



Flood Risk Disclosure

Model State Requirements for Disclosing Flood Risk
During Real Estate Transactions

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FEMA

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1. Disclosing Flood Risk Helps Protect Life and Property

Floods are costly to homeowners – a single inch of flooding can cost up to \$25,000.¹ For an uninsured homeowner, a flood can be devastating. Knowing the risk of flooding is the first step toward adequately protecting lives and property. That knowledge can help individuals, families, and communities.

Disclosing flood risk information during real estate transactions is a timely and effective way to enable homeowners to make better risk-informed investment decisions. Currently, no federal statutes require property sellers to disclose information about flood risk or prior flood damage. However, states can take action to protect home buyers in their state by enacting laws and implementing practices that require disclosure of flood risk. In fact, states with strong flood risk disclosure requirements often also have higher rates of residential flood insurance uptake.² When more at-risk individuals and families are covered by a flood insurance policy, communities can recover more quickly and more fully after floods.

As of the date of publication, 35 states have enacted some form of legal or regulatory mechanism requiring property sellers to disclose factors related to flood risk about their property. This guide identifies states with the strongest flood risk disclosure requirements and provides a selection of their laws and disclosure forms as models for use in introducing or strengthening a state's real estate disclosure requirements.

1.1. Intended Audience

This guide is primarily intended for use by technical flood risk experts and by elected and career officials responsible for legislative action at the state and territory level. It might also be consulted by all others interested in flood risks and their disclosure.

1.2. Intended Use

This guide helps its intended audience develop or refine existing state laws and/or real estate disclosure forms to strengthen their state's flood risk disclosure mechanisms.

2. Models for Strong State Flood Risk Disclosure Requirements

States often enact real estate disclosure laws. Such laws require written statements from a seller that disclose any facts about the property that are material to its value, such as prior flood damage and flood risk. To implement real estate disclosure laws, states may mandate the use of official disclosure forms to guide and standardize disclosure statements that must accompany real estate

¹ <https://www.floodsmart.gov/cost-flooding>.

² See Appendix A for the method used to analyze the relationship between state flood risk disclosure requirements and statewide residential flood insurance penetration.

transactions, often at the time of offer. These disclosure forms frequently include specific disclosures related to flood risk. The relevant disclosures may make real estate markets work better, because mandatory disclosure can promote informed choices.

On June 7th, 2022, FEMA conducted and finalized a review and analysis of state real estate disclosure laws and mandated disclosure forms. A state-by-state view of the flood risk disclosure requirements that FEMA found is included in Appendix B and Appendix C of this document. The insights from this review and analysis are summarized in the subsequent sections.

2.1. Summary Flood Risk Disclosure Requirements Found in State Disclosure Laws and Forms

The following 10 flood risk disclosures are commonly found in state disclosure laws and/or legally mandated disclosure forms. These include disclosures of:

1. Whether the property is in a flood hazard area and/or the Federal Emergency Management Agency (FEMA) Flood Zone in which the property is located
2. A federal requirement to purchase flood insurance at the property
3. The presence of an active flood insurance policy for the property
4. The current cost of flood insurance premiums for the property
5. Previous flood events and/or flood-related property damage
6. Any past flood insurance claims
7. Past flood insurance claim dates and amounts
8. Any past disaster-related aid provided (federal, state, or local)
9. Past disaster-related aid dates and amounts
10. Other related disclosures (e.g., elevation certificates, areas subject to inundation, etc.)

Figure 1 shows the distribution of these 10 state disclosure laws and implementation practices across the states. Some states explicitly require four or more flood risk disclosures, while others explicitly require fewer than that, and imply one or more of such disclosures. Several states do not legally require sellers to disclose a property's flood risk information at all.

