

**§ 55.1-703. Required disclosures for buyer to beware; buyer to exercise necessary due diligence.**

*[Note: To make this more readable and shorter, B1-17 are not retyped in full. Go to subparagraph 18 for first changes to the law and then to page 3 for remaining changes]*

A. The owner of the residential real property shall furnish to a purchaser a residential property disclosure statement for the buyer to beware of certain matters that may affect the buyer's decision to purchase such real property. Such statement shall be provided by the Real Estate Board on its website.

B. The residential property disclosure statement provided by the Real Estate Board on its website shall include the following:

1. The owner makes no representations or warranties as to the condition of the real property or any improvements thereon, or with regard to any covenants and restrictions, or any conveyances of mineral rights, ...

2. The owner makes no representation with respect to current lot lines or the ability to expand, improve, or add any structures on the property, ...

3. The owner makes no representations with respect to any matters that may pertain to parcels adjacent to the subject parcel, including zoning classification or permitted uses of adjacent parcels, ...

4. The owner makes no representations to any matters that pertain to whether the provisions of any historic district ordinance affect the property, ...

5. The owner makes no representations with respect to whether the property contains any resource protection areas ...

6. The owner makes no representations with respect to information on any sexual offenders registered under Chapter 23 (§ [19.2-387](#) et seq.) of Title 19.2, ...

7. The owner makes no representations with respect to whether the property is within a dam break inundation zone. ...;

8. The owner makes no representations with respect to the presence of any wastewater system, ...;

9. The owner makes no representations with respect to any right to install or use solar energy collection devices on the property; ...

10. The owner makes no representations with respect to whether the property is located in one or more special flood hazard areas, ...

11. The owner makes no representations with respect to whether the property is subject to one or more conservation or other easements, ...

12. The owner makes no representations with respect to whether the property is subject to a community development authority approved by a local governing body ...

13. The owner makes no representations with respect to whether the property is located on or near deposits of marine clays (marumsco soils), ...;

14. The owner makes no representations with respect to whether the property is located in a locality classified as Zone 1 or Zone 2 by the U.S. Environmental Protection Agency's (EPA) Map of Radon Zones, ...

15. The owner makes no representations with respect to whether the property contains any pipe, pipe or plumbing fitting, fixture, solder, or flux that does not meet the federal Safe Drinking Water Act definition of "lead free" ...;

16. The owner makes no representations with respect to the existence of defective drywall on the property, ...

17. The owner makes no representation with respect to the condition or regulatory status of any impounding structure or dam on the property ...

*18. The owner makes no representation with respect to the property's proximity to a public use airport nor any noise from aircraft due to the proximity of the property to flight operations. On the residential property disclosure statement provided by the Real Estate Board on its website, the Board shall advise purchasers that the Federal Aviation Administration is responsible for managing the National Airspace System, including flight paths. Therefore, purchasers are advised to exercise whatever due diligence they deem necessary with respect to (i) whether the property is within proximity to a flight path or public use airport aircraft noise zone, including a review of any maps depicting public use airport aircraft noise zones, and (ii) provide to the purchaser an active internet link to the Department of Aviation's website, if one exists, where such maps can be accessed. Such maps shall (i) meet Federal Aviation Administration airport noise modeling criteria, where applicable, (ii) show Day-Night average sound levels, and (iii) may be provided by either such public use airport operator or may be provided by a locality which has adopted one or more noise overlay zones as an amendment to its zoning map as defined in § 15.2-2295.*

C. The residential property disclosure statement shall be delivered in accordance with § 55.1-709.

D. The Real Estate Board shall make available on its website a flood risk information form. Such form shall be substantially as follows:

#### Flood Risk Information Form

The purpose of this information form is to provide property owners and potential property owners with information regarding flood risk. ...

§ 55.1-714. Real Estate Board to develop form; when effective.

An owner shall be required to make disclosures required by this chapter for real property subject to a real estate purchase contract that is fully executed by all parties. The Real Estate Board shall develop the form for signature by the parties stating that the purchaser has been advised of the disclosures listed in the residential property disclosure statement located on the Board's website in accordance with § 54.1-2105.1. The Board may at any time amend the residential property disclosure statement and the form for signature by the parties as the Board deems necessary and appropriate. *The Board shall include on the residential property disclosure statement form an active internet link to the Department of Aviation website where a purchaser can link to the most recent version of any public use airport aircraft noise zone map, if one exists, meeting the criteria set forth in 55.1-703(18).*

**2. The Department of Aviation shall establish a website and provide to the Board a link which allows purchasers to access public use airport aircraft noise zone maps meeting the criteria developed by the Department pursuant to 55.1-703(18).**

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