEYANCE OF REAL
15 ESTATE
16 (a) Prior to or as part of a contract for the conveyance of real property, the
17 seller shall provide the buyer with the following information:
18 (1) [Repealed.]
19 (2) [Repealed.]

5 (4) whether the real property was subject to flooding or flood damage
6 while the seller possessed the property, including flood damage from
7 inundation or from flood-related erosion or landslide damage; and

10 * * *

11 (f)(1) If a seller of real property has never physically resided on the real
12 property subject to a contract for conveyance, the seller may satisfy the
13 requirement of subdivision (a)(4) of this section by notifying the buyer in
14 writing that the seller has not physically resided on the property and therefore
15 cannot affirm whether the property was subject to flooding or flood damage
16 while the seller possessed the property.

17 (2) This subsection shall not relieve a seller from the disclosure
18 requirements of subdivision (a)(4) of this section when the seller has
19 knowledge that the property was subject to flooding or flood damage while the
20 seller possessed the property, including flood damage from inundation or from
21 flood-related erosion or landslide damage.

1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on passage.