

PROPERTY DESCRIPTION (ADDRESS, CITY, STATE, ZIP)

DATE

PROPERTY DISCLOSURE DOCUMENT

Following **LSA-R.S. 9:3196–3200**, the SELLER of residential real property must provide the BUYER with a Property Disclosure Document. A full copy of these statutes is available at www.legis.la.gov. The required Property Disclosure Document may be either the form issued by the Louisiana Real Estate Commission (“Commission”) or another version that contains substantially the same information. The Commission’s official form can be accessed at www.lrec.gov

Buyer’s Rights and Consequences of Non-Disclosure

If the Property Disclosure Document is delivered **after** the BUYER submits an offer, the BUYER has the right to cancel the resulting purchase agreement or withdraw the offer within **72 hours of receipt** of the disclosure. This cancellation or withdrawal may be done without penalty, and any deposit or earnest money must be promptly refunded to the BUYER, even if a contract states otherwise.

Duties of Real Estate Licensees and Consequences of Non-Compliance

Louisiana law requires licensed real estate professionals to inform their clients of their rights and responsibilities related to the Property Disclosure Document. Failure to do so may result in disciplinary action, including censure, suspension, license revocation, and/or fines. However, a licensee is not responsible for errors, omissions, or inaccuracies in the Property Disclosure Document unless the licensee has **actual knowledge** of such issues on the part of the SELLER.

Key Definitions

- **“Residential real property” or “property”** refers to real estate consisting of one to four residential dwelling units. Each dwelling is a building or structure that is occupied, or intended to be occupied, as a single-family residence.
- **“Known defect” or “defect”** means a condition on the property that the SELLER knew about and that results in any of the following:
 - a) It has a substantial negative impact on the property’s value.
 - b) It poses a significant risk to the health or safety of future occupants.
 - c) If left uncorrected, it materially reduces the normal expected lifespan of the property.

Other Important Provisions of the Law

- The Property Disclosure Document is **not a warranty** from the SELLER.

- The Property Disclosure Document is for **disclosure only** and is **not considered part of the purchase contract** between SELLER and BUYER.
- The Property Disclosure Document is **not a substitute** for any inspections or warranties that the BUYER or SELLER may obtain.
- Nothing in this law limits or removes the BUYER's right to have the property physically inspected.
- The SELLER is not responsible for errors, omissions, or inaccuracies in the information provided, **unless** such issues were the result of intentional misrepresentation. The SELLER will not be liable if the disclosure was based on the best of the SELLER's knowledge, information, and belief, or on information supplied by a public agency or by a licensed professional or expert who gave a written or oral report that the SELLER reasonably believed to be accurate and that was passed on to the BUYER.

PROPERTY DISCLOSURE EXEMPTION FORM

In accordance with LSA-R.S. 9:3196–3200, every SELLER of residential real property must provide the BUYER with a Property Disclosure Document. A full copy of these statutes is available at www.legis.la.gov.

The disclosure may be made using the official form issued by the Louisiana Real Estate Commission (“Commission”) or another form that contains substantially the same information. The Commission's form can be found at www.lrec.gov.

Who Must Provide Disclosure?

ALL SELLERS are legally required to make a written disclosure of any **known defects** in the property being transferred. This duty applies to **all transfers of residential real estate interests**, including sales, exchanges, bonds for deed, leases with an option to purchase, and similar transactions.

However, the law provides certain exemptions. The following transfers are **not required** to include a Property Disclosure Document:

- ☐ 1. Transfers ordered by a court, such as estate administration, writs of execution, foreclosure sales, bankruptcy trusteeships, eminent domain, or specific performance decrees.
- ☐ 2. Transfers to a mortgage lender by a borrower (or successor) in default.