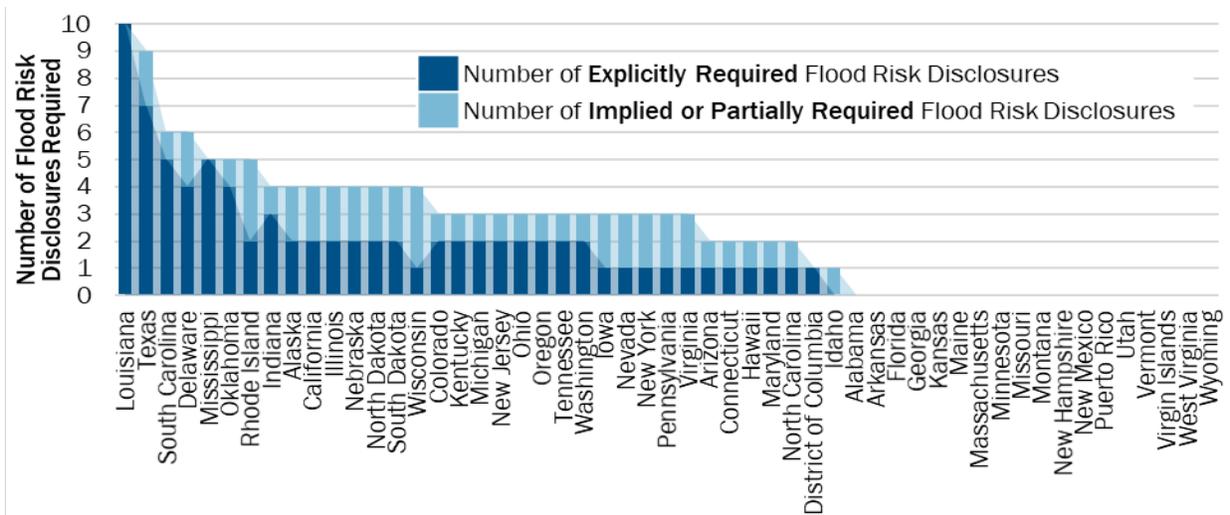


Figure 1: Number of Mandated Flood Risk Disclosures by State

Among the 35 states that legally require flood risk disclosures, the most common disclosures are: 1) whether the property has experienced past flood damage or has flooding problems and 2) whether the property is located in a FEMA-designated SFHA or flood zone. The least common state-mandated flood risk disclosures relate to whether the property has received flood insurance claim payments and/or received other disaster aid as a result of past flood damage. Some states also mandate other types of flood-related disclosures such as whether the property is considered a “Repetitive Loss Property” by the NFIP or is located in a dam inundation area.

2.2. Detailed Examples from States with Strong Flood Risk Disclosure Requirements

Several states have mandated multiple flood risk disclosures as part of their laws and/or disclosure forms. As illustrated in dark blue in Figure 2 below, five states (Louisiana, Texas, South Carolina, Mississippi, and Delaware) have the most flood risk disclosure requirements.

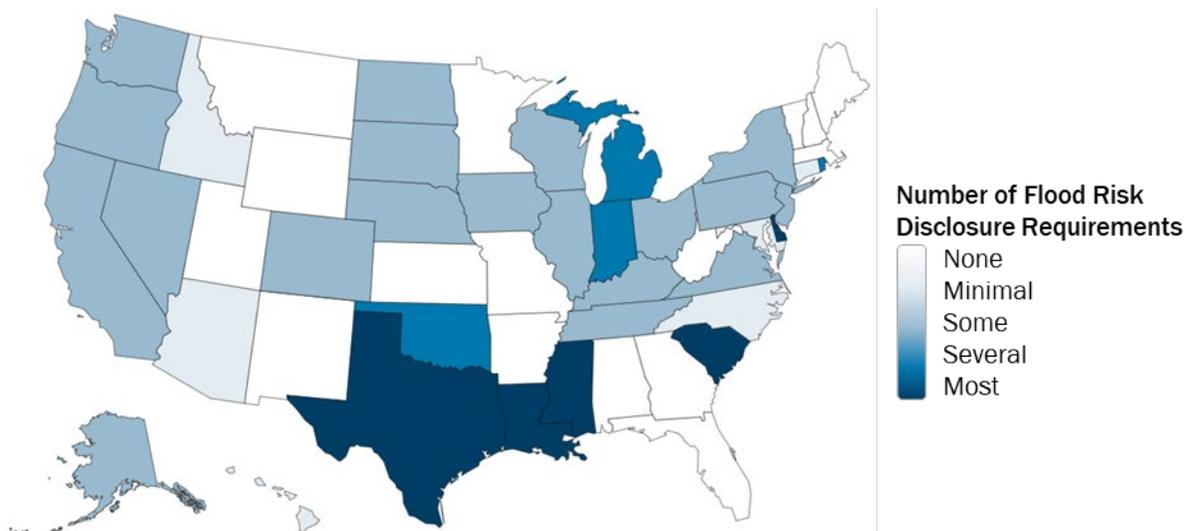


Figure 2: The Strength of State Flood Risk Disclosure Requirements Across the Nation

The following subsections highlight these states' approaches. Appendix C provides the state statutes and links to state mandated disclosure forms.

For each state model, the following symbols are used to illustrate how the state's law or disclosure form addresses the 10 flood risk disclosure types:

- Explicitly required
- P** Partially required or implied
- Not required

2.2.1. LOUISIANA

As set forth in Louisiana Revised Statute § 9:3196-3200, a seller of residential real property must furnish buyers with a Property Disclosure Document. The state of Louisiana requires sellers to use the form promulgated by the Louisiana Real Estate Commission or another form that contains substantially the same information.

