

## SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

**THIS DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.**

Seller states that the information contained in this Disclosure is correct to **Seller's CURRENT ACTUAL KNOWLEDGE** as of this Date. **Any changes must be disclosed by Seller to Buyer promptly after discovery. Seller's failure to disclose a known material defect may result in legal liability.** If Seller has knowledge of an adverse material fact affecting the Property or occupants, it must be disclosed whether there is a specific item on this Disclosure or not. If the Property is part of a Common Interest Community, this Disclosure is limited to the Property or unit itself, except as stated in Section O. Broker may deliver a copy of this Disclosure to prospective buyers.

**Note:** The Contract to Buy and Sell Real Estate, not this Disclosure, determines whether an item is included or excluded; if there is an inconsistency between this Disclosure and the Contract, the Contract controls.

Date: \_\_\_\_\_ Year Built: \_\_\_\_\_

Seller: \_\_\_\_\_

Property Address: \_\_\_\_\_

### I. IMPROVEMENTS

| <b>STRUCTURAL CONDITIONS</b> If you know of any of the following problems <b>EVER EXISTING</b> check the "Yes" column: | <b>YES</b> | <b>Comments</b> |
|--|------------|-----------------|
| Structural problems  |            |                 |
| Moisture and/or water problems   |            |                 |
| Damage due to termites, other insects, birds, animals or rodents   |            |                 |
| Damage due to hail, wind, fire, flood or other casualty  |            |                 |
| Cracks, heaving or settling problems   |            |                 |
| Exterior wall or window problems   |            |                 |
| Exterior Artificial Stucco (EIFS)  |            |                 |
| <b>ROOF</b> If you know of any of the following problems <b>EVER EXISTING</b> check the "Yes" column:                  | <b>YES</b> | <b>Comments</b> |
| Roof leak  |            |                 |
| Damage to roof   |            |                 |
| Skylight problems  |            |                 |
| Gutter or downspout problems   |            |                 |
| Other roof problems  |            |                 |
| <b>ROOF – Other Information</b>  | <b>YES</b> | <b>Comments</b> |

|   |            |                 |
|---|------------|-----------------|
| Do you know of the following on the Property:   |            |                 |
| Roof under warranty until _____<br>Transferable   |            |                 |
| Roof work done while under current roof warranty  |            |                 |
| Roof material: _____ Age: _____   |            |                 |
| <b>APPLIANCES</b> If you know of any problems <b>NOW EXISTING</b> with the following check the "Yes" column:                          | <b>YES</b> | <b>Comments</b> |
| Built-in vacuum system & accessories  |            |                 |
| Clothes dryer   |            |                 |
| Clothes washer  |            |                 |
| Dishwasher  |            |                 |
| Disposal  |            |                 |
| Freezer   |            |                 |
| Gas grill   |            |                 |
| Hood  |            |                 |
| Microwave oven  |            |                 |
| Oven  |            |                 |
| Range   |            |                 |
| Refrigerator  |            |                 |
| T.V. antenna: <input type="checkbox"/> Owned <input type="checkbox"/> Leased  |            |                 |
| Satellite system or DSS dish: <input type="checkbox"/> Owned <input type="checkbox"/> Leased  |            |                 |
| Trash compactor   |            |                 |
| <b>ELECTRICAL &amp; TELECOMMUNICATIONS</b> If you know of any problems <b>NOW EXISTING</b> with the following check the "Yes" column: | <b>YES</b> | <b>Comments</b> |
| Security system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased   |            |                 |
| Smoke/fire detectors: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire  |            |                 |
| Carbon Monoxide Alarm: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire   |            |                 |
| Light fixtures  |            |                 |
| Switches & outlets  |            |                 |
| Electrical Service  |            |                 |
| Telecommunications (T1, fiber, cable, satellite)  |            |                 |

|  |  |  |
|--|--|--|
| Inside telephone wiring & blocks/jacks |  |  |
| Ceiling fans                           |  |  |
| Garage door opener and remote control  |  |  |
| Intercom/doorbell                      |  |  |
| In-wall speakers                       |  |  |