- ☐ 3. Transfers by a lender who acquired the property through foreclosure, deed instead of foreclosure, or power of sale.
- ☐ 4. Transfers by a fiduciary as part of administering an estate, guardianship, conservatorship, or trust.
- ☐ 5. Transfers of newly built residential property that has never been occupied.
- ☐ 6. Transfers between co-owners where one or more co-owners acquire the interests of the others.
- ☐ 7. Transfers by an executor or administrator of a succession under testate or intestate succession.
- ☐ 8. Transfers of property that the BUYER intends to convert to a non-residential use.
- ☐ 9. Transfers to a spouse or relative within the direct bloodline (consanguinity).
- ☐ 10. Transfers between spouses under a divorce, judgment of separate maintenance, or related property settlement agreement.
- ☐ 11. Transfers or exchanges involving any governmental entity.
- ☐ 12. Transfers by an entity that acquires title or assignment of a real estate contract for relocation purposes, provided the entity supplies the BUYER with a copy of the prior owner's disclosure and any inspection reports furnished to the entity.
- ☐ 13. Transfers to a living (inter vivos) trust.
- ☐ 14. Transactions that simply confirm, correct, modify, or supplement a previously recorded deed or conveyance, without additional consideration or change in ownership.
- ☐ 15. None of the above exemptions applies to the SELLER(S).

“Known defect” or “defect” refers to a condition on the property that the SELLER knows about and that results in one or more of the following:

- a) It has a significant negative impact on the property's value.
- b) It creates a serious risk to the health or safety of future occupants.

c) If not repaired, removed, or replaced, it substantially reduces the normal expected lifespan of the property.

CHECK ONE OPTION:

☐ **SELLER asserts exemption** from completing the Property Disclosure Document and states that he/she does **not know any known defects** affecting the property.

OR

☐ **SELLER has reviewed** the Property Disclosure Exemption Form and does **not claim any exemptions** listed therein. Therefore, SELLER will complete the Property Disclosure Document.

OR

☐ **SELLER asserts exemption** from completing the Property Disclosure Document but acknowledges **knowing known defects** affecting the property, which will be disclosed in the Property Disclosure Document.

SELLER SIGNATURE(S):

_____ Date _____ Time _____ (Print Name)

_____ Date _____ Time _____ (Print Name)

_____ Date _____ Time _____ (Print Name)

_____ Date _____ Time _____ (Print Name)

RECEIVED BY BUYER(S):

_____ Date _____ Time _____ (Print Name)

_____ Date _____ Time _____ (Print Name)

_____ Date _____ Time _____ (Print Name)

_____ Date _____ Time _____ (Print Name)

Residential Property Disclosure Document (01/2024)

The following statements are provided by the **SELLER** and **not** by any real estate licensee.

This document is **not a replacement** for inspections or professional advice that the BUYER may choose to obtain.

All information contained herein is based solely on the **SELLER's actual knowledge** of the property. The SELLER may only disclose what he or she knows and may not be aware of every material or significant condition affecting the property.

Key:

Y = Yes N = No NK = No Knowledge

SECTION 1: LAND

1. How long has the SELLER owned the property?

2. Lot size or total acreage: _____

3. Are you aware of any servitudes or encroachments (other than standard, customary utility servitudes) that could affect the use of the property?

☐ Yes ☐ No

4. Are you aware of any rights held by others? (Check all that apply and provide explanations at the end of this section.)

- Timber rights ☐ Yes ☐ No
- Leased land ☐ Yes ☐ No
- Right of ingress/egress ☐ Yes ☐ No
- Mineral rights ☐ Yes ☐ No
- Right of way ☐ Yes ☐ No
- Surface rights ☐ Yes ☐ No

- Right of access ☐ Yes ☐ No
- Air rights ☐ Yes ☐ No
- Servitude of passage ☐ Yes ☐ No
- Usufruct ☐ Yes ☐ No
- Servitude of drainage ☐ Yes ☐ No
- Common driveway ☐ Yes ☐ No
- Other: _____

5. Has any portion of the property been designated, or is it currently under review for designation, as a wetland by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act?

☐ Yes ☐ No ☐ No Knowledge

If yes, attach documentation as part of this Property Disclosure Document.