Flood risk disclosures required in the state's law and/or mandatory disclosure form:

- Location of the property in a flood hazard area and/or the FEMA Flood Zone (e.g., A, V, X) in which the property is located
- A federal requirement to purchase flood insurance at the property
- The presence of an active flood insurance policy for the property
- The current cost of flood insurance premiums for the property
- Previous flood events and/or flood-related property damage
- Any past flood insurance claims
- Past flood insurance claim dates and amounts
- Any past disaster-related aid provided (federal, state, or local)
- Past disaster-related aid dates and amounts
- Other related disclosures (e.g., elevation certificates)

Flood Risk Disclosure Questions Contained in Louisiana's Mandated Disclosure Form

(1) **Has any flooding, water intrusion, accumulation, or drainage problem been experienced with respect to the land: (a) during the time the SELLER owned the property? Y N If yes, indicate the nature and frequency of the defect at the end of this section. (b) prior to the time the SELLER owned the property?**

[]Y []N []UNK

If yes, indicate the nature and frequency of the defect at the end of this section.

(2) **Has any structure on the property ever flooded, by rising water, water intrusion or otherwise?**

a. during the time the SELLER owned the property?

[]Y []N

- b. prior to the time the SELLER owned the property?
 Y N JUNK

If yes, give the nature and frequency of the defect at the end of this section.

(3) What is/are the flood zone classification(s) of the property? _____ What is the source and date of this information? Check all that apply.

Survey / Date _____

Elevation Certificate / Date

Other / Date

FEMA Flood Map - <https://msc.fema.gov/portal> or <https://www.floodsmart.gov/flood-map-zone/find-yours>

Other: _____

(4) SPECIAL FLOOD HAZARD AREAS. If the property is located within a designated special flood hazard area on a map prepared by the Federal Emergency Management Agency, the federal law (42 U.S.C. § 4104a, et seq.), mandates that prospective purchasers be advised that flood insurance may be required as a condition of obtaining financing. Is the property within a designated special flood hazard area?

Y N

(5) Is there flood insurance on the property?

Y N

IF YES, A COPY OF THE POLICY DECLARATIONS PAGE SHALL BE ATTACHED AND BECOME PART OF THIS PROPERTY DISCLOSURE DOCUMENT.

(6) Does SELLER have a flood elevation certificate that will be shared with BUYER?

Y N

(7) Has the SELLER made a private flood insurance claim for this property?

Y N JUNK

- a. If YES, was the claim approved?

Y N JUNK

- b. If YES, what was the amount received? _____

(8) Did the previous owner make a private flood insurance claim for this property?

Y N JUNK

- a. If YES, was the claim approved?

Y N JUNK

- b. If YES, what was the amount received? _____

(9) Has the SELLER made an NFIP claim for this property?

Y N JUNK

a. If YES, was the claim approved?
[]Y []N []UNK

b. If YES, what was the amount received? _____

(10) **Did the previous owner make an NFIP claim for this property?**
[]Y []N []UNK

a. If YES, was the claim approved?
[]Y []N []UNK

b. If YES, what was the amount received? _____

(11) **FLOOD DISASTER INSURANCE. If the SELLER or previous owner has previously received federal flood disaster assistance and such assistance was conditioned upon obtaining and maintaining flood insurance on the property, federal law, i.e., 42 U.S.C. § 5154a, mandates that prospective purchasers be advised that they will be required to maintain insurance on the property and that if insurance is not maintained and the property is thereafter damaged by a flood disaster, the purchaser may not be eligible for additional Federal flood disaster assistance. To the best of the SELLER's knowledge, has federal flood disaster assistance been previously received with regard to the property?**
[]Y []N []UNK

a. If YES, from which federal agency (e.g., FEMA, SBA)? _____

b. If YES, what was the amount received? _____

c. If YES, what was the purpose of the assistance (e.g., elevation, mitigation, restoration)?
_____.

2.2.2. TEXAS

As set forth in Texas Property Code § 5.008, the state of Texas requires sellers to provide written notice of a property's condition to the purchaser and mandates the use of an official disclosure form developed by the Texas Real Estate Commission.

Flood risk disclosures required in the state's law and/or mandatory disclosure form:

- Location of the property in a flood hazard area and/or the FEMA Flood Zone (e.g., A, V, X) in which the property is located
- P** A federal requirement to purchase flood insurance at the property
- The presence of an active flood insurance policy for the property
- The current cost of flood insurance premiums for the property
- Previous flood events and/or flood-related property damage
- Any past flood insurance claims
- P** Past flood insurance claim dates and amounts
- Any past disaster-related aid provided (federal, state, or local)
- P** Past disaster-related aid dates and amounts

- Other related disclosures (e.g., elevation certificates, etc.)

Flood Risk Disclosure Questions Contained in Texas’s Mandated Disclosure Form

(1) Are you (Seller) aware of any of the following conditions*? Write Yes (Y) if you are aware, write No (N) if you are not aware.

____ Present flood insurance coverage

____ Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir

____ Previous water penetration into a structure on the property due to a natural flood event

(2) Write Yes (Y) if you are aware, and check wholly or partly as applicable, write No (N) if you are not aware.

