



General Assembly

January Session, 2023

**Raised Bill No. 6634**

LCO No. 4052



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:  
(INS)

**AN ACT CONCERNING NOTIFICATION OF PROPER PERMITTING  
PRIOR TO A HOME'S SALE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 20-327b of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2023*):

4 (d) The Commissioner of Consumer Protection shall, within available  
5 appropriations, prescribe the written residential condition reports  
6 required by this section and sections 20-327c to 20-327e, inclusive. The  
7 written residential condition reports shall be based upon templates that  
8 the commissioner shall prescribe. Such templates shall: Fit on pages  
9 being not more than eight and one-half inches in height and eleven  
10 inches in width, with type size no smaller than nine-point type, other  
11 than checkboxes or section headers, which may be in a smaller size;  
12 include the address of the subject property on each page; include page  
13 numbers on each page; include section headings in bold type and  
14 include space for the buyer and the seller's initials on each page, except  
15 the signature page. Each written residential condition report, other than

16 the written residential condition report required pursuant to  
17 subsections (g) and (h) of this section, shall contain the following, in the  
18 order indicated:

19 (1) A section entitled "Instructions to Sellers"

20 You MUST answer ALL questions to the best of your knowledge.

21 Identify/Disclose any problems regarding the subject property.

22 YOUR REAL ESTATE LICENSEE CANNOT COMPLETE THIS  
23 FORM ON YOUR BEHALF.

24 UNK means Unknown, N/A means Not Applicable.

25 If you need additional space to complete any answer or explanation,  
26 attach additional page(s) to this form. Include subject property address,  
27 seller's name and the date.

28 (2) Pursuant to the Uniform Property Condition Disclosure Act, the  
29 seller is obligated to answer the following questions and to disclose  
30 herein any knowledge of any problem regarding the following:

31 (A) A subsection entitled "Subject Property"

32 (i) Name of seller(s)

33 (ii) Street address, municipality, zip code

34 (B) A subsection entitled "General Information"

35 (i) Indicate the YEAR the structure was built:

36 (ii) Indicate HOW LONG you have occupied the property: If not  
37 applicable, indicate with N/A.

38 (iii) Does anyone else claim to own any part of your property,  
39 including, but not limited to, any encroachment(s)? If YES, explain:

40 (iv) Does anyone other than you have or claim to have any right to

41 use any part of your property, including, but not limited to, any  
42 easement or right-of-way? If YES, explain:

43 (v) Is the property in a flood hazard area or an inland wetlands area?  
44 If YES, explain:

45 (vi) Are you aware of the presence of a dam on the property that has  
46 been or is required to be registered with the Department of Energy and  
47 Environmental Protection? If YES, explain:

48 (vii) Do you have any reason to believe that the municipality in which  
49 the subject property is located may impose any assessment for purposes  
50 such as sewer installation, sewer improvements, water main  
51 installation, water main improvements, sidewalks or other  
52 improvements? If YES, explain:

53 (viii) Is the property located in a municipally designated village  
54 district, municipally designated historic district or listed on the National  
55 Register of Historic Places? If YES, explain:

56 (ix) Special Statement: Information concerning village districts and  
57 historic districts may be obtained from the municipality's village or  
58 historic district commission, if applicable.

59 (x) Is the property located in a special tax district? If YES, explain:

60 (xi) Is the property subject to any type of land use restrictions, other  
61 than those contained within the property's chain of title or that are  
62 necessary to comply with state laws or municipal zoning? If YES,  
63 explain:

64 (xii) Is the property located in a common interest community? If YES,  
65 is it subject to any community or association dues or fees? Please  
66 explain:

67 (xiii) Do you have any knowledge of prior or pending litigation,  
68 government agency or administrative actions, orders or liens on the  
69 property related to the release of any hazardous substance? If YES,

70 explain:

71 (C) A subsection entitled "Leased Equipment"

72 Does the property include any Leased or Rented Equipment that  
73 would necessitate or obligate either of the following: The assignment or  
74 transfer of the lease or rental agreement(s) to the buyer or the  
75 replacement or substitution of the equipment by the buyer? If YES,  
76 indicate by checking ALL items that apply: PROPANE FUEL TANK;  
77 WATER HEATER; SECURITY ALARM SYSTEM; FIRE ALARM  
78 SYSTEM; SATELLITE DISH ANTENNA; WATER TREATMENT  
79 SYSTEM; SOLAR DEVICES; MAJOR APPLIANCES; OTHER

80 (D) A subsection entitled "Mechanical/Utility Systems"

81 (i) Heating system problems? If YES, explain. List Fuel Types.