The Clean Water Act is a federal law protecting wetlands in the United States. Section 404 requires permits for activities that alter or build on property classified as wetlands by the U.S. Army Corps of Engineers. A determination may involve a fee charged to either the SELLER or BUYER. If wetlands are present, additional costs may be incurred for a Section 404 permit.

Explanation of "Yes" Answers (use additional sheets if necessary):

BUYER'S Initials: _____

SELLER'S Initials: _____

SECTION 2: TERMITES, WOOD-DESTROYING INSECTS AND ORGANISMS

6. Has the property ever had termites or other wood-destroying insects/organisms?

- a) During the SELLER's period of ownership? ☐ Yes ☐ No
- b) Before the SELLER's ownership? ☐ Yes ☐ No ☐ No Knowledge
- c) Was any damage caused to the property? ☐ Yes ☐ No ☐ No Knowledge
- d) If damage occurred, was it repaired? ☐ Yes ☐ No ☐ No Knowledge

7. If the property is currently covered by a termite contract, provide the following details:

- a) Name of pest control company: _____
- b) Contract expiration date: _____
- c) List any structures not included in the contract: _____

Explanation of "Yes" Answers (attach additional sheets if necessary):

SECTION 3: STRUCTURE(S)

8. What is the estimated age of each structure on the property?

- Main structure: _____
- Other structures: _____

9. Have any additions or modifications been made to the structures during the SELLER's ownership?

☐ Yes ☐ No

If yes, were all required permits and inspections obtained for those additions or modifications?

☐ Yes ☐ No ☐ No Knowledge

10. What is the estimated age of the roof on each structure?

- Main structure: _____
- Other structures: _____

11. Are you aware of any defects in the following areas?

(If "Yes," provide details at the end of this section.)

- Roof ☐ Yes ☐ No
- Irrigation system ☐ Yes ☐ No
- Interior walls ☐ Yes ☐ No
- Ceilings ☐ Yes ☐ No
- Floors ☐ Yes ☐ No
- Exterior walls ☐ Yes ☐ No
- Attic spaces ☐ Yes ☐ No
- Foundation ☐ Yes ☐ No
- Porches ☐ Yes ☐ No

- Basement ☐ Yes ☐ No
- Steps/Stairways ☐ Yes ☐ No
- Overhangs ☐ Yes ☐ No
- Pool ☐ Yes ☐ No
- Railings ☐ Yes ☐ No
- Decks ☐ Yes ☐ No
- Spa ☐ Yes ☐ No
- Windows ☐ Yes ☐ No
- Patios ☐ Yes ☐ No
- Other: _____

12. Has the property ever sustained damage (including, but not limited to, fire, wind, hail, or lightning — excluding flood damage addressed in Section 3)?

- a) During the SELLER's ownership? ☐ Yes ☐ No
- b) Before the SELLER's ownership? ☐ Yes ☐ No ☐ No Knowledge
- c) If "Yes," describe the type of damage, defects, and repair status at the end of this section.

13. Has any foundation repair been performed?

- a) During the SELLER's ownership? ☐ Yes ☐ No
- b) Before the SELLER's ownership? ☐ Yes ☐ No ☐ No Knowledge
- c) Is there a transferable foundation warranty? ☐ Yes ☐ No ☐ No Knowledge
- d) If "Yes," provide the name of the warranty company:

14. Does the property include an Exterior Insulation and Finish System (EIFS) or any other synthetic stucco?

☐ Yes ☐ No ☐ No Knowledge

Explanation of “Yes” Answers (attach additional sheets if needed):

Note: If any structure on the property was built before 1978, the SELLER must complete and provide the “**Disclosure on Lead-Based Paint and Lead-Based Paint Hazard Addendum**,” included with this Property Disclosure Document.

SECTION 4: PLUMBING, WATER, GAS, AND SEWAGE

15. Are you aware of any defects with the plumbing system?

- a) During the SELLER’s ownership? ☐ Yes ☐ No
b) Before the SELLER’s ownership? ☐ Yes ☐ No

16. Are you aware of any defects with the water piping?

- a) During the SELLER’s ownership? ☐ Yes ☐ No
b) Before the SELLER’s ownership? ☐ Yes ☐ No

c) Source of water supply:

☐ Municipality ☐ Private Utility ☐ On-site System ☐ Shared Well System ☐ Other:

d) Number of private wells serving the primary residence: _____

e) If private wells exist, when was the water last tested?

