

STATE OF NEW YORK

10426

IN SENATE

May 15, 2026

Introduced by Sen. GONZALEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property law, in relation to notice to buyers and tenants of proximity to brownfields and superfund sites

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 2 of section 462 of the real property law, as
2 amended by chapter 353 of the laws of 2024, is amended to read as
3 follows:

4 2. The following shall be the disclosure form:

5 PROPERTY CONDITION DISCLOSURE STATEMENT

6 NAME OF SELLER OR SELLERS:

7 PROPERTY ADDRESS:

8 THE PROPERTY CONDITION DISCLOSURE ACT REQUIRES THE SELLER OF RESIDEN-
9 TIAL REAL PROPERTY TO CAUSE THIS DISCLOSURE STATEMENT OR A COPY THEREOF
10 TO BE DELIVERED TO A BUYER OR BUYER'S AGENT PRIOR TO THE SIGNING BY THE
11 BUYER OF A BINDING CONTRACT OF SALE.

12 PURPOSE OF STATEMENT: THIS IS A STATEMENT OF CERTAIN CONDITIONS AND
13 INFORMATION CONCERNING THE PROPERTY KNOWN TO THE SELLER. THIS DISCLOSURE
14 STATEMENT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR BY ANY AGENT
15 REPRESENTING THE SELLER IN THIS TRANSACTION. IT IS NOT A SUBSTITUTE FOR
16 ANY INSPECTIONS OR TESTS AND THE BUYER IS ENCOURAGED TO OBTAIN [~~HIS OR~~
17 ~~HER~~] THEIR OWN INDEPENDENT PROFESSIONAL INSPECTIONS AND ENVIRONMENTAL
18 TESTS AND ALSO IS ENCOURAGED TO CHECK PUBLIC RECORDS PERTAINING TO THE
19 PROPERTY.

20 A KNOWINGLY FALSE OR INCOMPLETE STATEMENT BY THE SELLER ON THIS FORM
21 MAY SUBJECT THE SELLER TO CLAIMS BY THE BUYER PRIOR TO OR AFTER THE
22 TRANSFER OF TITLE.

23 "RESIDENTIAL REAL PROPERTY" MEANS REAL PROPERTY IMPROVED BY A ONE TO
24 FOUR FAMILY DWELLING USED OR OCCUPIED, OR INTENDED TO BE USED OR OCCU-
25 PIED, WHOLLY OR PARTLY, AS THE HOME OR RESIDENCE OF ONE OR MORE PERSONS,
26 BUT SHALL NOT REFER TO (A) UNIMPROVED REAL PROPERTY UPON WHICH SUCH
27 DWELLINGS ARE TO BE CONSTRUCTED OR (B) CONDOMINIUM UNITS OR COOPERATIVE

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 APARTMENTS OR (C) PROPERTY ON A HOMEOWNERS' ASSOCIATION THAT IS NOT
2 OWNED IN FEE SIMPLE BY THE SELLER.

3 INSTRUCTIONS TO THE SELLER:

- 4 (a) ANSWER ALL QUESTIONS BASED UPON YOUR ACTUAL KNOWLEDGE.
5 (b) ATTACH ADDITIONAL PAGES WITH YOUR SIGNATURE IF ADDITIONAL SPACE IS
6 REQUIRED.
7 (c) COMPLETE THIS FORM YOURSELF.
8 (d) IF SOME ITEMS DO NOT APPLY TO YOUR PROPERTY, CHECK "NA" (NON-AP-
9 PLICABLE). IF YOU DO NOT KNOW THE ANSWER CHECK "UNKN" (UNKNOWN).

10 SELLER'S STATEMENT: THE SELLER MAKES THE FOLLOWING REPRESENTATIONS TO
11 THE BUYER BASED UPON THE SELLER'S ACTUAL KNOWLEDGE AT THE TIME OF SIGN-
12 ING THIS DOCUMENT. THE SELLER AUTHORIZES [~~HIS OR HER~~] **THEIR** AGENT, IF
13 ANY, TO PROVIDE A COPY OF THIS STATEMENT TO A PROSPECTIVE BUYER OF THE
14 RESIDENTIAL REAL PROPERTY. THE FOLLOWING ARE REPRESENTATIONS MADE BY THE
15 SELLER AND ARE NOT THE REPRESENTATIONS OF THE SELLER'S AGENT.

