SENATE DOCKET, NO. 1741 FILED ON: 1/21/2011

SENATE . . . . . No. 1698

The Commonwealth of Massachusetts

PRESENTED BY:

Steven A. Tolman

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to energy cost transparency in residential real estate conveyancing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven A. Tolman	

SENATE DOCKET, NO. 1741 FILED ON: 1/21/2011

SENATE . . . . . No. 1698

By Mr. Tolman, a petition (accompanied by bill, Senate, No. 1698) of Steven A. Tolman for legislation relative to energy cost transparency in residential real estate conveyancing. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to energy cost transparency in residential real estate conveyancing.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Chapter 183 of the General Laws is hereby amended to add the following as a new Section 69.

(a) The Home Energy Consumption Evaluation Program is hereby established and shall require sellers of real property used, in whole or in part, for residential purposes, to complete and provide a home energy evaluation form to any and all purchasers of said real property prior to the closing of such transactions.

(b) Within ninety days of enactment, the Secretary of energy and environmental affairs, or any designee, in consultation with the Secretary of Housing and Economic Development, or any designee, the Division of Professional Licensure, or any designee or designees, including, but not limited to, the board of registration of home inspectors and the board of registration of real estate brokers and salespersons, shall promulgate regulations to require sellers of residential real property to provide purchasers with detailed information on the utility and, if applicable,

13 heating fuel costs for the preceding twelve months prior to the date of any purchase and sale
14 agreement entered into by and between a seller and a purchaser.

15 (c) The requirements of this section, and any regulations promulgated hereunder, shall
16 not apply to conveyances

17 (1) occurring due to foreclosure

18 (2) between any co-owners of the property, or between spouses or persons related to the
19 third degree of consanguinity,

20 (3) if seller and purchaser agree to waive the requirements hereof.

21 (d) No evaluation is required if transfer of the real property occurs within two years of the
22 most recent evaluation having been performed pursuant hereto.