

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**SENATE BILL 817**

Short Title: Residential Property Disclosures. (Public)

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Sponsors: Senator Cowell.

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Referred to: Commerce, Small Business and Entrepreneurship.

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March 15, 2007

1                                   A BILL TO BE ENTITLED  
2 AN ACT REQUIRING THAT RESIDENTIAL PROPERTY DISCLOSURE  
3 STATEMENTS CONTAIN INFORMATION ABOUT AIRPORT NOISE  
4 CONTOUR ZONES AND THE 100-YEAR FLOODPLAIN AND THE FLOOD  
5 FRINGE.

6 The General Assembly of North Carolina enacts:

7                   **SECTION 1.** G.S. 47E-4(b) reads as rewritten:

8           "(b) The North Carolina Real Estate Commission shall develop and require the  
9 use of a standard disclosure statement to comply with the requirements of this section.  
10 The disclosure statement shall specify that certain transfers of residential property are  
11 excluded from this requirement by G.S. 47E-2, including transfers of residential  
12 property made pursuant to a lease with an option to purchase where the lessee occupies  
13 or intends to occupy the dwelling, and shall include at least the following characteristics  
14 and conditions of the property:

- 15           (1) The water supply and sanitary sewage disposal system;
- 16           (2) The roof, chimneys, floors, foundation, basement, and other structural  
17 components and any modifications of these structural components;
- 18           (3) The plumbing, electrical, heating, cooling, and other mechanical  
19 systems;
- 20           (4) Present infestation of wood-destroying insects or organisms or past  
21 infestation the damage for which has not been repaired;
- 22           (5) The zoning laws, restrictive covenants, building codes, and other  
23 land-use restrictions affecting the real property, any encroachment of  
24 the real property from or to adjacent real property, and notice from any  
25 governmental agency affecting this real property; ~~and~~
- 26           (6) Presence of lead-based paint, asbestos, radon gas, methane gas,  
27 underground storage tank, hazardous material or toxic material  
28 (whether buried or covered), and other environmental  
29 ~~contamination-contamination~~ contamination;

1           (7)    The airport noise contour zones; and

2           (8)    The 100-year floodplain and the flood fringe.

3           The disclosure statement shall provide the owner with the option to indicate whether  
4 the owner has actual knowledge of the specified characteristics or conditions, or the  
5 owner is making no representations as to any characteristic or condition."

6           **SECTION 2.** This act is effective when it becomes law.