

## SELLER'S DISCLOSURE STATEMENT

To be completed by SELLER concerning \_\_\_\_\_ (Property Address)

*Note: If a Seller knows or suspects some condition which might lower the value of the property being sold or adversely affect the Buyer's decision to buy the property, then the Seller needs to disclose it. This statement will assist a Buyer in evaluating the property being considered. Real estate brokers and agents involved in the sale do not inspect the property for defects, and they cannot guarantee the accuracy of the information in this form.*

**TO THE SELLER:** Your truthful disclosure of the history and condition of your property gives you the best protection against future charges that you violated your legal obligation to a Buyer by concealing a material defect. Your answers or the answers you fail to provide, either way, may have legal consequences, even after the closing of the sale. This questionnaire should help you meet your disclosure obligation, but it may not cover all aspects of your property. If you know of or suspect some condition which would substantially lower the value of the property, impair the health or safety of future occupants, or otherwise affect a buyer's decision to buy your property, then use the space at the end of this form to describe that condition.

**TO THE BUYER:** Since these disclosures are based on the Seller's knowledge, you cannot be sure that there are, in fact, no problems with the property simply because the Seller is not aware of them. The answers given by the Seller are not warranties of the condition of the property. Thus, you should condition your offer on a professional inspection of the property. You may also wish to obtain a home protection plan/warranty.

Conditions of the property that you can see on a reasonable inspection should either be taken into account in the purchase price or you should make the correction of these conditions by the Seller a requirement of the sale contract.

If you sign a contract to purchase the property, that contract, and not this disclosure statement, will provide for what is to be included in the sale. So, if you expect certain items, appliances, or equipment included, you must specify them in the contract.

### SUBDIVISION (if applicable)

- (a) Name \_\_\_\_\_ Assessment: \$ \_\_\_\_\_, per  month  quarter  half-year  year
  - (b) Assessment includes:  street maintenance  clubhouse  pool  tennis court  entrance sign/structure  other common facility \_\_\_\_\_
  - (c) Are you aware of any existing or proposed special assessments?  Yes  No
  - (d) Are you aware of any violation of the subdivision restrictions by yourself or by others?  Yes  No
  - (e) Are you aware of any condition or claim which may cause an increase in assessment fees?  Yes  No
  - (f) Is there a recorded street/road maintenance agreement?  Yes  No
- Please explain any "yes" answers you gave in this section. \_\_\_\_\_

### CONDOMINIUM, CO-OP OR SHARED COST DEVELOPMENT (if applicable)

- (a) Name \_\_\_\_\_
  - (b) Type:  Condominium  Co-Op  Other shared cost development \_\_\_\_\_
  - (c) Assessment: \$ \_\_\_\_\_, per  month  quarter  half-year  year
  - (d) Assessment includes:  water  cooling  heating  sewer  trash removal  snow removal  street maintenance  assigned parking space(s) \_\_\_\_\_ (number)  
 security  landscaping  real estate taxes  insurance on building  clubhouse  pool  tennis court  exercise area  doorman  reception facility  
 other common facility
  - (e) Exterior maintenance:  fully covered by assessment  partly covered by assessment Area excluded \_\_\_\_\_
  - (f) Are you aware of any existing or proposed special assessments?  Yes  No
  - (g) Are you aware of any material defects in your building or other shared elements?  Yes  No
  - (h) Are you aware of any violation of the restrictions, rules and regulations by yourself or by others?  Yes  No
  - (i) Are you aware of any condition or claim which may cause an increase in assessment or fees?  Yes  No
- Please explain any "yes" answer you gave for (f), (g), (h), or (i) above. \_\_\_\_\_

### HEATING, COOLING AND VENTILATING (Seller is not agreeing that all items checked are being offered for sale.)

- (a) Type of air conditioning:  Central Electric  Central Gas  Window/Wall (Number of window units \_\_\_\_\_) Other: \_\_\_\_\_
  - (b) Source of heating:  Electric  Natural Gas  Propane  Fuel Oil  Other \_\_\_\_\_
  - (c) Heating Equipment:  Forced Air  Hot Water Radiators  Steam Radiators  Radiant  Baseboard  Other \_\_\_\_\_
  - (d) Areas of house not served by central heating/cooling: \_\_\_\_\_
  - (e) Additional:  Functional Fireplace(s)  Humidifier  Wood Burning Stove  Electronic Air Filter  Attic Fan  Other: \_\_\_\_\_
- Are you aware of any problems or repairs needed with any item in this section?  Yes  No If "yes", please explain. \_\_\_\_\_

### ELECTRICAL

- Type of service panel:  Fuses  Circuit Breakers
- Type of wiring:  Copper  Aluminum  Knob and Tube  Unknown
- Are you aware of any problems or repairs needed in the electrical system?  Yes  No If "yes", please explain. \_\_\_\_\_

**PLUMBING SYSTEM, FIXTURES AND EQUIPMENT**

- (a) Water Heater:  Gas  Electric  Other: \_\_\_\_\_
  - (b) Whirlpool/Jacuzzi  Yes  No
  - (c)  Lawn Sprinkler System; date of last backflow device inspection certificate. \_\_\_\_\_
- Are you aware of any problems or repairs needed in the plumbing system?  Yes  No If "yes", please explain. \_\_\_\_\_