82 (ii) Hot water heater Type: Age: Hot water problems? If YES, explain:

83 (iii) Is there an underground storage tank? If YES, give AGE of tank  
84 and LOCATION.

85 (iv) Are you aware of any problems with the underground storage  
86 tank? If YES, explain:

87 (v) During the time you have owned the property, has there ever been  
88 an underground storage tank located on the property? If YES, has it been  
89 removed? If YES, what was the date of removal and what was the name  
90 and address of the person or business who removed such underground  
91 storage tank? Provide any and all written documentation of such  
92 removal within your control or possession by attaching a copy of such  
93 documentation to this form.

94 (vi) Air conditioning problems? If YES, explain: Air conditioning  
95 Type: Central; Window; Other

96 (vii) Plumbing system problems? If YES, explain:

97 (viii) Electrical System problems? If YES, explain:

98 (ix) Electronic security system problems? If YES, explain:

99 (x) Are there carbon monoxide or smoke detectors located in a  
100 dwelling on the property? If YES, state the NUMBER of such detectors  
101 and whether there have been problems with such detectors;

102 (xi) Fire sprinkler system problems? If YES, explain:

103 (E) A subsection entitled "Water System"

104 (i) Domestic Water System Type: Public; Private Well; Other

105 (ii) If Public Water:

106 (I) Is there a separate expense/fee for water usage? If YES, is the  
107 expense/fee for water usage flat or metered? Give the AMOUNT and  
108 explain:

109 (II) Are there any UNPAID water charges? If YES, state the amount  
110 unpaid:

111 (iii) If Private Well:

112 Has the well water been tested for contaminants/volatile organic  
113 compounds? If YES, attach a copy of the report.

114 (iv) If Public Water or Private Well: Are you aware of any problems  
115 with the well, or with the water quality, quantity, recovery, or pressure?  
116 If YES, explain:

117 (F) A subsection entitled "Sewage Disposal System"

118 (i) Sewage Disposal System Type: Public; Septic; Cesspool; Other

119 (ii) If Public Sewer:

120 (I) Is there a separate charge made for sewer use? If YES, is it Flat or  
121 Metered?

122 (II) If it is a Flat amount, state amount and due dates:

123 (III) Are there any UNPAID sewer charges? If any unpaid sewer  
124 charges, state the amount:

125 (iii) If Private:

126 (I) Name of service company

127 (II) Date last pumped: AND frequency:

128 (III) For any sewage system, are there problems? If YES, explain:

129 (G) A subsection entitled "Asbestos/Lead"

130 (i) Are asbestos containing insulation or building materials present?  
131 If YES, location:

132 (ii) Is lead paint present? If YES, location:

133 (iii) Is lead plumbing present? If YES, location:

134 (H) A subsection entitled "Building/Structure/Improvements"

135 (i) Is the foundation made of concrete? If NO, explain:

136 (ii) Foundation/Slab problems or settling? If YES, explain:

137 (iii) Basement Water Seepage/Dampness? If YES, explain Amount,  
138 Frequency and Location:

139 (iv) Sump pump problems? If YES, explain:

140 (v) Do you have any knowledge of any testing or inspection done by  
141 a licensed professional related to a foundation on the property? If YES,  
142 disclose the testing or inspection method, the areas or locations that  
143 were tested or inspected, the results of such testing or inspection and  
144 attach a copy of the report concerning such testing or inspection.

145 (vi) Do you have any knowledge of any repairs related to a  
146 foundation on the property? If YES, describe such repairs, disclose the  
147 areas repaired and attach a copy of the report concerning such repairs.

148 (vii) Do you have any knowledge related to the presence of pyrrhotite  
149 in a foundation on the property? If YES, explain:

150 (viii) Roof type; Age?

151 (ix) Roof leaks? If YES, explain:

152 (x) Exterior siding problems? If YES, explain:

153 (xi) Chimney, Fireplace, Wood or Coal Stove problems? If YES,  
154 explain:

155 (xii) Patio/deck problems? If YES, explain:

156 (xiii) If constructed of Wood, is the Wood Treated or Untreated?