| <b>ELECTRICAL &amp; TELECOMMUNICATIONS – Other Information:</b> Do you know of the following on the Property:           | <b>YES</b> | <b>Age If Known</b> | <b>Comments</b> |
|---|------------|---------------------|-----------------|
| 220 volt service  |            |                     |                 |
| Landscape lighting  |            |                     |                 |
| Aluminum wiring at the outlets (110)  |            |                     |                 |
| Electrical Service: Amps _____  |            |                     |                 |
| Garage door control(s) # _____  |            |                     |                 |
| <b>MECHANICAL</b> If you know of any problems <b>NOW EXISTING</b> with the following check the "Yes" column:            | <b>YES</b> | <b>Age If Known</b> | <b>Comments</b> |
| Overhead doors (including garage doors)   |            |                     |                 |
| Entry gate system   |            |                     |                 |
| Elevator  |            |                     |                 |
| <b>VENTILATION, AIR, HEAT</b> If you know of any problems <b>NOW EXISTING</b> with the following check the "Yes" column | <b>YES</b> | <b>Age If Known</b> |                 |
| Heating system  |            |                     |                 |
| Air conditioning:   |            |                     |                 |
| Evaporative cooler  |            |                     |                 |
| Window units  |            |                     |                 |
| Central   |            |                     |                 |
| Attic/whole house fan   |            |                     |                 |
| Vent fans   |            |                     |                 |
| Humidifier  |            |                     |                 |
| Air purifier  |            |                     |                 |
| Fireplace   |            |                     |                 |
| Fireplace insert  |            |                     |                 |
| Heating Stove   |            |                     |                 |

|   |                 |                         |                 |
|---|-----------------|-------------------------|-----------------|
| Fuel tanks  |                 |                         |                 |
| <b>VENTILATION, AIR, HEAT – Other Information:</b><br>Do you know of the following on the Property:               | <b>Comments</b> |                         |                 |
| Heating system (including furnace):<br>Type _____ Fuel _____<br>Type _____ Fuel _____                             |                 |                         |                 |
| Fireplace: Type _____<br>Fuel _____   |                 |                         |                 |
| Fireplace insert  |                 |                         |                 |
| Heating Stove: Type _____<br>Fuel _____   |                 |                         |                 |
| When was fireplace/wood stove, chimney/flue last<br>cleaned: Date: _____ <input type="checkbox"/> Do not know     |                 |                         |                 |
| Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased  |                 |                         |                 |
| Radiant heating system: <input type="checkbox"/> Interior <input type="checkbox"/> Exterior<br>Type _____         |                 |                         |                 |
| <b>WATER</b> If you know of any problems <b>NOW</b><br><b>EXISTING</b> with the following check the "Yes" column: | <b>YES</b>      | <b>Comments</b>         |                 |
| Water system (including lines and water pressure)   |                 |                         |                 |
| Water heater(s)   |                 |                         |                 |
| Water filter system   |                 |                         |                 |
| Water softener  |                 |                         |                 |
| Well  |                 |                         |                 |
| Water system pump   |                 |                         |                 |
| Sauna   |                 |                         |                 |
| Hot tub or spa  |                 |                         |                 |
| Steam room/shower   |                 |                         |                 |
| Pool  |                 |                         |                 |
| Underground sprinkler system  |                 |                         |                 |
| Fire sprinkler system   |                 |                         |                 |
| Backflow prevention device  |                 |                         |                 |
| Irrigation system   |                 |                         |                 |
| Irrigation pump   |                 |                         |                 |
| <b>WATER – Other Information:</b> Do you know of the<br>following on the Property:                                | <b>YES</b>      | <b>Age If<br/>Known</b> | <b>Comments</b> |

|   |  |  |  |
|---|--|--|--|
| Water heater: Number of _____<br>Fuel type _____ Capacity _____                     |  |  |  |
| Water filter system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased |  |  |  |
| Water softener: <input type="checkbox"/> Owned <input type="checkbox"/> Leased      |  |  |  |
| Well metered  |  |  |  |
| Well – Date of last inspection _____  |  |  |  |
| Galvanized pipe   |  |  |  |
| Polybutylene pipe   |  |  |  |

**SOURCE OF WATER & WATER SUPPLY** Do you know of the following on the Property:

Type of water supply:  Public  Community  Well  Shared Well  Cistern  None  
 If the Property is served by a Well, a copy of the Well Permit  Is  Is Not attached. Well Permit #: \_\_\_\_\_  
 Drilling Records  Are  Are Not attached. Shared Well Agreement  Yes  No.

