

SENATE BILL 1811

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 13; Title 39; Title 47; Title 66 and Title 71,
relative to real property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 4, is amended by adding the following language as a new part:

(a) If an offeror makes an unsolicited offer to purchase real property by sending a written agreement or contract for purchase through mail to an offeree, then the offeree may cancel the agreement or contract within thirty (30) days from the date of the offeree signing the agreement or contract.

(b) Cancellation of the agreement or contract under subsection (a) is without penalty to the offeree, and the offeree shall return all payments made by the offeror to the offeree before the cancellation occurred within thirty (30) days after receipt of the notice of cancellation as provided in subsection (c).

(c) If an offeree elects to cancel an agreement or contract pursuant to subsection (a), then the offeree must send written notice of the election to cancel to the offeror. The offeree's written notice of the election to cancel must be postmarked within thirty (30) days from the date of the offeree signing the agreement or contract to be valid.

(d) The offeree's right to cancellation under this section may not be waived.

(e) A third-party buyer who purchases the real property from the offeror prior to the expiration of the offeree's right to cancellation under this section takes title to the real property subject to the offeree's right to cancellation. If the offeree exercises the offeree's right to cancellation under the circumstances of this subsection (e), then the

title acquired by the third-party buyer is voided and the title immediately returned to the offeree.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it, and shall apply to agreements or contracts entered into on or after that date.