Date: _____ Results: _____

f) Are you aware of any polybutylene piping in the structure? ☐ Yes ☐ No

17. Is gas service available to the property?

☐ Yes ☐ No ☐ No Knowledge

a) If yes, specify type: ☐ Butane ☐ Natural ☐ Propane

b) If yes, are there any known defects in the gas service? ☐ Yes ☐ No

c) If Butane or Propane, are the tanks: ☐ Owned ☐ Leased

d) If leased, name of service provider: _____

18. Are you aware of any defects with any water heater?

a) During the SELLER's ownership? ☐ Yes ☐ No

b) Before the SELLER's ownership? ☐ Yes ☐ No

19. Sewerage service is provided by:

☐ Municipality ☐ Community ☐ Other: _____

a) Number of private sewer systems serving the primary residence:

b) Is the property served by a pump grinder system? ☐ Yes ☐ No ☐ No Knowledge

Explanation of "Yes" Answers (attach additional sheets if needed):

Note: SELLER must attach a Private Water/Sewage Disclosure if the property is not connected to a community sewerage system (i.e., one that serves multiple homes/connections) or to a water system regulated by the Louisiana Department of Health.

SECTION 5: ELECTRICAL, HEATING, AND COOLING APPLIANCES

20. Are you aware of any defects with the electrical system?

- a) During the SELLER's ownership? ☐ Yes ☐ No
- b) Before the SELLER's ownership? ☐ Yes ☐ No
- c) Is there any aluminum wiring in the structure? ☐ Yes ☐ No

21. Are you aware of any defects with the heating or cooling systems?

- a) During the SELLER's ownership? ☐ Yes ☐ No
- b) Before the SELLER's ownership? ☐ Yes ☐ No

22. If a fireplace exists, is it operational?

☐ Yes ☐ No ☐ No Knowledge

23. Are you aware of any defects in permanently installed or built-in appliances?

- a) During the SELLER's ownership? ☐ Yes ☐ No
- b) Before the SELLER's ownership? ☐ Yes ☐ No

24. Does the property or any structure include any of the following?

(Check all that apply and provide details at the end of this section.)

- Security alarm ☐ Yes ☐ No ☐ No Knowledge
- Fire alarm ☐ Yes ☐ No ☐ No Knowledge
- Generator ☐ Yes ☐ No ☐ No Knowledge
- Smoke detector (10-year lithium battery) ☐ Yes ☐ No ☐ No Knowledge
- Solar panels ☐ Yes ☐ No ☐ No Knowledge

- CO detector (long-life sealed battery) ☐ Yes ☐ No ☐ No Knowledge
- Audio/Video surveillance ☐ Yes ☐ No ☐ No Knowledge

a) Are any of these items leased? ☐ Yes ☐ No ☐ No Knowledge

b) If leased, name of service provider: _____

Explanation of "Yes" Answers (attach additional sheets if necessary):

SECTION 6: FLOOD, FLOOD ASSISTANCE, AND FLOOD INSURANCE

25. Has the land experienced any flooding, water intrusion, water accumulation, or drainage issues?

(If yes, describe the nature and frequency at the end of this section.)

a) During the SELLER's ownership? ☐ Yes ☐ No

b) Before the SELLER's ownership? ☐ Yes ☐ No ☐ No Knowledge

26. Has any structure on the property ever flooded (from rising water, water intrusion, or other causes)?

(If yes, describe the nature and frequency at the end of this section.)

a) During the SELLER's ownership? ☐ Yes ☐ No

b) Before the SELLER's ownership? ☐ Yes ☐ No ☐ No Knowledge

27. What is the flood zone classification of the property? _____

Source and date of information: _____

(Check all that apply)

- Survey / Date: _____
- Elevation Certificate / Date: _____
- FEMA Flood Map: <https://msc.fema.gov/portal/home>
- FloodSmart Resource: <https://www.floodsmart.gov/understanding-my-flood-zone>
- Other (provide details): _____

28. Special Flood Hazard Areas

If the property is located within a designated Special Flood Hazard Area as shown on FEMA maps, federal law (42 U.S.C. 4104a, et seq.) requires that prospective purchasers be informed that flood insurance may be required as a condition of financing.

