

SELLER'S DISCLOSURE - STATEMENT OF CONDITION

1. **SELLER(S):** _____

PROPERTY ADDRESS: _____

2. **SELLER'S INSTRUCTIONS:**

SELLER agrees to disclose to **BUYER** all material defects, conditions and facts known to **SELLER** which may materially affect the value of the property. This disclosure statement is designed to assist **SELLER** in making these disclosures.

3. **NOTICE TO BUYER:**

This is a disclosure of **SELLER's** knowledge of the condition of the property as of the date signed by **SELLER** and is not a substitute for any inspections or warranties that **BUYER** may wish to obtain. It is not a warranty of any kind by **SELLER**.

4. **OCCUPANCY:**

Approximate age of property? _____ How long have you owned property? _____

Does **SELLER** currently occupy the property? Yes No

If not, how long has it been since **SELLER** occupied the property? _____

5. **LAND (SOILS, DRAINAGE AND BOUNDARIES) - ARE YOU AWARE OF ANY OF THE FOLLOWING:**

(a) Any fill or expansive soil on the property? Yes No

(b) Any sliding, settling, earth movement, upheaval or earth stability problems on the property? ... Yes No

(c) The property being located in a flood zone or wetlands area? Yes No

(d) Any drainage or flood problems on the property or adjacent properties? Yes No

(e) Any encroachments, boundary line disputes, or easements affecting the property? Yes No

(f) Are the boundaries of property marked in any way? Yes No

(g) Has property had stake survey? If yes, attach copy. Yes No

(h) Any fencing on property? Yes No

(i) If yes, does fencing belong to property? Yes No

(j) Are any trees or shrubs on property diseased or dead or damaged? Yes No

(k) Are you aware of any gas/oil wells on the property or adjacent property? Yes No

If any of the answers in this section are "YES", explain in detail: _____

6. **ROOF:**

(a) Approximate Age: _____ years Unknown Type: _____

ARE YOU AWARE OF:

(b) Roof leaking during your ownership? Yes No

(c) Roof replacement, complete ___ or partial ___ old roof removed ___ during your ownership? Yes No

(d) Repairs during your ownership? Yes No

(e) Any problems with the roof or rain gutters? Yes No

(f) Have you made any insurance claims in the past 5 years? Yes No

(g) Were repairs from claim(s) made? If so, Date: _____ Name of Company _____ Yes No

Attach receipts:

If any of the answers in this section are "YES", explain in detail: _____

7. **TERMITES, WOOD DESTROYING INSECTS OR PESTS - ARE YOU AWARE OF:**

(a) Any termites, wood destroying insects or pests on or affecting the property? Yes No

(b) Property damage by termites, wood destroying insects or pests? Yes No

(c) Any termite/pest control treatments on the property in the last five years? Yes No
List Company and where treated: _____

(d) Current warranty or other coverage by a licensed pest control company on the property? Yes No
If any of the answers in this section are "YES", explain in detail (attach any receipts): _____

8. STRUCTURAL, BASEMENT AND CRAWL SPACE ITEMS - ARE YOU AWARE OF:

- (a) Any movement, shifting, deterioration, or other problems with walls, foundations, crawl space or slab? . Yes No
- (b) Any cracks or flaws in the walls, ceilings, foundations, concrete slab, crawl-space, basement or garage? Yes No
- (c) Any water leakage or dampness in the house, crawl space or basement? Yes No
- (d) Any past or present problems with driveways, patios, decks, fences, or retaining walls on the property? Yes No
- (e) Any problems with fireplace and/or chimney? Date of last cleaning: _____ Yes No
- (f) Any dry rot on the property? Yes No
- (g) Does the property have a sump pump? Yes No
- (h) Any repairs or other attempts to control the cause or effect of any problem described above? .. Yes No

If any of the answers in this section are "YES", explain in detail. When describing repairs or control efforts, describe the location, extent, date, and name of person who did the repair or control effort and attach any inspection reports, estimates or receipts: _____

9. ADDITIONS/REMODELS:

- (a) Are you aware of any additions, structural changes, or other alterations to the property? Yes No
If "YES," were all necessary permits and approvals obtained, and was all work in compliance with building codes? Yes No
If "NO," explain: _____

