GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS15168-LM-91 (03/11)

Short Title:	Real Estate Disclosure/Military Installation.	(Public)
Sponsors:	Senator Rand.	
Referred to:		

A BILL TO BE ENTITLED

AN ACT REQUIRING THAT RESIDENTIAL PROPERTY DISCLOSURE STATEMENTS CONTAIN WARNINGS ABOUT HIGH NOISE AND ACCIDENT POTENTIAL ZONES WHEN THE REAL PROPERTY BEING TRANSFERRED IS LOCATED WITHIN ONE MILE OF A MILITARY INSTALLATION.

The General Assembly of North Carolina enacts:

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

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

(1) The water supply and sanitary sewage disposal system;

(2) The roof, chimneys, floors, foundation, basement, and other structural components and any modifications of these structural components;

(3) The plumbing, electrical, heating, cooling, and other mechanical systems;

(4) Present infestation of wood-destroying insects or organisms or past infestation the damage for which has not been repaired;

(5) The zoning laws, restrictive covenants, building codes, and other land-use restrictions affecting the real property, any encroachment of the real property from or to adjacent real property, and notice from any governmental agency affecting this real ~~property; and~~property;

(6) Presence of lead-based paint, asbestos, radon gas, methane gas, underground storage tank, hazardous material or toxic material (whether buried or covered), and other environmental ~~contamination.~~contamination; and

(7) If the property is located within one mile of a military installation, warnings about potential noise and startle effects from low-flying aircraft, blast noise from artillery or small arms fire, and intensive smoke resulting from controlled burns of managed pine forest areas.

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

SECTION 2. This act becomes effective October 1, 2009.