____ Located [] wholly or [] partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)

____ Located [] wholly or [] partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))

____ Located [] wholly or [] partly in a floodway

____ Located [] wholly or [] partly in a flood pool

____ Located [] wholly or [] partly in a reservoir

If the answer to any of the above is yes, explain (attach additional sheets if necessary):

*For purposes of this notice:

"100-year floodplain" means any area of land that:

(A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, AH, VE, or AR on the map;

(B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding; and

(C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that:

(A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and

(B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

“Flood pool” means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

“Flood insurance rate map” means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.).

“Floodway” means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation of more than a designated height.

“Reservoir” means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

(3) Have you (Seller) ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)*?
[] Yes [] No.

If yes, explain (attach additional sheets as necessary):

*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (FEMA) encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s).

(4) Have you (Seller) ever received assistance from FEMA or the U.S. Small Business Administration (SBA) for flood damage to the property?
[] Yes [] No.

If yes, explain (attach additional sheets as necessary):

2.2.3. SOUTH CAROLINA

As set forth in the South Carolina Code § 27-50-40, an owner of residential real property must provide a written and signed disclosure statement prior to forming a real estate contract. South Carolina mandates the use of an official form promulgated by the state’s commission.

Flood risk disclosures required in the state’s law and/or mandatory disclosure form:

- Location of the property in a flood hazard area and/or the FEMA Flood Zone (e.g., A, V, X) in which the property is located
- P** A federal requirement to purchase flood insurance at the property
- The presence of an active flood insurance policy for the property

- The current cost of flood insurance premiums for the property
- Previous flood events and/or flood-related property damage
- Any past flood insurance claims
- Past flood insurance claim dates and amounts
- Any past disaster-related aid provided (federal, state, or local)
- Past disaster-related aid dates and amounts
- Other related disclosures (e.g., elevation certificates, proof of mitigation)

Flood Risk Disclosure Questions Contained in South Carolina’s Mandated Disclosure Form

As owner, do you have any actual knowledge or notice concerning the following:

- (1) **Problems caused by fire, smoke, or water to the property during your ownership**
[] Yes [] No [] No Representation
- (2) **Flood hazards, wetlands, or flood hazard designations affecting the property**
[] Yes [] No [] No Representation
- (3) **Flood insurance covering the property**
[] Yes [] No [] No Representation
- (4) **Federal Emergency Management Agency (FEMA) claims filed on the property**
[] Yes [] No [] No Representation.
 - a. If yes, please list the dates of all claims: _____

2.2.4. MISSISSIPPI

As set forth in Mississippi State Code §89-1-507 through §89-1-527, sellers are required to provide a written property condition disclosure statement to buyers. The state mandates the use of an official Property Condition Disclosure Statement (PCDS) form.

Flood risk disclosures required in the state’s law and/or mandatory disclosure form:

- Location of the property in a flood hazard area and/or the FEMA Flood Zone (e.g., A, V, X) in which the property is located
- A federal requirement to purchase flood insurance at the property
- The presence of an active flood insurance policy for the property
- The current cost of flood insurance premiums for the property
- Previous flood events and/or flood-related property damage
- Any past flood insurance claims
- Past flood insurance claim dates and amounts
- Any past disaster-related aid provided (federal, state, or local)
- Past disaster-related aid dates and amounts
- Other related disclosures (e.g., elevation certificates)

Flood Risk Disclosure Questions Contained in Mississippi's Mandated Disclosure Form

(1) **Are you aware if any portion of the Property (including a part of the site) is currently located in or near a FEMA Designated Flood Hazard Zone?**

Yes ____ No ____ Unknown ____.

If "YES", please indicate the source of your information and the current Map Number used to determine the Flood Zone _____.

(2) **Is Flood Insurance currently required on the Property?**

Yes ____ No ____.

If "YES", please indicate the amount of the premium currently being paid and when the premium was last adjusted _____.

(3) **FOR ANY REASON, past or present, has any portion of the interior of the Property ever suffered water damage or moisture related damage which was caused by flooding, lot drainage, moisture seepage, condensation, sewer overflow, sewer backup, leaking or broken water pipes (during or after construction) pipe fittings, plumbing fixtures, leaking appliances, fixtures or equipment?**

Yes ____ No ____.

If "YES", please describe, to your knowledge, the nature of the problems and what steps were taken to remedy the problems _____.

2.2.5. DELAWARE

As set forth in 6 Del C. § 2572 and § 2573, the state of Delaware requires sellers of residential property to disclose all material defects of the property in writing. Sellers are required to use an official form promulgated by the Delaware Real Estate Commission.