16 GENERAL INFORMATION

- 17 1. HOW LONG HAVE YOU OWNED THE PROPERTY?
18 2. HOW LONG HAVE YOU OCCUPIED THE PROPERTY?
19 3. WHAT IS THE AGE OF THE STRUCTURE OR STRUCTURES? NOTE TO BUYER--IF
20 THE STRUCTURE WAS BUILT BEFORE 1978 YOU ARE ENCOURAGED TO INVESTI-
21 GATE FOR THE PRESENCE OF LEAD BASED PAINT.
22 4. DOES ANYBODY OTHER THAN YOURSELF HAVE A LEASE, EASEMENT OR ANY
23 OTHER RIGHT TO USE OR OCCUPY ANY PART OF YOUR PROPERTY OTHER THAN
24 THOSE STATED IN DOCUMENTS AVAILABLE IN THE PUBLIC RECORD, SUCH AS
25 RIGHTS TO USE A ROAD OR PATH OR CUT TREES OR CROPS. YES NO UNKN NA
26 5. DOES ANYBODY ELSE CLAIM TO OWN ANY PART OF YOUR PROPERTY? YES NO
27 UNKN NA (IF YES, EXPLAIN BELOW)
28 6. HAS ANYONE DENIED YOU ACCESS TO THE PROPERTY OR MADE A FORMAL LEGAL
29 CLAIM CHALLENGING YOUR TITLE TO THE PROPERTY? YES NO UNKN NA (IF
30 YES, EXPLAIN BELOW)
31 7. ARE THERE ANY FEATURES OF THE PROPERTY SHARED IN COMMON WITH
32 ADJOINING LAND OWNERS OR A HOMEOWNERS ASSOCIATION, SUCH AS WALLS,
33 FENCES OR DRIVEWAYS? YES NO UNKN NA (IF YES DESCRIBE BELOW)
34 8. ARE THERE ANY ELECTRIC OR GAS UTILITY SURCHARGES FOR LINE EXTEN-
35 SIONS, SPECIAL ASSESSMENTS OR HOMEOWNER OR OTHER ASSOCIATION FEES
36 THAT APPLY TO THE PROPERTY? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
37 9. ARE THERE CERTIFICATES OF OCCUPANCY RELATED TO THE PROPERTY? YES
38 NO UNKN NA (IF NO, EXPLAIN BELOW)

39 ENVIRONMENTAL

40 NOTE TO SELLER - IN THIS SECTION, YOU WILL BE ASKED QUESTIONS REGARD-
41 ING PETROLEUM PRODUCTS AND HAZARDOUS OR TOXIC SUBSTANCES THAT YOU KNOW
42 TO HAVE BEEN SPILLED, LEAKED OR OTHERWISE BEEN RELEASED ON THE PROPERTY
43 OR FROM THE PROPERTY ONTO ANY OTHER PROPERTY. PETROLEUM PRODUCTS MAY
44 INCLUDE, BUT ARE NOT LIMITED TO, GASOLINE, DIESEL FUEL, HOME HEATING
45 FUEL, AND LUBRICANTS. HAZARDOUS OR TOXIC SUBSTANCES ARE PRODUCTS OR
46 OTHER MATERIAL THAT COULD POSE SHORT- OR LONG-TERM DANGER TO PERSONAL
47 HEALTH OR THE ENVIRONMENT IF THEY ARE NOT PROPERLY DISPOSED OF, APPLIED
48 OR STORED. THESE INCLUDE, BUT ARE NOT LIMITED TO, FERTILIZERS, PESTI-
49 CIDES AND INSECTICIDES, PAINT INCLUDING PAINT THINNER, VARNISH REMOVER
50 AND WOOD PRESERVATIVES, TREATED WOOD, CONSTRUCTION MATERIALS SUCH AS
51 ASPHALT AND ROOFING MATERIALS, ANTIFREEZE AND OTHER AUTOMOTIVE PRODUCTS,
52 BATTERIES, CLEANING SOLVENTS INCLUDING SEPTIC TANK CLEANERS, HOUSEHOLD

1 CLEANERS, POOL CHEMICALS, PRODUCTS CONTAINING MERCURY AND LEAD AND
2 INDOOR MOLD.

3 NOTE TO BUYER - IF CONTAMINATION OF THIS PROPERTY FROM PETROLEUM
4 PRODUCTS AND/OR HAZARDOUS OR TOXIC SUBSTANCES IS A CONCERN TO YOU, YOU
5 ARE URGED TO CONSIDER SOIL AND GROUNDWATER TESTING OF THIS PROPERTY.