10. PLUMBING — RELATED ITEMS:

- (a) What is the drinking water source? Public Private Well Cistern
If well water, state type _____ depth: _____ diameter: _____ age: _____
- (b) If the drinking water source is a well, when was the water last checked for safety and what was the result of the test? _____
- (c) Is there a water softener on the property? Leased Owned Yes No
- (d) Is there a water purifier system? Leased Owned Yes No
- (e) What type of sewage system serves the property? Public Sewer: Private Sewer: Septic Tank:
Cesspool: Lagoon: Other:
- (f) Is there a sewage pump on the septic system? Yes No
- (g) When was the septic tank, cesspool, or sewage system last serviced? ____ By whom? _____
- (h) Are you aware of any leaks, backups or other problems relating to any of the plumbing, water, and sewage items? Yes No
- (i) Is there a Backflow' Prevention Device on the lawn sprinkling system? Yes No
If your answer to any of the questions in this section is "YES", explain in detail: _____

11. HEATING AND AIR CONDITIONING:

- (a) AIR CONDITIONING: Central Electric: Central Gas: Heat Pump: Window Unit(s) ____ (# included in sale ____)
Age of cooling system: _____ Leased Owned Zoned Cooling? Yes No
- (b) HEATING: Electric Fuel Oil Natural Gas Heat Pump Propane Other _____

(c) Last date of servicing? Cooling: _____ Heating: _____ By whom? _____
 (d) Are there rooms without furnace/air conditioning venting? Yes No
 If "YES," which room(s)? _____
 (e) **WATER HEATER:** Electric Gas Solar Approximate age: _____
 (f) Are you aware of any problems regarding these items? Yes No
 If your answer to an of the questions in this section is "YES," explain in detail: _____

12. ELECTRICAL SYSTEM:

Type: Copper: _____ Aluminum: _____ Unknown: _____
 Are you aware of any electrical problems? Yes No
 If "YES," explain in detail: _____

13. HAZARDOUS CONDITIONS:

(a) Are you aware of any underground tanks, landfill or toxic substances present on the property (structure or soil) such as asbestos, PCB's, radon, lead-based paint, or others? Yes No
 If "YES," explain in detail: _____

(b) Has the property been tested for any of the above-listed items? Yes No
 If "YES," explain in detail and attach copies of reports: _____

14. HOMEOWNERS ASSOCIATIONS AND NEIGHBORHOOD INFORMATION:

- (a) Are you aware of any pending bonds or assessments, special taxes for improvement that apply to property? ... Yes No
- (b) Are you aware of any condition or proposed change in your neighborhood or surrounding area? Yes No
- (c) Is property subject to covenants, conditions, and restrictions of a homeowner's association or subdivision restrictions? Yes No
- (d) Does property conform to such rules or regulations? Yes No
- (e) Are you aware of any defect, damage, proposed change or problem with any common elements or common areas? Yes No
- (f) Are you aware of any conditions or claim which may result in any change to assessments or fees? Yes No
- (g) Are streets privately owned? Yes No

If the answer to any of the above questions is "YES," except "d" - explain in detail: _____

We pay Homes Associations dues which are paid in full until: _____ in the amount of \$ _____ per year, payable (yearly/monthly/quarterly), sent to: _____ and includes _____

15. OTHER MATTERS:

- (a) Are you aware of any of the following:
- | | | | |
|-------------------------------|--|--|--|
| Party walls/Common areas: | Yes <input type="checkbox"/> No <input type="checkbox"/> | Landfill/Underground Problems: | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Fire Damage at any time: | Yes <input type="checkbox"/> No <input type="checkbox"/> | Existing or Threatened Legal Action: | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| Appraiser or Mechanic's Lien: | Yes <input type="checkbox"/> No <input type="checkbox"/> | Violations of any local, state or federal laws or regulations: | Yes <input type="checkbox"/> No <input type="checkbox"/> |

(b) Are you aware of any other conditions that may materially and adversely affect the value or desirability of the property? Yes No

(c) Are you aware of any general stains or pet stains to the carpet or flooring? Yes No

(d) Do you have keys for all exterior doors, including garage doors in the home? Yes No

List locks without keys: _____

(e) Are you aware of any violation of zoning, setbacks or restrictions, or nonconforming uses? Yes No

