

HOUSE No. 2251

By Mr. Fitzgerald of Boston, petition of Kevin W. Fitzgerald that the sellers of residential dwellings be required to disclose the cost of heating such structures. Energy.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT PROVIDING FOR DISCLOSURE OF THE COST OF ENERGY.

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

1 SECTION 1. The General Laws are hereby amended by adding
2 after chapter 93E thereof a new chapter as follows: —

3 **CHAPTER 93F.**
4 **REGULATING THE DISCLOSURE OF ENERGY INFORMATION.**

5 *Section 1.* Definitions. For the purposes of this chapter, the
6 following terms shall have the following meanings:

7 "Residential Structure", shall mean a one, two or three unit
8 family dwelling or a single unit of a multiple dwelling, including
9 but not limited to an individual condominium unit or cooperative
10 unit, which is offered for sale or rental on or after January 1, 1972
11 by any person other than the original contractor or builder of any
12 such dwelling.

13 "Heating and Cooling Costs" shall mean all bills rendered by a
14 retail vendor for energy used in heating and/or cooling purposes in
15 a residential structure, including any bill where the cost of energy
16 used for heating and/or cooling purposes is not differentiated from
17 the costs of energy used for any other purpose.

18 "Lessor" shall mean any person who offers any residential struc-
19 ture for lease to the general public.

20 "Seller" shall mean any person who offers a residential structure
21 for sale to the general public.

1 SECTION 2. On or after January 1, 1982, the seller of a resi-
2 dential structure shall, within 15 days of receipt of a written request
3 from a prospective purchaser, furnish such purchaser a complete
4 set of heating and/or cooling bills, or a summary of such heating
5 and/or cooling bills, for the life of the structure or for the preceding
6 year, whichever is shorter. On or after January 1, 1983, the seller
7 shall pursuant to this section provide heating and/or cooling cost
8 for the life of the structure or for the preceding two years, which-
9 ever is shorter. A seller need not honor a request for heating or
10 cooling bills if such request is initially made after the signing of a
11 purchase and sale contract.

1 SECTION 3. On or after January 1, 1982, the lessor of a resi-
2 dential structure where the lessee is responsible for payment of the
3 heating and/or cooling bills shall, immediately upon a receipt of a
4 request from a prospective lessee, furnish such lessee a complete set
5 of heating and/or cooling bills, or a summary of heating and/or
6 cooling bills, for the life of the structure or for the preceding year,
7 whichever is shorter. On or after January 1, 1983, the lessor shall
8 pursuant to this section, provide heating and/or cooling costs for
9 the life of the structure or for the preceding two years, whichever is
10 shorter.

1 SECTION 4. All heating and/or cooling bills furnished by a
2 seller or lessor shall indicate whether the residential structure was
3 occupied during the period of time for which the heating and/or
4 cooling bills are supplied.

1 SECTION 5. No charge or fee shall be imposed on any pur-
2 chaser or lessee by any seller or lessor for furnishing heating and/or
3 cooling bills or summaries thereof, pursuant to this act.

1 SECTION 6. Commencing January 1, 1981, every retail vendor
2 of fuel or utility services used for heating and/or cooling residen-
3 tial structures shall maintain records of the cost of fuel or utility
4 services provided such structures for at least two calendar years.

1 SECTION 7. On or after January 1, 1982, a retail vendor shall,
2 within 10 days after receiving a written request from the seller or
3 lessor of a residential structure, furnish such owner or lessor with
4 duplicate copies of the heating and/or cooling bills, or a summary
5 of the heating and/or cooling bills, for the life of the structure or
6 the preceding one year priod, whichever is shorter. On or after
7 January 1, 1983, the retail vendor shall, pursuant to this section,
8 provide heating and/or cooling bills for the life of the structure or
9 for the preceding two years, whichever is shorter.

1 SECTION 8. A retail vendor may charge a fee not to exceed
2 five dollars for providing such duplicate copies of heating and/or
3 cooling bills, or a summary of such bills, to any such owner.

1 SECTION 9. Provisions of this act shall be enforced by the
2 Attorney General pursuant to G.L. c. 93A, s. 4.

1 SECTION 10. The failure of a seller or lessor to furnish the
2 heating and/or cooling bills required pursuant to this act to a
3 prospective purchaser or lessee shall not affect legal title to any
4 residential structure to avoid any obligations he may have, under
5 any purchase contract or lease.

1 SECTION 11. If any provision of this act, or its application is
2 held invalid by a court of competent jurisdiction, such invalidity
3 shall not affect any other provision or application of this act.

The following is a list of the names of the persons who have been admitted to the membership of the Society since the last meeting. The names are arranged in alphabetical order.