The Water Provider for the Property can be contacted at:  
 Name: \_\_\_\_\_ Address: \_\_\_\_\_  
 Web Site: \_\_\_\_\_ Phone No.: \_\_\_\_\_  
 There is neither a Well nor a Water Provider for the Property. The source of potable water for the Property is [describe source]:

**SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.**

| <b>SEWER</b> If you know of any problems <b>NOW EXISTING</b> with the following check the "Yes" column: | <b>YES</b> | <b>Comments</b> |
|---|------------|-----------------|
| Sewage system (including sewer lines)   |            |                 |
| Lift station (sewage ejector pump)  |            |                 |
| Sump pump(s) # of _____   |            |                 |
| Gray water storage/use  |            |                 |

**SEWER – Other Information:** Do you know of the following on the Property:

Type of sanitary sewer service:  Public  Community  Septic System  None  Other \_\_\_\_\_  
 If the Property is served by an on-site septic system, provide buyer with a copy of the permit.  
 Type of septic system:  Tank  Leach  Lagoon

If a septic system, date latest Individual Use Permit issued:

If a septic system, date of latest Inspection:

If a septic system, date of latest Pumping:

| <b>FLOODING AND DRAINAGE</b> If you know of any problems <b>EVER EXISTING</b> with the following on the Property check the "Yes" column: | <b>YES</b> | <b>Comments</b> |
|--|------------|-----------------|
|  |            |                 |

|  |            |                 |
|--|------------|-----------------|
| Flooding or drainage   |            |                 |
| <b>DRAINAGE AND RETENTION PONDS – Other Information</b><br>Do you know of the following on the Property:                           | <b>YES</b> | <b>Comments</b> |
| Drainage, retention ponds  |            |                 |
| <b>OTHER DISCLOSURES – IMPROVEMENTS</b> If you know of any problems <b>NOW EXISTING</b> with the following check the "Yes" column: | <b>YES</b> | <b>Comments</b> |
| Included fixtures and equipment  |            |                 |
| Stains on carpet   |            |                 |
| Floors and sub-floors  |            |                 |

**II. GENERAL**

|   |            |                 |
|---|------------|-----------------|
| <b>USE, ZONING &amp; LEGAL ISSUES</b> If you know of any of the following <b>EVER EXISTING</b> check the "Yes" column:  | <b>YES</b> | <b>Comments</b> |
| Zoning violation, variance, conditional use, violation of an enforceable PUD or non-conforming use  |            |                 |
| Notice or threat of condemnation proceedings  |            |                 |
| Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved   |            |                 |
| Notice of zoning action related to the Property   |            |                 |
| Building code, city or county violations  |            |                 |
| Violation of restrictive covenants or owners' association rules or regulations  |            |                 |
| Any building or improvements constructed within the past one year from this Date without approval by the owner's association or its designated approving body |            |                 |
| Any additions or alterations made   |            |                 |
| Other legal action  |            |                 |
| <b>ACCESS &amp; PARKING</b> If you know of any of the following <b>EVER EXISTING</b> check the "Yes" column:  | <b>YES</b> | <b>Comments</b> |
| Any access problems   |            |                 |
| Roads, trails, paths or driveways through the Property used by others   |            |                 |
| Public highway or county road bordering the Property  |            |                 |
| Any proposed or existing transportation project that  |            |                 |

|  |            |                 |
|--|------------|-----------------|
| affects or is expected to affect the Property  |            |                 |
| Encroachments, boundary disputes or unrecorded easements   |            |                 |
| Shared or common areas with adjoining properties   |            |                 |
| Requirements for curb, gravel/paving, landscaping  |            |                 |
| <b>ENVIRONMENTAL CONDITIONS</b> If you know of any of the following <b>EVER EXISTING</b> on any part of the Property check the "Yes" column:   | <b>YES</b> | <b>Comments</b> |
| Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, radon, methane, mill tailings, solvents or petroleum products |            |                 |
| Underground storage tanks  |            |                 |
| Aboveground storage tanks  |            |                 |
| Underground transmission lines   |            |                 |
| Animals kept in the residence  |            |                 |
| Property used as, situated on, or adjoining a dump, landfill or municipal solid waste landfill   |            |                 |
| Monitoring wells or test equipment   |            |                 |
| Sliding, settling, upheaval, movement or instability of earth or expansive soils on the Property   |            |                 |
| Mine shafts, tunnels or abandoned wells on the Property  |            |                 |
| Within governmentally designated geological hazard or sensitive area   |            |                 |
| Within governmentally designated flood plain or wetland area   |            |                 |
| Dead, diseased or infested trees or shrubs   |            |                 |
| Environmental assessments, studies or reports done involving the physical condition of the Property  |            |                 |
| Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells  |            |                 |
| Tobacco smoke in interior of improvements of Property  |            |                 |
| Other environmental problems   |            |                 |
| <b>COMMON INTEREST COMMUNITY – ASSOCIATION PROPERTY</b> If you know of any of the following <b>NOW EXISTING</b> check the "Yes" column:  | <b>YES</b> | <b>Comments</b> |

