



STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION

TO: Legislative Regulation Review Committee
Capitol Building, Hartford, Connecticut

FROM: William M. Rubenstein, Commissioner of Consumer Protection 
165 Capitol Avenue, Hartford, Connecticut

DATE: December 1, 2014

SUBJECT: Proposed Regulations Concerning Real Estate Property Condition Disclosure Form

Enclosed please find the original proposed regulations and fiscal note in accordance with Section 4-170 of the Connecticut General Statutes. If you should have any questions, please call Attorney Jerry Padula at 860/713-6087.

SUMMARY OF REGULATION

Connecticut General Statutes Section 20-327b requires the Commissioner of Consumer Protection to adopt regulations establishing the contents of the Real Estate Property Condition Disclosure Form. The purpose of these proposed regulations is to add additional disclosures and make other changes to the existing Real Estate Property Condition Disclosure Form, as set forth in Public Act 2012-122.

These regulations modify the Real Estate Property Condition Disclosure Form.

Regulation Section 20-327b-1 contains the actual Real Estate Property Condition Disclosure Form, so this section must be formally amended each time a statutory, technical, aesthetic, or other change is made to this Form. These proposed regulations modify the Form by adding the following disclosures and by making the following changes:

1. Whether a property located in a common interest community is subject to any community or association dues or fees;
2. That the prospective purchaser should consult with the building official in the municipality where the property is located to confirm that applicable building permits and certificates of occupancy have been issued for work on the property;
3. That the prospective purchaser should have the property inspected by a licensed home inspector;
4. Whether the seller is aware of any prior or pending litigation or government agency or administrative action, order, or lien on the premises related to the release of any hazardous substance;

5. Whether there are smoke and carbon monoxide detectors located in a dwelling on the premises, (b) the number of detectors, and (c) if there have been any problems with the detectors, and explain the problem; and

6. Whether during the seller's ownership, there is or was an underground storage tank on the property and if so, whether it was removed. If the tank was removed and within the seller's possession and control, he or she must provide any and all documentation of removal with information on when and who removed it.

The proposed regulation also updates the credit, from \$300.00 to \$500.00, which the seller must give the purchaser at closing if he or she does not furnish the written Residential Property Condition Disclosure Report.

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