1. Mr. John A. Smith

2. Mr. James B. Jones

3. Mr. William C. Brown

4. Mr. Robert D. White

5. Mr. Thomas E. Green

6. Mr. Charles F. Black

7. Mr. Henry G. Gray

8. Mr. George H. White

9. Mr. Richard I. Black

10. Mr. John K. Gray

11. Mr. William L. White

12. Mr. James M. Black

13. Mr. Robert N. Gray

14. Mr. Thomas O. White

15. Mr. Charles P. Black

16. Mr. Henry Q. Gray

17. Mr. George R. White

18. Mr. Richard S. Black

19. Mr. John T. Gray

20. Mr. William U. White

21. Mr. James V. Black

22. Mr. Robert W. Gray

23. Mr. Thomas X. White

24. Mr. Charles Y. Black

25. Mr. Henry Z. Gray

26. Mr. George AA. White

27. Mr. Richard AB. Black

28. Mr. John AC. Gray

29. Mr. William AD. White

30. Mr. James AE. Black

31. Mr. Robert AF. Gray

32. Mr. Thomas AG. White

33. Mr. Charles AH. Black

34. Mr. Henry AI. Gray

35. Mr. George AJ. White

36. Mr. Richard AK. Black

37. Mr. John AL. Gray

38. Mr. William AM. White

39. Mr. James AN. Black

40. Mr. Robert AO. Gray

41. Mr. Thomas AP. White

42. Mr. Charles AQ. Black

43. Mr. Henry AR. Gray

44. Mr. George AS. White

45. Mr. Richard AT. Black

46. Mr. John AU. Gray

47. Mr. William AV. White

48. Mr. James AW. Black

49. Mr. Robert AX. Gray

50. Mr. Thomas AY. White

51. Mr. Charles AZ. Black

52. Mr. Henry BA. Gray

53. Mr. George BB. White

54. Mr. Richard BC. Black

55. Mr. John BD. Gray

56. Mr. William BE. White

57. Mr. James BF. Black

58. Mr. Robert BG. Gray

59. Mr. Thomas BH. White

60. Mr. Charles BI. Black

61. Mr. Henry BJ. Gray

62. Mr. George BK. White

63. Mr. Richard BL. Black

64. Mr. John BM. Gray

65. Mr. William BN. White

66. Mr. James BO. Black

67. Mr. Robert BP. Gray

68. Mr. Thomas BQ. White

69. Mr. Charles BR. Black

70. Mr. Henry BS. Gray

71. Mr. George BT. White

72. Mr. Richard BU. Black

73. Mr. John BV. Gray

74. Mr. William BW. White

75. Mr. James BX. Black

76. Mr. Robert BY. Gray

77. Mr. Thomas BZ. White

78. Mr. Charles CA. Black

79. Mr. Henry CB. Gray

80. Mr. George CC. White

81. Mr. Richard CD. Black

82. Mr. John CE. Gray

83. Mr. William CF. White

84. Mr. James CG. Black

85. Mr. Robert CH. Gray

86. Mr. Thomas CI. White

87. Mr. Charles CJ. Black

88. Mr. Henry CK. Gray

89. Mr. George CL. White

90. Mr. Richard CM. Black

91. Mr. John CN. Gray

92. Mr. William CO. White

93. Mr. James CP. Black

94. Mr. Robert CQ. Gray

95. Mr. Thomas CR. White

96. Mr. Charles CS. Black

97. Mr. Henry CT. Gray

98. Mr. George CU. White

99. Mr. Richard CV. Black

100. Mr. John CW. Gray

101. Mr. William CX. White

102. Mr. James CY. Black

103. Mr. Robert CZ. Gray

104. Mr. Thomas DA. White

105. Mr. Charles DB. Black

106. Mr. Henry DC. Gray

107. Mr. George DD. White

108. Mr. Richard DE. Black

109. Mr. John DF. Gray

110. Mr. William DG. White

111. Mr. James DH. Black

112. Mr. Robert DI. Gray

113. Mr. Thomas DJ. White

114. Mr. Charles DK. Black

115. Mr. Henry DL. Gray

116. Mr. George DM. White

117. Mr. Richard DN. Black

118. Mr. John DO. Gray

119. Mr. William DP. White

120. Mr. James DQ. Black

121. Mr. Robert DR. Gray

122. Mr. Thomas DS. White

123. Mr. Charles DT. Black

124. Mr. Henry DU. Gray

125. Mr. George DV. White

126. Mr. Richard DW. Black

127. Mr. John DX. Gray

128. Mr. William DY. White

129. Mr. James DZ. Black

130. Mr. Robert EA. Gray

131. Mr. Thomas EB. White

132. Mr. Charles EC. Black

133. Mr. Henry ED. Gray

134. Mr. George EE. White

135. Mr. Richard EF. Black

136. Mr. John EG. Gray

137. Mr. William EH. White

138. Mr. James EI. Black

139. Mr. Robert EJ. Gray

140. Mr. Thomas EK. White

141. Mr. Charles EL. Black

142. Mr. Henry EM. Gray

143. Mr. George EN. White

144. Mr. Richard EO. Black

145. Mr. John EP. Gray

146. Mr. William EQ. White

147. Mr. James ER. Black

148. Mr. Robert ES. Gray

149. Mr. Thomas ET. White

150. Mr. Charles EU. Black

151. Mr. Henry EV. Gray

152. Mr. George EW. White

