

# SENATE BILL REPORT

## SHB 2710

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As of February 19, 2018

**Title:** An act relating to improving the accuracy of the residential real estate disclosure statement associated with the Washington right to farm act by providing a more complete description of the scope of RCW 7.48.305 through references related to working forests.

**Brief Description:** Adding proximity to working forests to the residential real estate disclosure statement.

**Sponsors:** House Committee on Business & Financial Services (originally sponsored by Representatives Reeves, Barkis, Kilduff and Graves).

**Brief History:** Passed House: 2/08/18, 98-0.

**Committee Activity:** Financial Institutions & Insurance: 2/20/18.

### Brief Summary of Bill

- Adds working forests to the seller disclosure form's statement regarding farm land for all sales on or after January 1, 2020.

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## SENATE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE

**Staff:** Jeff Olsen (786-7428)

**Background:** Washington law requires sellers of residential real property to provide a buyer with a transfer disclosure statement. The statute specifies the format and questions that the seller must answer. The form includes a statement that disclosure is being made concerning the condition of the property and is provided based on the seller's actual knowledge of the property's condition at the time the form is completed. Required disclosures pertain to real property conditions such as title, water, sewer and septic system, structural conditions, systems and fixtures, legal restrictions, and other conditions.

The Washington Right to Farm Act (Act) includes certain protections to farms and forest lands from nuisance lawsuits that may arise from standard agricultural and forest practices. When the Act was created in 2005, it included a change to the real estate disclosures requirement to include a notice to inform prospective residents that they are about to acquire property in close proximity to a farm.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** The seller disclosure statement which gives sellers notice that the property they are considering for purchase may lie in close proximity to a farm is expanded to include working forests. The notice is also modified to include forest practices as activities that are protected under the Act. All sales on or after January 1, 2020, must include the updated statement.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.