|   |            |                 |
|---|------------|-----------------|
| Property is part of an owners' association  |            |                 |
| Special assessments or increases in regular assessments approved by owners' association but not yet implemented   |            |                 |
| Has the Association made demand or commenced a lawsuit against a builder or contractor alleging defective construction of improvements of the Association Property (common area or property owned or controlled by the Association but outside the Seller's Property or unit) |            |                 |
| Problems or defects in the Common Elements or Limited Common Elements of the Association Property   |            |                 |
| <b>OTHER DISCLOSURES – GENERAL</b> If you know of any of the following <b>NOW EXISTING</b> check the "Yes" column:  | <b>YES</b> | <b>Comments</b> |
| Any part of the Property leased to others (written or oral)   |            |                 |
| Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property  |            |                 |
| Any property insurance claim submitted (whether paid or not)  |            |                 |
| Structural, architectural and engineering plans and/or specifications for any existing improvements   |            |                 |
| Property was previously used as a methamphetamine laboratory and not remediated to state standards  |            |                 |
| Government special improvements approved, but not yet installed, that may become a lien against the Property  |            |                 |
| Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property   |            |                 |

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased and are advisable. This Disclosure is **not** intended as a substitute for an inspection of the Property.

**ADVISORY TO SELLER:** Seller acknowledges that Broker will disclose to any prospective buyers all adverse material facts actually known by the Broker, including but not limited to adverse material facts pertaining to the physical condition of the Property, any material defects in the Property, and any environmental hazards affecting the Property. These types of disclosures may include such matters as structural defects, soil conditions, violations of health, zoning or building laws, and nonconforming uses and zoning variances.

The information contained in this Disclosure has been furnished by Seller, who certifies it was answered truthfully, based on the Seller's **CURRENT ACTUAL KNOWLEDGE**.

Seller: \_\_\_\_\_ Date: \_\_\_\_\_



---

Seller: \_\_\_\_\_ Date: \_\_\_\_\_

**ADVISORY TO BUYER:**

1. Even though the Seller has answered the above questions to Seller's current actual knowledge, Buyer should thoroughly inspect the Property and obtain expert assistance to accurately and fully evaluate the Property to confirm the status of the following matters:

- A. the physical condition of the Property;
- B. the presence of mold or other biological hazards;
- C. the presence of rodents, insects and vermin including termites;
- D. the legal use of the Property and legal access to the Property;
- E. the availability and source of water, sewer, and utilities;
- F. the environmental and geological condition of the Property;
- G. the presence of noxious weeds; and
- H. any other matters that may affect Buyer's use and ownership of the Property that are important to Buyer as Buyer decides whether to purchase the Property.

2. Seller states that the information is correct to "Seller's current actual knowledge" as of the date of this form. The term "current actual knowledge" is intended to limit Seller's disclosure only to facts actually known by the Seller and does not include "constructive knowledge" or "common knowledge" or what Seller "should have known" about the Property. The Seller has no duty to inspect the Property when this Disclosure is filled in and signed.

3. Valuable information may be obtained from various local/state/federal agencies, and other experts may assist Buyer by performing more specific evaluations and inspections of the Property.

4. Boundaries, location and ownership of fences, driveways, hedges, and similar features of the Property may become the subjects of a dispute between a property owner and a neighbor. A survey may be used to determine the likelihood of such problems.

5. Whether any item is included or excluded is determined by the contract between Buyer and Seller and not this Seller's Property Disclosure.

6. Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Disclosure of the condition of an item is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes.

7. Buyer receipts for a copy of this Disclosure

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_