

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB858

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Convirs-Fowler

3. Committee: Committee Referral Pending

4. Title: Virginia Residential Property Disclosure Act and Virginia Residential Landlord and Tenant Act; required disclosures; impounding structures, dams, flood hazard areas, and stormwater management facilities.

5. Summary: Requires the owner of residential real property who has actual knowledge that the property is located in one or more special flood hazard areas to provide a disclosure that states such information to a potential purchaser. The owner of any residential real property upon which a stormwater management facility is located is required to provide to a prospective purchaser a written disclosure that includes specifications, requirements, and a schedule of audits of such facility. Such disclosures are to be made on forms provided by the Real Estate Board on its website. The bill also requires the landlord of a dwelling unit that has actual knowledge that the dwelling unit is on property that is located in a special flood hazard area to provide to a prospective tenant a written disclosure that states such information prior to the execution by the tenant of a written lease agreement or, in the case of an oral lease agreement, prior to occupancy by the tenant. Any tenant who is not provided the required disclosure may terminate the lease agreement at any time within 60 days of discovery that the property is located in a special flood hazard area. The bill adds to the required disclosures for the buyer to beware that the owner makes no representation with respect to the condition or regulatory status of any impounding structure or dam on the property or under the ownership of the common interest community that the owner of the property is required to join, and purchasers are advised to exercise due diligence in determining such information.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: It is anticipated that this bill will not result in a fiscal impact to the Department of Professional and Occupational Regulation.

9. Specific Agency or Political Subdivisions Affected: Department of Professional and Occupational Regulation, and Department of Conservation and Recreation.

10. Technical Amendment Necessary: No.

11. Other Comments: None.