

Selling Wildfire Awareness: The Importance of Point of Sale Wildfire Disclosures in High Risk Areas

Are you looking to buy or sell a home in Marin? Wildfire safety is now on the list of things to consider as you prepare for this big decision. In 2021 California legislature passed AB-38, requiring sellers in high wildfire risk areas to provide buyers with documentation that their property meets defensible space requirements. The mandatory disclosures underscore the significance of home hardening and firescaping on home safety and home insurance. Let's take a look at what this means for home buyers and sellers in Marin.

There are many benefits to these disclosures - for both buyers, sellers, and the entire community. Buyers will be informed and prepared to live in a neighborhood where they are part of a wildfire adaptive community. For sellers, wildfire disclosures help mitigate potential legal and financial risks by ensuring that buyers are aware of any wildfire-related issues before buying a home. By promoting transparency and awareness of wildfire risks in real estate transactions, disclosures will prompt improvements that will make our neighborhoods safer.



Both buyers and sellers should work with experienced real estate agents and attorneys who can guide you through the wildfire disclosure process and ensure compliance with state laws and regulations.

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Tips for Sellers and Buyers

FOR SELLERS

Invest in Prevention: Take proactive measures to reduce the risk of wildfire damage on your property, such as creating defensible space, installing fire-resistant vents, clearing combustible items from Zone 0 (the first five feet next to the house), and [maintaining vegetation](#). Use your [Wildfire Risk Report](#) as your guide! This report gives a comprehensive and prioritized action list of what to do for your home.



Follow the Law: [Determine](#) if the sale property is in an area that requires documented compliance with defensible space standards. Some towns or jurisdictions may also require a local resale inspection, which is listed when you look up the address and can also be determined by calling the local fire department. The MWPA Wildfire Risk Report can be used to demonstrate compliance with AB38 if a local resale inspection is not also required.

Be Transparent: Disclose any relevant wildfire-related information to prospective buyers, including past fire damage, insurance claims, and mitigation efforts. Failure to disclose this information can lead to legal and financial consequences down the line.

FOR BUYERS

Do Your Due Diligence: Before making an offer on a property, thoroughly review any wildfire disclosures provided by the seller.



Consider Insurance: Obtain quotes for homeowners insurance and inquire about coverage for wildfire-related damages. Make sure you can find a provider who will insure the home.

Evaluate Defensible Space: Assess the property's defensible space and home hardening. Be aware of potential risks and ask to see the [Wildfire Risk Report](#). Ask what work has been done and assess what needs to be done.