153. Mr. Richard EX. Black

154. Mr. John EY. Gray

155. Mr. William EZ. White

156. Mr. James FA. Black

157. Mr. Robert FB. Gray

158. Mr. Thomas FC. White

159. Mr. Charles FD. Black

160. Mr. Henry FE. Gray

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170. Mr. George FO. White

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173. Mr. William FR. White

174. Mr. James FS. Black

175. Mr. Robert FT. Gray

176. Mr. Thomas FU. White

177. Mr. Charles FV. Black

178. Mr. Henry FW. Gray

179. Mr. George FX. White

180. Mr. Richard FY. Black

181. Mr. John FZ. Gray

182. Mr. William GA. White

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221. Mr. Thomas HN. White

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224. Mr. George HQ. White

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228. Mr. James HU. Black

229. Mr. Robert HV. Gray

230. Mr. Thomas HW. White

231. Mr. Charles HX. Black

232. Mr. Henry HY. Gray

233. Mr. George HZ. White

234. Mr. Richard IA. Black

235. Mr. John IB. Gray

236. Mr. William IC. White

237. Mr. James ID. Black

238. Mr. Robert IE. Gray

239. Mr. Thomas IF. White

240. Mr. Charles IG. Black

241. Mr. Henry IH. Gray

242. Mr. George II. White

243. Mr. Richard IJ. Black

244. Mr. John IK. Gray

245. Mr. William IL. White

246. Mr. James IM. Black

247. Mr. Robert IN. Gray

248. Mr. Thomas IO. White

249. Mr. Charles IP. Black

250. Mr. Henry IQ. Gray

251. Mr. George IR. White

252. Mr. Richard IS. Black

253. Mr. John IT. Gray

254. Mr. William IU. White

255. Mr. James IV. Black

256. Mr. Robert IW. Gray

257. Mr. Thomas IX. White

258. Mr. Charles IY. Black

259. Mr. Henry IZ. Gray

260. Mr. George JA. White

261. Mr. Richard JB. Black

262. Mr. John JC. Gray

263. Mr. William JD. White

264. Mr. James JE. Black

265. Mr. Robert JF. Gray

266. Mr. Thomas JG. White

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268. Mr. Henry JI. Gray

269. Mr. George JJ. White

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272. Mr. William JM. White

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274. Mr. Robert JO. Gray

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278. Mr. George JS. White

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281. Mr. William JV. White

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285. Mr. Charles JZ. Black

286. Mr. Henry KA. Gray

287. Mr. George KB. White

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299. Mr. William KN. White

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301. Mr. Robert KP. Gray

302. Mr. Thomas KQ. White

303. Mr. Charles KR. Black

304. Mr. Henry KS. Gray

305. Mr. George KT. White

306. Mr. Richard KU. Black

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309. Mr. James KX. Black

310. Mr. Robert KY. Gray

311. Mr. Thomas KZ. White

312. Mr. Charles LA. Black

313. Mr. Henry LB. Gray

314. Mr. George LC. White

315. Mr. Richard LD. Black

316. Mr. John LE. Gray

317. Mr. William LF. White

318. Mr. James LG. Black

319. Mr. Robert LH. Gray

320. Mr. Thomas LI. White

321. Mr. Charles LJ. Black

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323. Mr. George LL. White

324. Mr. Richard LM. Black

325. Mr. John LN. Gray

326. Mr. William LO. White

327. Mr. James LP. Black

328. Mr. Robert LQ. Gray

329. Mr. Thomas LR. White

330. Mr. Charles LS. Black

331. Mr. Henry LT. Gray

332. Mr. George LU. White

333. Mr. Richard LV. Black

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386. Mr. George NZ. White

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541. Mr. John TX. Gray

542. Mr. William TY. White

543. Mr. James TZ. Black

544. Mr. Robert UA. Gray

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548. Mr. George UE. White

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552. Mr. James UI. Black

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