**APPLIANCES (Seller is not agreeing that all items checked are being offered for sale.)**

- (a) Electrical Appliances and Equipment:  Electric Stove/Range/Cook top  Oven  Built-in Microwave Oven  Ceiling Fan(s)  Sump Pump and Pit  
 Wired smoke alarms  Trash Compactor  Garbage Disposal  Intercom System  Dishwasher  Central Vacuum System  
 Other \_\_\_\_\_
  - (b) Gas Appliances and Equipment:  Exterior Lights  Barbecue  Fireplace  Gas Stove/Range/Cook top  Oven
  - (c) Other Equipment :  TV Antenna  Cable TV Wiring  Electric Garage Door Opener Number of transmitters \_\_\_\_\_  
 Security Alarm System  Owned  Leased/Lease information: \_\_\_\_\_  
 Swimming Pool  Pool Heater  Spa/Hot Tub  Sauna/ Pool/Spa Equipment (list): \_\_\_\_\_  
 Satellite Dish  Satellite Receivers # of \_\_\_\_\_; Remotes # \_\_\_\_\_ of;  Owned  Leased/Lease Information \_\_\_\_\_  
 Electronic Pet Fence System  Other: \_\_\_\_\_
- Are you aware of any items in this section in need of repair or replacement?  Yes  No If "yes", please explain. \_\_\_\_\_

**ROOF, GUTTERS AND DOWNSPOUTS**

- (a) What is the approximate age of the roof? \_\_\_\_\_ Years. Documented?  Yes  No
  - (b) Has the roof ever leaked during your ownership?  Yes  No If "yes", please explain. \_\_\_\_\_
  - (c) Has the roof been repaired, recovered or any portion of it replaced or recovered during your ownership?  Yes  No If "yes", please explain. \_\_\_\_\_
- Are you aware of any problems with the roof, gutters or downspouts?  Yes  No If "yes", please explain. \_\_\_\_\_

**WATER (If well exists, attach Form #2165, Septic/Well Addendum To Seller's Disclosure Statement)**

- (a) What is the source of your drinking water?  Public  Community  Well  Other (explain): \_\_\_\_\_
  - (b) Do you have a softener, filter or other purification system?  Yes  No  Owned  Leased/Lease Information \_\_\_\_\_
- Are you aware of any problems relating to the water system including the quality or source of water?  Yes  No If "yes", please explain. \_\_\_\_\_

**SEWERAGE (If Septic or Aerator exists, attach Form #2165, Septic/Well Addendum To Seller's Disclosure Statement)**

- (a) What is the type of sewerage system to which the house is connected?  Public  Private  Septic  Aerator  Other Explain: \_\_\_\_\_
  - (b) Is there a sewerage lift system?  Yes  No If "yes", is it in good working condition?  Yes  No
  - (c) When was the septic/aerator system last serviced? \_\_\_\_\_
- Are you aware of any leaks, backups, open drain lines or other problems relating to the sewerage system?  Yes  No If "yes", please explain. \_\_\_\_\_

**CONSTRUCTION**

- (a) Are you aware of any problems with the footing, foundation walls, sub-floor, interior and exterior walls, roof construction, decks/porches or other load bearing components?  
 Yes  No If "yes" please describe in detail. \_\_\_\_\_
- (b) Are you aware of any repairs to any of the building elements listed in (a) above?  Yes  No If "yes", please describe the location, extent, date and name of the person/company who did the repair or control effort. \_\_\_\_\_

**HARDBOARD SIDING**

- (a) Are you aware of any hardboard siding on your property?  Yes  No If "yes", which type? \_\_\_\_\_
  - (b) Are you aware of any claims made against the manufacturer for defects in the siding?  Yes  No Date(s) \_\_\_\_\_
  - (c) Was any money received for the claim?  Yes  No Date(s) \_\_\_\_\_
  - (d) Are you aware of any repairs or replacements made to hardboard siding?  Yes  No Date(s) \_\_\_\_\_
- Please explain any "yes", answers you gave in this section and give dates. \_\_\_\_\_

**BASEMENT AND CRAWL SPACE (Complete only if applicable)**

- (a) Are you aware of any dampness, water accumulation or leakage, in the basement or crawl space?  Yes  No  
If "yes", please describe in detail. \_\_\_\_\_
- (b) Are you aware of any repairs or other attempts to control any water or dampness problem in the basement or crawl space?  Yes  No  
If "yes", please describe the location, extent, date and name of the person/company who did the repair or control effort. \_\_\_\_\_

**TERMITES/WOOD DESTROYING INSECTS, PESTS**

- (a) Are you aware of any termites/wood destroying insects, or pests affecting the property?  Yes  No
- (b) Are you aware of any uncorrected damage to the property caused by termites/wood destroying insects, or pests?  Yes  No
- (c) Is your property currently under a warranty contract by a licensed pest control company?  Yes  No
- (d) Are you aware of any termite/pest control reports for or treatments of the property?  Yes  No

Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_

**SOIL AND DRAINAGE**

- (a) Are you aware of any fill, expansive soil or sinkholes on the property?  Yes  No
- (b) Are you aware of any soil, earth movement, flood, drainage or grading problems?  Yes  No
- (c) Are you aware of any past, present or proposed mining, strip-mining, or any other excavations that affect or might affect the property?  Yes  No

Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_

**HAZARDOUS SUBSTANCES/OTHER ENVIRONMENTAL CONCERNS**

**(a) Lead**

- (1) Are you aware of the presence of any lead hazards (such as paint, water supply lines, etc.) on the property?  Yes  No (Note: Production of lead based paint was banned in 1978).
- (2) Are you aware if it has ever been covered or removed?  Yes  No
- (3) Are you aware if the property has been tested for lead?  Yes  No If "yes", please give date performed, type of test and test results. \_\_\_\_\_

Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_

**(b) Asbestos Materials**

- (1) Are you aware of the presence of asbestos materials on the property, such as roof shingles, siding, insulation, ceiling, flooring, pipe wrap, etc.?  Yes  No
- (2) Are you aware of any asbestos material that has been encapsulated or removed?  Yes  No
- (3) Are you aware if the property has been tested for the presence of asbestos?  Yes  No If "yes", please give date performed, type of test and test results \_\_\_\_\_

Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_

**(c) Mold**

- (1) Are you aware of the presence of any mold on your property?  Yes  No
- (2) Are you aware of anything with mold on the property has ever been covered, or removed?  Yes  No
- (3) Are you aware if the property has ever been tested for the presence of mold?  Yes  No If "yes", please give date performed, type of test and test results \_\_\_\_\_

Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_

**(d) Radon**

- (1) Are you aware if the property has been tested for radon gas?  Yes  No If "yes", please give date performed, type of test and test results. \_\_\_\_\_
- (2) Are you aware if the property has ever been mitigated for radon gas?  Yes  No If "yes", please provide the date and name of the person/company who did the mitigation. \_\_\_\_\_

**(e) Other Environmental Concerns**

- (1) Are you aware of any other environmental concerns that may affect the property such as polychlorinated biphenyls (PCB's), electro-magnetic fields (EMF's), underground fuel tanks, unused septic tanks, etc.?  Yes  No If "yes", please explain. \_\_\_\_\_

**INSURANCE**

Are you aware of any claims that have been filed for damages to the property in the last 5 years?  Yes  No If "yes", please provide the following information: date of claim, description of claim, repairs and/or replacements completed. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MISCELLANEOUS**

(a) The approximate age of the residence is \_\_\_\_\_ years. The Seller has occupied the property \_\_\_\_\_ years.

(b) Has the Seller continuously occupied the property during the last twelve months  Yes  No

If "no", please explain. \_\_\_\_\_

(c) Is the property located in an area that requires an occupancy (code compliance) inspection?  Yes  No

If "yes", please describe. \_\_\_\_\_

(d) Is the property designated as a historical home or located in a historic district?  Yes  No If "yes", please explain. \_\_\_\_\_

(e) Do you have a survey that includes all existing improvements on the property?  Yes  No

(f) Are you aware of any pets having been kept in or on the property?  Yes  No If "yes", please explain. \_\_\_\_\_

(g) Is the Buyer being offered a protection plan/home warranty at closing at Seller's expense?  Yes  No

(h) Are you aware of any inoperable windows or doors or broken thermal seals?  Yes  No

(i) Are you aware if carpet has been laid over a damaged wood floor?  Yes  No

(j) Is any portion of the property located within the 100 year flood hazard area (flood plain)?  Yes  No

(k) Are you aware of any:

- shared or common features with adjoining properties?  Yes  No
- rights of way, unrecorded easements, or encroachments, which affect the property?  Yes  No
- existing or threatened legal action affecting the property?  Yes  No
- violations of local, state, or federal laws/regulations, including zoning, relating to the property?  Yes  No
- additions, modifications, or alterations made to the property without necessary permits?  Yes  No
- Consent required of anyone other than the signer (s) of this form to convey title to the property?  Yes  No

Please explain any "yes" answers you gave for (h), (i), (j), or (k) above. \_\_\_\_\_

**Additional comments:**

**SELLER'S ACKNOWLEDGEMENT** Seller acknowledges that he has carefully examined this statement and that it is complete and accurate to the best of Seller's knowledge. Seller agrees to immediately notify listing broker in writing of any changes in the property condition. Seller authorizes all brokers and their licensees to furnish a copy of this statement to prospective buyers.

\_\_\_\_\_  
SELLER DATE SELLER DATE

**BUYER'S ACKNOWLEDGEMENT** Buyer acknowledges having received and read this Seller's Disclosure Statement. Buyer understands that the information in this Seller's Disclosure Statement is limited to information of which Seller has actual knowledge. Buyer should verify the information contained in this Seller's Disclosure Statement, and any other important information provided by either Seller or broker (including any information obtained through the Multiple Listing Service) by an independent, professional investigation of his own. Buyer acknowledges that broker is not an expert at detecting or repairing physical defects in property.

\_\_\_\_\_  
BUYER DATE BUYER DATE