- 6 10. IS ANY OR ALL OF THE PROPERTY LOCATED IN A FEDERAL EMERGENCY
7 MANAGEMENT AGENCY (FEMA) DESIGNATED FLOODPLAIN? YES NO UNKN NA
8 (IF YES, EXPLAIN BELOW)
- 9 11. IS ANY OR ALL OF THE PROPERTY LOCATED WHOLLY OR PARTIALLY IN THE
10 SPECIAL FLOOD HAZARD AREA ("SFHA"; "100-YEAR FLOODPLAIN") ACCORD-
11 ING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA'S) CURRENT
12 FLOOD INSURANCE RATE MAPS FOR YOUR AREA? YES NO UNKN NA (IF YES,
13 EXPLAIN BELOW)
- 14 12. IS ANY OR ALL OF THE PROPERTY LOCATED WHOLLY OR PARTIALLY IN A
15 MODERATE RISK FLOOD HAZARD AREA ("500-YEAR FLOODPLAIN") ACCORDING
16 TO FEMA'S CURRENT FLOOD INSURANCE RATE MAPS FOR YOUR AREA? YES NO
17 UNKN NA (IF YES, EXPLAIN BELOW)
- 18 13. IS THE PROPERTY SUBJECT TO ANY REQUIREMENT UNDER FEDERAL LAW TO
19 OBTAIN AND MAINTAIN FLOOD INSURANCE ON THE PROPERTY? YES NO UNKN
20 NA (IF YES, EXPLAIN BELOW)
21 HOMES IN THE SPECIAL FLOOD HAZARD AREA, ALSO KNOWN AS HIGH RISK
22 FLOOD ZONES, ON FEMA'S FLOOD INSURANCE RATE MAPS WITH MORTGAGES
23 FROM FEDERALLY REGULATED OR INSURED LENDERS ARE REQUIRED TO OBTAIN
24 AND MAINTAIN FLOOD INSURANCE. EVEN WHEN NOT REQUIRED, FEMA ENCOUR-
25 AGES HOMEOWNERS IN HIGH RISK, MODERATE RISK, AND LOW RISK FLOOD
26 ZONES TO PURCHASE FLOOD INSURANCE THAT COVERS THE STRUCTURE(S) AND
27 THE PERSONAL PROPERTY WITHIN THE STRUCTURE(S). ALSO NOTE THAT
28 HOMES IN COASTAL AREAS MAY BE SUBJECT TO INCREASED RISK OF FLOOD-
29 ING OVER TIME DUE TO PROJECTED SEA LEVEL RISE AND INCREASED
30 EXTREME STORMS CAUSED BY CLIMATE CHANGE WHICH MAY NOT BE REFLECTED
31 IN CURRENT FLOOD INSURANCE RATE MAPS.
- 32 14. HAVE YOU EVER RECEIVED ASSISTANCE, OR ARE YOU AWARE OF ANY PREVI-
33 OUS OWNERS RECEIVING ASSISTANCE, FROM THE FEDERAL EMERGENCY
34 MANAGEMENT AGENCY (FEMA), THE U.S. SMALL BUSINESS ADMINISTRATION
35 (SBA), OR ANY OTHER FEDERAL DISASTER FLOOD ASSISTANCE FOR FLOOD
36 DAMAGE TO THE PROPERTY? YES NO UNKN NA (IF YES, EXPLAIN BELOW) FOR
37 PROPERTIES THAT HAVE RECEIVED FEDERAL DISASTER ASSISTANCE, THE
38 REQUIREMENT TO OBTAIN FLOOD INSURANCE PASSES DOWN TO ALL FUTURE
39 OWNERS. FAILURE TO OBTAIN AND MAINTAIN FLOOD INSURANCE CAN RESULT
40 IN AN INDIVIDUAL BEING INELIGIBLE FOR FUTURE ASSISTANCE.
- 41 15. IS THERE FLOOD INSURANCE ON THE PROPERTY? YES NO UNKN NA (IF YES,
42 ATTACH A COPY OF THE POLICY)
43 A STANDARD HOMEOWNER'S INSURANCE POLICY TYPICALLY DOES NOT COVER
44 FLOOD DAMAGE. YOU ARE ENCOURAGED TO EXAMINE YOUR POLICY TO DETER-
45 MINE WHETHER YOU ARE COVERED.
- 46 16. IS THERE A FEMA ELEVATION CERTIFICATE AVAILABLE FOR THE PROPERTY?
47 YES NO UNKN NA (IF YES, ATTACH A COPY OF THE CERTIFICATE)
48 AN ELEVATION CERTIFICATE IS A FEMA FORM, COMPLETED BY A LICENSED
49 SURVEYOR OR ENGINEER. THE FORM PROVIDES CRITICAL INFORMATION ABOUT
50 THE FLOOD RISK OF THE PROPERTY AND IS USED BY FLOOD INSURANCE
51 PROVIDERS UNDER THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) TO
52 HELP DETERMINE THE APPROPRIATE FLOOD INSURANCE RATING FOR THE
53 PROPERTY. A BUYER MAY BE ABLE TO USE THE ELEVATION CERTIFICATE
54 FROM A PREVIOUS OWNER FOR THEIR FLOOD INSURANCE POLICY.

