
**Economic Development,
Agriculture & Trade Committee**

HB 2723

Brief Description: Eliminating the requirement for a seller's real estate disclosure of proximity to farming.

Sponsors: Representatives Tom, Lantz, Priest, Clibborn, Shabro, Hunter and Green.

Brief Summary of Bill

- Eliminates the requirement that a seller of residential real property located within one mile of a farm or farm operation must disclose the farm's proximity to a buyer.

Hearing Date: 1/31/06

Staff: Meg Van Schoorl (786-7105).

Background:

With certain exceptions and under specified circumstances, 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/septic system, structural conditions, systems and fixtures, legal restrictions, and other conditions.

Revisions enacted in 2005 to Chapter 64.06 RCW require that in addition to the existing disclosures required by statute, a seller of residential real property located within one mile of a farm's or farm operation's property boundary must disclose the existence of the farm or farm operation. In this situation, the seller must make the following statement available to a buyer:

"This notice is to inform prospective residents that the real property they are about to acquire lies within one mile of the property boundary of a farm. The farm may generate usual and ordinary noise, dust, odors, and other associated conditions, and these practices are protected by the Washington right to farm act."

Summary of Bill:

A seller of residential real property located within one mile of a farm or farm operation is no longer required to disclose the farm's proximity to a buyer.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.