



## Home Sellers and Landlords to Disclose Flood Risks and Past Damages

Last week, the New Jersey state legislature and Governor Murphy passed a new law, requiring sellers of real property and landlords to make certain notifications regarding flooding. [Read the full text.](#)

Regarding the new law, Commissioner of Environmental Protection Shawn M. LaTourette said, "Every New Jersey resident deserves to know the history and risk of flooding when making the consequential decision to buy or rent a home. As New Jersey confronts more extreme weather, sea-level rise, and flooding, this disclosure law will empower residents and communities in building greater resilience to climate change."

Provisions of the new law mandate that:

- **Every seller** of real property must now disclose specific flood risk information via a property condition disclosure statement, before the purchaser becomes obligated under any property purchase contract, including

- whether the property is located in FEMA's Special Flood Hazard Area or Moderate Flood Hazard Area, without the option to indicate 'unknown,' and
- actual knowledge concerning flood risks of the property.
- **Every landlord** must now provide notice to prospective renters, such as
  - whether the rental property is located in FEMA's Special Flood Hazard Area or Moderate Flood Hazard Area, without the option to indicate 'unknown,' and
  - actual knowledge that the rental premises or any portion of the rental premises, such as tenant parking spaces, has been subjected to flooding.



A recent [report by Natural Resources Defense Council](#) found that in New Jersey, 7,944 homes were purchased in 2021 that were estimated to have been previously flooded. The expected annual flood damages for these sold homes were estimated to be over \$18 million.

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*DEP Blue Acres helps New Jersey residents and communities identify and avoid risks of flooding through strategic climate resilience planning and the state-led acquisition of flood-prone property.*

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