17. HAVE YOU EVER FILED A CLAIM FOR FLOOD DAMAGE TO THE PROPERTY WITH ANY INSURANCE PROVIDER, INCLUDING THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
18. IS ANY OR ALL OF THE PROPERTY LOCATED IN A DESIGNATED WETLAND? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
19. IS THE PROPERTY LOCATED IN AN AGRICULTURAL DISTRICT? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
20. WAS THE PROPERTY EVER THE SITE OF A LANDFILL? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
21. ARE THERE OR HAVE THERE EVER BEEN FUEL STORAGE TANKS ABOVE OR BELOW THE GROUND ON THE PROPERTY? YES NO UNKN NA IF YES, ARE THEY CURRENTLY IN USE? YES NO UNKN NA LOCATION(S) ARE THEY LEAKING OR HAVE THEY EVER LEAKED? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
22. IS THERE ASBESTOS IN THE STRUCTURE? YES NO UNKN NA (IF YES, STATE LOCATION OR LOCATIONS BELOW)
23. IS LEAD PLUMBING PRESENT? YES NO UNKN NA (IF YES, STATE LOCATION OR LOCATIONS BELOW)
24. HAS A RADON TEST BEEN DONE? YES NO UNKN NA (IF YES, ATTACH A COPY OF THE REPORT)
25. HAS MOTOR FUEL, MOTOR OIL, HOME HEATING FUEL, LUBRICATING OIL OR ANY OTHER PETROLEUM PRODUCT, METHANE GAS, OR ANY HAZARDOUS OR TOXIC SUBSTANCE SPILLED, LEAKED OR OTHERWISE BEEN RELEASED ON THE PROPERTY OR FROM THE PROPERTY ONTO ANY OTHER PROPERTY? YES NO UNKN NA (IF YES, DESCRIBE BELOW)
26. HAS THE PROPERTY BEEN TESTED FOR THE PRESENCE OF MOTOR FUEL, MOTOR OIL, HOME HEATING FUEL, LUBRICATING OIL, OR ANY OTHER PETROLEUM PRODUCT, METHANE GAS, OR ANY HAZARDOUS OR TOXIC SUBSTANCE? YES NO UNKN NA (IF YES, ATTACH REPORT(S))
27. HAS THE PROPERTY BEEN TESTED FOR INDOOR MOLD? YES NO UNKN (IF YES, ATTACH A COPY OF THE REPORT)
- 27-a. IF THE PROPERTY IS LOCATED WITHIN OR IN THE SAME ZIP CODE AS AN ENVIRONMENTAL PROTECTION AGENCY-DESIGNATED SUPERFUND SITE OR A BROWNFIELD SITE, HAVE ANY TESTING, MITIGATION, OR REMEDIATION EFFORTS BEEN MADE? YES NO UNKN NA (IF YES, ATTACH A COPY OF REPORT(S))

STRUCTURAL

28. IS THERE ANY ROT OR WATER DAMAGE TO THE STRUCTURE OR STRUCTURES? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
29. IS THERE ANY FIRE OR SMOKE DAMAGE TO THE STRUCTURE OR STRUCTURES? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
30. IS THERE ANY TERMITE, INSECT, RODENT OR PEST INFESTATION OR DAMAGE? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
31. HAS THE PROPERTY BEEN TESTED FOR TERMITE, INSECT, RODENT OR PEST INFESTATION OR DAMAGE? YES NO UNKN NA (IF YES, PLEASE ATTACH REPORT(S))
32. WHAT IS THE TYPE OF ROOF/ROOF COVERING (SLATE, ASPHALT, OTHER.)? ANY KNOWN MATERIAL DEFECTS? HOW OLD IS THE ROOF? IS THERE A TRANSFERABLE WARRANTY ON THE ROOF IN EFFECT NOW? YES NO UNKN NA (IF YES, EXPLAIN BELOW)
33. ARE THERE ANY KNOWN MATERIAL DEFECTS IN ANY OF THE FOLLOWING STRUCTURAL SYSTEMS: FOOTINGS, BEAMS, GIRDERS, LINTELS, COLUMNS OR PARTITIONS? YES NO UNKN NA (IF YES, EXPLAIN BELOW)

