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PROFESSIONAL LICENSURE COMMITTEE  
MAJORITY CHAIRMAN



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House of Representatives  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

2838

September 28, 2010

Mr. Kim Kaufman  
Executive Director  
Independent Regulatory Review Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101

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RECEIVED  
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RE: Final Regulation  
State Real Estate Commission  
16A-5618: Seller Property Disclosure Statement

Dear Mr. Kaufman:

**RECOMMENDATION:** It is recommended the House Professional Licensure Committee approve Final Regulation 16A-5618.

**SUMMARY OF COMMENTS BY THE COMMITTEE AND THE RESPONSES BY THE COMMISSION**

1. The Committee questioned the practice to commit to regulation a site or contact information that may not have some permanency. Is the Mine Subsidence Insurance Fund of the Department of Environmental Protection referred to in §35.335a (13) located in Coal Center, PA with the listed telephone numbers?
  - The Commission responded that it agreed and has removed the information regarding the address and telephone numbers.

2. The Committee questioned the grammar seller's agents and buyer's agents. Do sellers and buyers have more than one agent?
  - The Commission responded that it addressed the issue by making the subject singular. In response to public comments to clarify the relationships of seller's agents, buyer's agents, and licensees, the Commission adopted language to specify "a licensee who represents sellers or a transaction licensee who had entered into an agreement with sellers" in subsection (a) of Section 35.284a(a) and "a licensee who represents buyers or a transaction licensee who has entered into an agreement with buyers" in subsection (b) of Section 35.284a(b) as well.
  
3. Would it be useful to list at least one other reason for easements other than utility services in the NOTE TO BUYER of §35.335a (13)(vi)?
  - The Commission responded it appreciated that in addition to utility service, easements may be granted; however, because the statute only lists utility service, and it has chosen not to amend the disclosure statement other than that noted in comment 1, it has not amended this provision.
  
4. The Committee requested an explanation for the asterisk (\*) behind "condominium" in a listing in §35.335a (15) Condominiums and other homeowners associations (if applicable). No reference to an explanation was found.
  - The Commission responded that it has removed the typographical error in the final form.

Sincerely,



Michael P. McGeehan  
Chairman, House Professional Licensure Committee