Flood risk disclosures required in the state's law and/or mandatory disclosure form:

- Location of the property in a flood hazard area and/or the FEMA Flood Zone (e.g., A, V, X) in which the property is located
- P** A federal requirement to purchase flood insurance at the property
- The presence of an active flood insurance policy for the property
- The current cost of flood insurance premiums for the property
- Previous flood events and/or flood-related property damage
- P** Any past flood insurance claims
- Past flood insurance claim dates and amounts
- Any past disaster-related aid provided (federal, state, or local)
- Past disaster-related aid dates and amounts
- Other related disclosures (e.g., elevation certificates, proof of mitigation)

Flood Risk Disclosure Questions Contained in Delaware's Mandated Disclosure Form

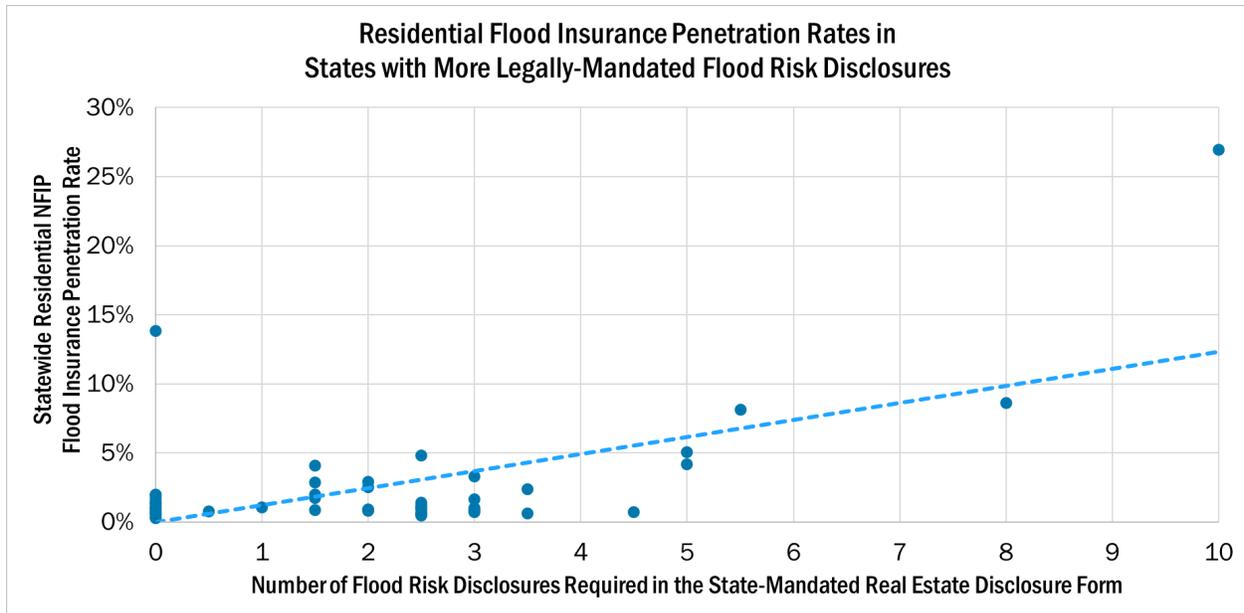
- (1) **Is any part of the property located in (___ a flood zone) and / or (___ a wetlands area)?**
[]Y []N []UNK []N/A
- (2) **Are there any drainage or flood problems affecting the property? If Yes, describe.**
[]Y []N []UNK []N/A
- (3) **Do you carry flood insurance? Agent: _____ Policy # _____**
[]Y []N []UNK []N/A
- a. If Yes, what is the annual cost of this policy? _____
- (4) **Have you made any insurance claims on the property in the past 5 years? If Yes, describe.**
[]Y []N []UNK []N/A
- (5) **Does the property have standing water in front, rear, or side yards for more than 48 hours after raining?**
[]Y []N []UNK []N/A

Appendix A. Analysis of the Relationship Between State Flood Risk Disclosure Requirements and Flood Insurance Penetration Rates

In preparing this document, FEMA performed a linear regression analysis to understand the relationship between (1) the strength of state flood disclosure laws and (2) statewide residential NFIP flood insurance penetration rates. Flood insurance penetration is expressed as the percentage of residential structures that are covered by a flood insurance policy contract. Flood insurance penetration is an important indicator of risk reduction and resilience as households with flood insurance are able to recover quickly and more fully from flood events.