157 (xiv) Driveway problems? If YES, explain:

158 (xv) Water drainage problems? If YES, explain:

159 (xvi) Interior Floor, Wall and/or Ceiling problems? If YES, explain:

160 (xvii) Fire and/or Smoke damage? If YES, explain:

161 (xviii) Termite, Insect, Rodent or Pest Infestation problems? If YES,  
162 explain:

163 (xix) Rot or Water damage problems? If YES, explain:

164 (xx) Is house insulated? If YES, Type: Location:

165 (xxi) Has a test for Radon been performed? If YES, attach a copy of  
166 the report.

167 (xxii) Is there a Radon Control System in place? If YES, explain:

168 (xxiii) Has a Radon control system been in place in the previous 12  
169 months? If YES, explain:

170 (xxiv) During the time you owned the property, did you obtain  
171 proper building permits from the relevant municipality for any changes

172 to the property, including, but not limited to, renovations, upgrades or  
173 remodeling on the property? If NO, explain:

174 (I) The Seller should attach additional pages to further explain any  
175 item(s) above. Indicate here the number of additional pages attached:

176 (J) Questions contained in subparagraphs (A) to (I), inclusive, of this  
177 subdivision shall contain checkboxes indicating "yes", "no", "not  
178 applicable" or "unknown".

179 (3) The written residential condition report shall contain the  
180 following immediately below the questions contained in subparagraphs  
181 (A) to (I), inclusive, of subdivision (2) of this subsection:

182 A certification by the seller in the following form:

183 SELLER'S CERTIFICATION

184 "To the extent of the seller's knowledge as a property owner, the seller  
185 acknowledges that the information contained above is true and accurate  
186 for those areas of the property listed. In the event a real estate broker or  
187 salesperson is utilized, the seller authorizes the brokers or salespersons  
188 to provide the above information to prospective buyers, selling agents  
189 or buyers' agents.

T1 .... (Date) .... (Seller)

T2 .... (Date) .... (Seller)"

T3

190 (4) The written residential condition report shall contain the  
191 following in a separate section immediately below the seller's  
192 certification:

193 IMPORTANT INFORMATION

194 (A) RESPONSIBILITIES OF REAL ESTATE BROKERS

195 This report in no way relieves a real estate broker of the broker's  
196 obligation under the provisions of section 20-328-5a of the Regulations



197 of Connecticut State Agencies to disclose any material facts. Failure to  
198 do so could result in punitive action taken against the broker, such as  
199 fines, suspension or revocation of license.

200 (B) STATEMENTS NOT TO CONSTITUTE A WARRANTY

201 Any representations made by the seller on the written residential  
202 condition report shall not constitute a warranty to the buyer.

203 (C) NATURE OF REPORT

204 This Residential Property Condition Report is not a substitute for  
205 inspections, tests and other methods of determining the physical  
206 condition of property.

207 (D) INFORMATION ON THE RESIDENCE OF CONVICTED  
208 FELONS

209 Information concerning the residence address of a person convicted  
210 of a crime may be available from law enforcement agencies or the  
211 Department of Public Safety.

212 (E) BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

213 Prospective buyers should consult with the municipal building  
214 official in the municipality in which the property is located to confirm  
215 that building permits and certificates of occupancy have been issued for  
216 work on the property.

217 (F) HOME INSPECTION

218 Buyers should have the property inspected by a licensed home  
219 inspector.

220 (G) CONCRETE FOUNDATION

221 Prospective buyers may have a concrete foundation inspected by a  
222 licensed professional engineer who is a structural engineer for  
223 deterioration of the foundation due to the presence of pyrrhotite.

224 (H) DAM

225 Information concerning the registration and categorization of a dam  
226 on the property may be obtained from the Department of Energy and  
227 Environmental Protection.

228 (5) The written residential condition report shall contain the  
229 following immediately below the statements contained in  
230 subparagraphs (A) to (H), inclusive, of subdivision (4) of this subsection:

231 A certification by the buyer in the following form:

232 BUYER'S CERTIFICATION

233 "The buyer is urged to carefully inspect the property and, if desired,  
234 to have the property inspected by an expert. The buyer understands that  
235 there are areas of the property for which the seller has no knowledge  
236 and that this report does not encompass those areas. The buyer also  
237 acknowledges that the buyer has read and received a signed copy of this  
238 report from the seller or seller's agent.

T4 .... (Date) .... (Buyer)

T5 .... (Date) .... (Buyer)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	20-327b(d)

**Statement of Purpose:**

To require that a seller of residential property provide notification of proper permitting to a prospective buyer.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*