

HOUSE BILL REPORT

SSB 5156

As Passed House:
April 13, 2015

Title: An act relating to the disclosure of information regarding elevators and other conveyances in certain real estate transactions.

Brief Description: Concerning the disclosure of information regarding elevators and other conveyances in certain real estate transactions.

Sponsors: Senate Committee on Commerce & Labor (originally sponsored by Senators Keiser, Warnick and Conway).

Brief History:

Committee Activity:

Business & Financial Services: 3/5/15, 3/9/15 [DP].

Floor Activity:

Passed House: 4/13/15, 97-0.

Brief Summary of Substitute Bill

- Requires a seller in certain residential real property transactions to disclose defects in any elevators, incline elevators, stairway chair lifts, and wheelchair lifts.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: Do pass. Signed by 8 members: Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Ranking Minority Member; Parker, Assistant Ranking Minority Member; Blake, G. Hunt, Kochmar and McCabe.

Staff: David Rubenstein (786-7153).

Background:

In real estate transactions for the sale of improved residential property and commercial real estate, absent an express waiver or exemption, sellers must provide buyers with a completed seller disclosure statement form. This form provides for a "yes, no, or don't know" answer to

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questions relating to: (1) title; (2) water; (3) sewage; (4) structure; (5) systems and fixtures; (6) a homeowner's association; (7) the environment; and (8) other disclosures.

With respect to structural issues, the seller must disclose any defects associated with the foundation, walls, woodstoves, fire alarms, hot tubs, saunas, etc., if any, located on the property.

Summary of Bill:

Unless the buyer has waived the right to a disclosure or the transaction is otherwise exempt, the seller of residential real estate must disclose defects with elevators, incline elevators, stairway chair lifts, and wheelchair lifts, in addition to other items already listed.

The change applies only to transactions in which the purchase and sale agreement is entered into after the effective date of the law.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Many residential elevators have a safety flaw that can lead to serious injury or death in children. There is a gap between internal and external doors in elevators, the standards for which have changed over the years. Playing children can get stuck, as can the elderly and disabled, leading to tragedy. Elevators installed without permits or doors can also pose a serious risk. No amount of education will solve this problem. This bill takes a step toward mitigating the risk by requiring disclosure of possibly dangerous flaws in household fixtures like elevators.

(Opposed) None.

Persons Testifying: Swen Larson, International Union of Elevator Constructors; and Bob Mitchell, Washington Realtors.

Persons Signed In To Testify But Not Testifying: None.