1. To calculate a value for the strength of state flood disclosure laws:
 - The number of explicitly required and partially required flood disclosures were identified.
 - Explicit flood-related disclosure requirements were given a value of 1; partial or implied requirements were given a value of 0.5.
 - *All flood-related disclosure requirements were weighted equally for the purposes of this analysis. However, without further study, it should not be assumed that each individual requirement has an equal relationship (if any) with flood insurance penetration rates.*
 - Assigned values were totaled to arrive at a score for each state. Appendix B provides more detail and the scores for each state.
2. To calculate a value for the statewide residential NFIP flood insurance penetration rate: The total number of NFIP Contracts in Force (CIFs) in the state was divided by the estimated number of residential structures in the state.
 - The total number of NFIP CIFs in the state was obtained from FEMA's PIVOT system (as of May 16, 2022).
 - The estimated number of residential structures in the state was created with the U.S. Army Corp of Engineers (USACE) National Structure Inventory 2.0 (NSI 2.0) as of May 16, 2022. The NSI 2.0 is based on a combination of the following data sources:
 - HAZUS dasymetric general building stock data
 - Microsoft (Bing) building outlines
 - CoreLogic Homeland Infrastructure Foundation-Level Data (HIFLD) parcel data
 - Other non-public USACE structure data

As illustrated in Figure 3, a moderate positive correlation is observed between the two variables, with a correlation coefficient of 0.6069, R² value of 36.84%, and P value of <0.00001. This can be interpreted as statistically significant and demonstrates that stronger flood risk disclosure requirements are associated with higher residential flood insurance penetration rates. However, there is opportunity for more detailed studies to further explore the relationship.



State (Ordered from Highest to Lowest Flood Insurance Penetration Rate)	Number of Residential Flood Insurance Contracts in Force Statewide as of 5/16/2022	Total Number of Residential Structures in the State as of 5/16/2022	Statewide Residential Flood Insurance Penetration Rate as of 5/16/2022	Number of State-Mandated Flood Risk Disclosure Requirements
Louisiana	433,999	1,608,997	26.97%	10
Florida	918,865	6,639,340	13.84%	0
Texas	665,093	7,739,891	8.59%	8
South Carolina	133,011	1,639,147	8.11%	5.5
Delaware	16,735	331,944	5.04%	5
New Jersey	125,929	2,612,768	4.82%	2.5
Mississippi	49,629	1,184,768	4.19%	5
Hawaii	11,778	288,704	4.08%	1.5
North Dakota	6,496	196,037	3.31%	3
New York	120,338	4,154,901	2.90%	2
North Carolina	106,631	3,735,018	2.85%	1.5
Virginia	76,164	3,035,188	2.51%	2
Rhode Island	7,675	321,035	2.39%	3.5
Connecticut	20,770	1,040,742	2.00%	1.5
Georgia	63,388	3,233,526	1.96%	0
Massachusetts	33,546	1,734,690	1.93%	0

State (Ordered from Highest to Lowest Flood Insurance Penetration Rate)	Number of Residential Flood Insurance Contracts in Force Statewide as of 5/16/2022	Total Number of Residential Structures in the State as of 5/16/2022	Statewide Residential Flood Insurance Penetration Rate as of 5/16/2022	Number of State-Mandated Flood Risk Disclosure Requirements
Maryland	32,374	1,874,568	1.73%	1.5
Alabama	29,922	1,778,757	1.68%	0
California	154,391	9,367,440	1.65%	3
West Virginia	9,864	673,357	1.46%	0
Oregon	17,784	1,293,153	1.38%	2.5
Vermont	2,328	172,304	1.35%	0
New Mexico	9,179	679,480	1.35%	0
Kentucky	14,737	1,261,103	1.17%	2.5
Maine	5,335	478,758	1.11%	0
Washington	23,807	2,251,543	1.06%	2.5
District of Columbia	1,228	116,432	1.05%	1
Arkansas	10,499	1,025,776	1.02%	0
Nebraska	6,335	626,143	1.01%	3
New Hampshire	4,343	446,415	0.97%	0
Nevada	8,336	894,349	0.93%	2
Tennessee	20,248	2,217,557	0.91%	2.5
South Dakota	2,342	258,009	0.91%	3
Pennsylvania	35,809	4,134,248	0.87%	2
Arizona	20,606	2,384,574	0.86%	1.5
Iowa	7,622	923,321	0.83%	2
Montana	3,185	396,447	0.80%	0
Alaska	1,601	206,522	0.78%	3
Idaho	4,096	534,067	0.77%	0.5
Oklahoma	9,286	1,299,494	0.71%	4.5
Illinois	23,901	3,454,545	0.69%	3
Kansas	6,376	924,457	0.69%	0
Colorado	11,629	1,728,488	0.67%	2.5
Indiana	14,296	2,225,316	0.64%	3.5
Missouri	12,701	2,030,324	0.63%	0

State (Ordered from Highest to Lowest Flood Insurance Penetration Rate)	Number of Residential Flood Insurance Contracts in Force Statewide as of 5/16/2022	Total Number of Residential Structures in the State as of 5/16/2022	Statewide Residential Flood Insurance Penetration Rate as of 5/16/2022	Number of State-Mandated Flood Risk Disclosure Requirements
Wyoming	1,243	208,979	0.59%	0
Wisconsin	8,855	1,607,624	0.55%	2.5
Ohio	19,564	3,866,063	0.51%	2.5
Michigan	15,041	3,074,234	0.49%	2.5
Minnesota	5,924	1,679,763	0.35%	0
Utah	2,479	825,682	0.30%	0
Puerto Rico	2,023	Unavailable	Not Calculated	0
U.S. Virgin Islands	707	Unavailable	Not Calculated	0

Figure 3 The Relationship Between State Flood Risk Disclosures and Residential Flood Insurance Penetration Rates

Appendix B: Analysis of State Flood Risk Disclosure Requirements

For the purposes of identifying states with the strongest flood risk disclosure mechanisms (shown in Figure 2), each state was scored against how many of the 10 flood disclosures were present in the state law or disclosure form. Explicit requirements count one point; partial or implied requirements are a half point. The last column shows the total scores, which inform the graduated bars on Figure 1 and the shading in the map on Figure 2.

