

HOUSE No. 150

The Commonwealth of Massachusetts

PRESENTED BY:

James Arciero

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the disclosure of wetlands on property.

PETITION OF:

NAME:

James Arciero

Kurt Meklenburg

DISTRICT/ADDRESS:

2nd Middlesex

85 Stony Brook Road

Westford, MA 01886

HOUSE No. 150

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 150) of James Arciero and Kurt Meklenburg relative to wetland disclosures by real estate agents . Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the disclosure of wetlands on property.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 112 of the General Laws is hereby amended by inserting after Section 87AAA,
2 as appearing in the 2002 Official Edition, the following section:-

3 Section 87AAA ¼. A real estate agent, broker or salesman licensed under the provisions
4 of this chapter shall disclose to prospective buyer in writing:-

5 That the property to be sold may be in its entirety, or in part, a wetland as such term is
6 defined in Section 40 of Chapter 131 of the General Laws, or by regulation promulgated
7 hereunder, or in any ordinance or by-law of the municipality or municipalities where the
8 property is located.

9 The definition of the term “Wetlands” as defined in Section 40 of chapter 131 of the
10 general laws, or by regulations promulgated hereunder, or in any ordinance or bylaw of the
11 municipality where the property is located.

12 The definition of the terms "Wetlands" as defined in chapter 131.

13

14 Any home owner restrictions on the property to be sold associated with wetlands.

15 The need for the home owner to file a "Notice of Intent" prior to any work being

16 performed within 100 feet of a wetland area.

17 The buyer shall sign a disclosure form as provided by the real estate agent, broker or

18 salesman containing the aforementioned information. A notarized copy of said disclosure shall

19 be provided to the real estate agent, broker or salesman.