MECHANICAL SYSTEMS & SERVICES

- 1 34. WHAT IS THE WATER SOURCE (CIRCLE ALL THAT APPLY - WELL, PRIVATE,
 2 MUNICIPAL, OTHER)? IF MUNICIPAL, IS IT METERED? YES NO UNKN NA
 3 35. HAS THE WATER QUALITY AND/OR FLOW RATE BEEN TESTED? YES NO UNKN NA
 4 (IF YES, DESCRIBE BELOW)
 5 36. WHAT IS THE TYPE OF SEWAGE SYSTEM (CIRCLE ALL THAT APPLY - PUBLIC
 6 SEWER, PRIVATE SEWER, SEPTIC OR CESSPOOL)? IF SEPTIC OR CESSPOOL,
 7 AGE? _____ DATE LAST PUMPED? _____ FREQUENCY OF PUMPING?
 8 _____ ANY KNOWN MATERIAL DEFECTS? YES NO UNKN NA (IF YES,
 9 EXPLAIN BELOW)

10 More information on "septic system operation and maintenance" can be
 11 found on the NYS Department of Health website in the informational
 12 health pamphlet made available by the Department of Health pursuant to
 13 section 396-s of NYS general business law.

- 14 37. WHO IS YOUR ELECTRIC SERVICE PROVIDER? _____ WHAT IS THE AMPER-
 15 AGE? _____ DOES IT HAVE CIRCUIT BREAKERS OR FUSES? _____
 16 PRIVATE OR PUBLIC POLES? _____ ANY KNOWN MATERIAL DEFECTS? YES
 17 NO UNKN NA (IF YES, EXPLAIN BELOW)

- 18 38. ARE THERE ANY FLOODING, DRAINAGE OR GRADING PROBLEMS THAT RESULTED
 19 IN STANDING WATER ON ANY PORTION OF THE PROPERTY? YES NO UNKN NA
 20 (IF YES, STATE LOCATIONS AND EXPLAIN BELOW)

- 21 39. HAS THE STRUCTURE(S) EXPERIENCED ANY WATER PENETRATION OR DAMAGE
 22 DUE TO SEEPAGE OR A NATURAL FLOOD EVENT, SUCH AS FROM HEAVY RAIN-
 23 FALL, COASTAL STORM SURGE, TIDAL INUNDATION OR RIVER OVERFLOW?
 24 YES NO UNKN NA (IF YES, EXPLAIN BELOW)

25 ARE THERE ANY KNOWN MATERIAL DEFECTS IN ANY OF THE FOLLOWING (IF YES,
 26 EXPLAIN BELOW. USE ADDITIONAL SHEETS IF NECESSARY.):

- | | |
|------------------------------------|----------------|
| 27 40. PLUMBING SYSTEM? | YES NO UNKN NA |
| 28 41. SECURITY SYSTEM? | YES NO UNKN NA |
| 29 42. CARBON MONOXIDE DETECTOR? | YES NO UNKN NA |
| 30 43. SMOKE DETECTOR? | YES NO UNKN NA |
| 31 44. FIRE SPRINKLER SYSTEM? | YES NO UNKN NA |
| 32 45. SUMP PUMP? | YES NO UNKN NA |
| 33 46. FOUNDATION/SLAB? | YES NO UNKN NA |
| 34 47. INTERIOR WALLS/CEILINGS? | YES NO UNKN NA |
| 35 48. EXTERIOR WALLS OR SIDING? | YES NO UNKN NA |
| 36 49. FLOORS? | YES NO UNKN NA |
| 37 50. CHIMNEY/FIREPLACE OR STOVE? | YES NO UNKN NA |
| 38 51. PATIO/DECK? | YES NO UNKN NA |
| 39 52. DRIVEWAY? | YES NO UNKN NA |
| 40 53. AIR CONDITIONER? | YES NO UNKN NA |
| 41 54. HEATING SYSTEM? | YES NO UNKN NA |
| 42 55. HOT WATER HEATER? | YES NO UNKN NA |

- 43 56. THE PROPERTY IS LOCATED IN THE FOLLOWING SCHOOL DISTRICT UNKN
 44 NOTE: BUYER IS ENCOURAGED TO CHECK PUBLIC RECORDS CONCERNING THE
 45 PROPERTY (E.G. TAX RECORDS AND WETLAND AND FEMA'S CURRENT FLOOD
 46 INSURANCE RATE MAPS AND ELEVATION CERTIFICATES)

47 THE SELLER SHOULD USE THIS AREA TO FURTHER EXPLAIN ANY ITEM ABOVE. IF
 48 NECESSARY, ATTACH ADDITIONAL PAGES AND INDICATE HERE THE NUMBER OF ADDI-
 49 TIONAL PAGES ATTACHED.