Table 1: Analysis and Scoring of State Flood Disclosure Mechanisms

	0 Not Required	0.5 Partially Required or Implied	1 Explicitly Required									
State	Whether the property is in a flood hazard area and/or the FEMA Flood Zone	A federal requirement to purchase flood insurance at the property	The presence of an active flood insurance policy for the property	The current cost of flood insurance premiums for the property	Previous flood events and/or flood-related property damage	Any past flood insurance claims	Past flood insurance claim dates and amount of damage	Any past disaster-related aid provided	Past disaster-related aid dates and amounts	Other related disclosures (e.g., elevation certificates)	Strength of Flood Risk Disclosure Requirements	
Alabama											0	
Alaska	1	0.5			1	0.5					3	
Arizona	1	0.5									1.5	
Arkansas											0	
California	1	0.5			0.5					1	3	
Colorado	1	0.5			1						2.5	
Connecticut	1	0.5									1.5	
Delaware	1	0.5	1	1	1	0.5					5	
District of Columbia					1						1	
Florida											0	
Georgia											0	
Hawaii	1	0.5									1.5	
Idaho					0.5						0.5	
Illinois	1	0.5	1		0.5						3	
Indiana	1	0.5	1		1						3.5	

State	Whether the property is in a flood hazard area and/or the FEMA Flood Zone	A federal requirement to purchase flood insurance at the property	The presence of an active flood insurance policy for the property	The current cost of flood insurance premiums for the property	Previous flood events and/or flood-related property damage	Any past flood insurance claims	Past flood insurance claim dates and amount of damage	Any past disaster-related aid provided	Past disaster-related aid dates and amounts	Other related disclosures (e.g., elevation certificates)	Strength of Flood Risk Disclosure Requirements
Iowa	1	0.5			0.5						2
Kansas											0
Kentucky	1	1			0.5						2.5
Louisiana	1	1	1	1	1	1	1	1	1	1	10
Maine											0
Maryland	1	0.5									1.5
Massachusetts											0
Michigan		0.5	1		1						2.5
Minnesota											0
Mississippi	1	1	1	1	1						5
Missouri											0
Montana											0
Nebraska	1	0.5			1	0.5					3
Nevada	1	0.5			0.5						2
New Hampshire											0
New Jersey	1	0.5			1						2.5
New Mexico											0
New York	1	0.5			0.5						2
North Carolina	1	0.5									1.5
North Dakota	1	0.5			1	0.5					3
Ohio	1	0.5			1						2.5
Oklahoma	1	1	1		1	0.5					4.5
Oregon	1	0.5			1						2.5
Pennsylvania	1	0.5			0.5						2
Puerto Rico											0

State	Whether the property is in a flood hazard area and/or the FEMA Flood Zone	A federal requirement to purchase flood insurance at the property	The presence of an active flood insurance policy for the property	The current cost of flood insurance premiums for the property	Previous flood events and/or flood-related property damage	Any past flood insurance claims	Past flood insurance claim dates and amount of damage	Any past disaster-related aid provided	Past disaster-related aid dates and amounts	Other related disclosures (e.g., elevation certificates)	Strength of Flood Risk Disclosure Requirements
Rhode Island	1	0.5	1	0.5	0.5						3.5
South Carolina	1	0.5	1		1	1	1				5.5
South Dakota	1	0.5			1	0.5					3
Tennessee	0.5	1			1						2.5
Texas	1	1	1		1	1	0.5	1	0.5	1	8
Utah											0
Vermont											0
Virgin Islands											0
Virginia					0.5	0.5				1	2
Washington	1	0.5			1						2.5
West Virginia											0
Wisconsin	1	0.5			0.5	0.5					2.5
Wyoming											0

Appendix C: All State Statutes and Mandatory Disclosure Forms

Table 2 provides links to the statutes and disclosure forms used in this analysis. This analysis considered official state websites (e.g., “.gov” sites) to be authoritative. In some cases, state-mandated disclosure forms were hosted on the state’s real estate commission site, which was also considered authoritative. A few states’ references route through to third-party sites such as state realtor’s associations or LexisNexis; these have been identified in *italicized* text.

