

FINAL BILL REPORT

HB 1011

C 17 L 19
Synopsis as Enacted

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

Sponsors: Representatives Reeves, Barkis, Kilduff, Vick, Ryu, Fitzgibbon, Stanford and Leavitt.

House Committee on Consumer Protection & Business
Senate Committee on Financial Institutions, Economic Development & Trade

Background:

In real estate transactions for the sale of improved residential property and commercial real estate, absent an express waiver or exemption, sellers must provide buyers with a completed seller disclosure statement form. 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/septic system, structural conditions, systems and fixtures, legal restrictions, and other conditions.

The Washington Right to Farm Act includes certain protections to farms and forest lands from nuisance lawsuits that may arise from standard agricultural and forest practices. Forest land includes land where a merchantable stand of trees is located, even if the tree growth is being managed passively and even if the owner does not indicate the land's status as a working forest, as long as it is not being actively used for a use that is incompatible with timber growing. If the trees are established prior to surrounding non-forestry activities, then the act of tree growth is considered a necessary part of any other subsequent stages of forest practices necessary to bring a crop of trees from its planting to final harvest. Seller disclosure statements must include a statement regarding the certain protections for standard agricultural practices.

Summary:

Working forests are added to the statement regarding farms on the seller disclosure statement, which gives sellers notice that certain activities may be protected from nuisance lawsuits that arise from standard agricultural and forest practices. All sales on or after January 1, 2020, must include the updated statement.

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.

Votes on Final Passage:

House	98	0
Senate	46	0

Effective: July 28, 2019