(f) Are you aware of any unrecorded interests affecting the property? Yes No

(g) Is there anything that would interfere with giving clear title to the Buyer? Yes No

(h) Have you replaced any appliances in the past five years? Yes No

(i) Have you added any insulation since you have owned the property? Yes No

(j) Are there any transferable warranties on the property or any of its components? If "YES," attach copies: Yes No

If any of the answers in this section are "YES", except "d" — explain in detail: _____

NS = Not Staying NA = Not Applicable EX = Exclude from Mechanical O = Operating*

***The item is performing its intended function**

- | | | |
|--|------------------------------------|--|
| _____ Attic Fan | _____ Gas Grill | _____ Sauna |
| _____ Ceiling fans - # of _____ | _____ Gas Logs | _____ Security System: Own: <input type="checkbox"/> Lease: <input type="checkbox"/> |
| _____ Central Vac & Attachments | _____ Gas starter for fireplace(s) | _____ Smoke detector(s) - # of _____ |
| _____ Convection Oven | _____ Gas yard light | _____ Sprinklers (lawn) |
| _____ Dishwasher | _____ Heat FP Re-circulator | _____ Sprinkler Backflow valve |
| _____ Disposal | _____ Hot Tub | _____ Sprinkler Auto Timer |
| _____ Door Bell | _____ Humidifier | _____ Stove Vent Hood |
| _____ Downdraft Cooktop (i.e. Jennaire) | _____ Intercom | _____ Sump Pump |
| _____ Electric Air Cleaner or Purifier | _____ Microwave Oven | _____ Swimming Pool |
| _____ Electric Garage Door Opener(s) | _____ Oven Clock Timer | _____ Trash Compactor |
| _____ Exhaust Fan(s) (Baths) | _____ Pool Heater | _____ TV Antenna/Receiver/Satellite Dish |
| _____ Fireplace Insert | _____ Pool/Spa Equipment | Own: <input type="checkbox"/> Lease: <input type="checkbox"/> |
| _____ Garage Door Transmitter - # of _____ | _____ Range Oven | _____ Whirlpool Tub |
| _____ Other: _____ | _____ Other: _____ | _____ Woodburning stove |

Disclose any material information and describe any significant repairs, improvements or alterations to the property not fully revealed above. If applicable, state who did the work. Attach to this disclosure any repair estimates, reports, invoices, notices or other documents describing or referring to the matters revealed herein:

The undersigned Seller represents that the information set forth in the foregoing Disclosure Statement is accurate and complete. Seller does not intend this Disclosure Statement to be a warranty or guarantee of any kind.

SELLER

Listing Date

SELLER

Listing Date

This form updated on the following date:

SELLER

Date

SELLER

Date

BUYER ACKNOWLEDGEMENT AND AGREEMENT:

1. I understand and agree that the information in this form is limited to information of which SELLER has actual knowledge and that SELLER need only make an honest effort at fully revealing the information requested.
2. This property is being sold to me without warranties or guarantees of any kind by SELLER, concerning the condition or value of the property.
3. I agree to verify any of the above information, and any other important information provided by SELLER by an independent investigation of my own. I have been specifically advised to have the property examined by professional inspectors.
4. I acknowledge that SELLER is not an expert at detecting or repairing physical defects in the property.
5. I specifically represent that there are no important representations concerning the condition or value of the property made by SELLER on which I am relying except as may be fully set forth in writing and signed by SELLER.

BUYER

Date

BUYER

Date

THIS DISCLOSURE STATEMENT IS AN INTEGRAL PART OF THE AGREEMENT BETWEEN SELLER AND BUYER. IF NOT UNDERSTOOD. CONSULT AN ATTORNEY BEFORE SIGNING.

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) _____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

(ii) _____ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check (i) or (ii) below):

(i) _____ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

(ii) _____ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

(c) _____ Purchaser has received copies of all information listed above.

(d) _____ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

(e) Purchaser has (check (i) or (ii) below):

(i) _____ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards;

(ii) _____ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(f) _____ Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

| | | | |
|-----------|-------|-----------|-------|
| _____ | _____ | _____ | _____ |
| Seller | Date | Seller | Date |
| _____ | _____ | _____ | _____ |
| Purchaser | Date | Purchaser | Date |
| _____ | _____ | _____ | _____ |
| Agent | Date | Agent | Date |