50 _____
 51 _____
 52 _____
 53 _____

54 SELLER'S CERTIFICATION: SELLER CERTIFIES THAT THE INFORMATION IN THIS
 55 PROPERTY CONDITION DISCLOSURE STATEMENT IS TRUE AND COMPLETE TO THE
 56 SELLER'S ACTUAL KNOWLEDGE AS OF THE DATE SIGNED BY THE SELLER. IF A

1 SELLER OF RESIDENTIAL REAL PROPERTY ACQUIRES KNOWLEDGE WHICH RENDERS
2 MATERIALLY INACCURATE A PROPERTY CONDITION DISCLOSURE STATEMENT PROVIDED
3 PREVIOUSLY, THE SELLER SHALL DELIVER A REVISED PROPERTY CONDITION
4 DISCLOSURE STATEMENT TO THE BUYER AS SOON AS PRACTICABLE. IN NO EVENT,
5 HOWEVER, SHALL A SELLER BE REQUIRED TO PROVIDE A REVISED PROPERTY CONDI-
6 TION DISCLOSURE STATEMENT AFTER THE TRANSFER OF TITLE FROM THE SELLER TO
7 THE BUYER OR OCCUPANCY BY THE BUYER, WHICHEVER IS EARLIER.

8 SELLER _____ DATE _____

9 SELLER _____ DATE _____

10 BUYER'S ACKNOWLEDGMENT: BUYER ACKNOWLEDGES RECEIPT OF A COPY OF THIS
11 STATEMENT AND BUYER UNDERSTANDS THAT THIS INFORMATION IS A STATEMENT OF
12 CERTAIN CONDITIONS AND INFORMATION CONCERNING THE PROPERTY KNOWN TO THE
13 SELLER. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR SELLER'S AGENT
14 AND IS NOT A SUBSTITUTE FOR ANY HOME, PEST, RADON OR OTHER INSPECTIONS
15 OR TESTING OF THE PROPERTY OR INSPECTION OF THE PUBLIC RECORDS.

16 BUYER _____ DATE _____

17 BUYER _____ DATE _____

18 § 2. The real property law is amended by adding a new section 235-k
19 to read as follows:

20 § 235-k. Notice to inform of superfund or brownfield proximity. 1. For
21 the purposes of this section:

22 a. "Superfund site" shall mean a contaminated site as designated by
23 the Environmental Protection Agency due to hazardous waste being dumped,
24 left out in the open, or otherwise improperly managed.

25 b. "Brownfield site" shall mean any real property where a contaminant
26 is present at levels exceeding the soil cleanup objectives or other
27 health-based or environmental standards, criteria or guidance adopted by
28 the department that are applicable based on the reasonably anticipated
29 use of the property, in accordance with applicable regulations.

30 2. Every operator, owner, or manager of a multiple dwelling, housing
31 cooperative, or residential building within the zip code boundaries of
32 an Environmental Protection Agency (EPA) designated superfund site or
33 brownfield site shall provide written notice of the following informa-
34 tion, as follows:

35 a. The premises is located in an EPA designated superfund site or
36 brownfield site and that these sites are the product of suspected or
37 confirmed environmental contamination;

38 b. Prolonged exposure to contaminants results in health risks includ-
39 ing but not limited to cancer, tumors, impacts to the immune system and
40 central nervous system, among others;

41 c. The location of the superfund or brownfield site in proximity to
42 the residence and how basement and ground floor units are most likely to
43 be impacted by contaminants;

44 d. The date on which the building has last been inspected for possible
45 contamination by the EPA or their appointee;

46 e. A link to the EPA's website for such superfund or brownfield site;

47 3. Such information shall be shared via notice in a lease or draft
48 lease to prospective tenants and via lease renewal, mail, or electronic
49 mail to current tenants.

50 § 3. This act shall take effect immediately.