Table 2: Links to Relevant Statutes and Forms

State	Statute Number and Link	Mandatory Disclosure Form Title and Link
Alabama	Ala. Code § 34-27-36(a)(3)	No form mandated by the state
Alaska	Alaska Statutes § 34.70.010	Alaska Disclosure Statement
Arizona	AZ Rev Stat 33-422, § 33-423	Arizona Disclosure Statement
Arkansas	No state laws found	No form mandated by the state
California	California Code CIV 4.2.1.5-1102 and 4.2.1.7-1103	California Disclosure Statement
Colorado	Colorado Title 38-35.7-101-110	Alaska Disclosure Statement
Connecticut	Conn. Gen. Stat. Ann. § 20-327b	Connecticut Disclosure Statement
Delaware	Del. Code tit. 6, § 2572	Delaware Disclosure Statement
District of Columbia	DC Code § 42-1302	District of Columbia Disclosure Statement
Florida	FL Stat. § 475.278	No form mandated by the state
Georgia	Georgia Title 44.1-16	No form mandated by the state
Hawaii	Haw. Rev. Stat. §§ 508D-1, -4.5, -7.-15	Hawaii Disclosure Statement
Idaho	Idaho Code § 55-2508	Idaho Disclosure Statement
Illinois	225 Ill. Comp. Stat. 454/15-25	Illinois Disclosure Statement
Indiana	Indiana Title 32.21.5-5	Indiana Disclosure Statement
Iowa	Iowa Admin. Code r. 193E-14.1	Iowa Disclosure Statement
Kansas	Stat. § 58-30.106(d)	No form mandated by the state
Kentucky	KY Rev Stat § 324.360(1), (2), (7)	Kentucky Disclosure Statement
Louisiana	LA Rev Stat § 9:3198	Louisiana Disclosure Statement
Maine	Maine Rev. Stat. 32 § 13273(2)(A)	No form mandated by the state
Maryland	Md. Code Ann., Real Prop. § 10-702	Maryland Disclosure Statement
Massachusetts	254 Mass. Code Regs 3.00(13)(c)	No form mandated by the state
Michigan	Mich. Comp. Laws §§ 565. 954, 957, 959	Michigan Disclosure Statement

State	Statute Number and Link	Mandatory Disclosure Form Title and Link
Minnesota	Minn. Stat. § 513.55	No form mandated by the state
Mississippi	Mississippi Code 89-1-501	Mississippi Disclosure Statement
Missouri	Missouri Revised Statutes § 339.730(3)	No form mandated by the state
Montana	MT Code § 37-51-313	No form mandated by the state
Nebraska	Nebraska Revised Statutes § 76-2,120(2) and (6); 302	Nebraska Disclosure Statement
Nevada	NV Rev Stat §§ 113.130, 113.140	Nevada Disclosure Statement
New Hampshire	NH Revised Statutes § 331-A:25-b	No form mandated by the state
New Jersey	NJ Admin Code 13:45A-29.1	New Jersey Disclosure Statement
New Mexico	N.M. Code R. § 16.61.19.8	No form mandated by the state
New York	New York Laws RPP § 462(2), 465	New York Disclosure Statement
North Carolina	21 NCAC § 58A.0114	North Carolina Disclosure Statement
North Dakota	North Dakota Century Code §§ 43-23-08.3 - 12.1	North Dakota Disclosure Statement
Ohio	Ohio Revised Code § 5302.30	Ohio Disclosure Statement
Oklahoma	Okla. Stat. Title 60, §§ 833, 836	Oklahoma Disclosure Statement
Oregon	OR Rev Stat § 105.464(2)	Oregon Disclosure Statement
Pennsylvania	Pa. Code §§ 35.284a, .335a	Pennsylvania Disclosure Statement
Puerto Rico	No Laws Found	No form mandated by the territory
Rhode Island	R.I. Gen. Laws § 5-20.8-2	Rhode Island Disclosure Statement
South Carolina	S.C. Code Ann. § 27-50-40(A)	South Carolina Disclosure Statement
South Dakota	SD Codified Law § 43-4-44	South Dakota Disclosure Statement
Tennessee	Tennessee Code § 66-5-201-210	Tennessee Disclosure Statement
Texas	Texas Property Code Title 2 Ch 5	Texas Disclosure Statement
U.S. Virgin Islands	No Laws Found	No form mandated by the territory
Utah	UT Code § 57-23-6	No form mandated by the state
Vermont	26 VSA § 2296	No form mandated by the state
Virginia	Code of Virginia § 55.1-703	Virginia Disclosure Statement
Washington	RCW 64.06.020 and 64.06.015	Washington Disclosure Statement
West Virginia	WV Code § 1-5-3	No form mandated by the state
Wisconsin	WI Stat § 709.03	Wisconsin Disclosure Statement
Wyoming	WY Stat § 33-28-3	No form mandated by the state