Is the property located in a designated Special Flood Hazard Area? ☐ Yes ☐ No

29. Is there an active flood insurance policy on the property?

☐ Yes ☐ No

If yes, a copy of the policy declarations page must be attached and made part of this Property Disclosure Document.

30. Does the SELLER possess a flood elevation certificate that will be provided to the BUYER?

☐ Yes ☐ No

31. Has the SELLER ever filed a private flood insurance claim for this property?

☐ Yes ☐ No

a) If yes, was the claim approved? ☐ Yes ☐ No

b) If yes, what amount was received? _____

32. Did the previous owner ever file a private flood insurance claim for this property?

☐ Yes ☐ No ☐ No Knowledge

a) If yes, was the claim approved? ☐ Yes ☐ No ☐ No Knowledge

b) If yes, what amount was received? _____

NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

33. Has the SELLER ever filed a National Flood Insurance Program (NFIP) claim for this property?

☐ Yes ☐ No

a) If yes, was the claim approved? ☐ Yes ☐ No

b) If yes, what amount was received? _____

34. Did a previous owner ever file an NFIP claim for this property?

☐ Yes ☐ No ☐ No Knowledge

a) If yes, was the claim approved? ☐ Yes ☐ No ☐ No Knowledge

b) If yes, what amount was received? _____

Federal Disaster Assistance / Grants

35. If the SELLER or any prior owner received federal flood disaster assistance, and that assistance required flood insurance coverage on the property, federal law (42 U.S.C. § 5154a) requires that prospective purchasers be notified that they must maintain flood insurance. If flood insurance is not maintained and the property is later

damaged by a flood, the purchaser may be ineligible for additional federal disaster assistance.

To the best of the SELLER's knowledge, has federal flood disaster assistance ever been received for this property?

☐ Yes ☐ No ☐ No Knowledge

a) If yes, which federal agency assisted (e.g., FEMA, SBA)? _____

b) If yes, what amount was received? _____

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

Road Home Program

36. Has the SELLER received a Road Home grant?

☐ Yes ☐ No

37. Has a previous owner received a Road Home grant for this property?

☐ Yes ☐ No ☐ No Knowledge

If yes, answer the following:

a) Is the property subject to a Road Home Declaration of Covenants Running with the Land, or any other requirement to obtain and maintain flood insurance?

☐ Yes ☐ No ☐ No Knowledge

b) If yes, attach a copy of the Road Home Program Declaration of Covenants or related requirements.

c) Has the SELLER or any previous owner personally assumed any obligations under the Road Home Program Grant Agreement?

☐ Yes ☐ No ☐ No Knowledge

Explanation of "Yes" Answers (attach additional sheets if needed):

SECTION 7: MISCELLANEOUS

38. Are you aware of any building restrictions or restrictive covenants that limit the use of the property, or that regulate the type of construction or materials used on any structure?

☐ Yes ☐ No

39. What is the current zoning of the property? _____

Has the property ever been zoned for commercial or industrial use? ☐ Yes ☐ No ☐ No Knowledge

40. Is the property located within a historic district?

☐ Yes ☐ No ☐ No Knowledge

If yes, name of historic district: _____ (See attached disclosure)

41. Are you aware of any conflicts between the property's current use and applicable zoning, building, or safety regulations?

☐ Yes ☐ No

42. Are you aware of any outstanding governmental liens or unpaid taxes on the property?

☐ Yes ☐ No

43. Is membership in a Homeowners' Association (HOA), Condominium Owners' Association (COA), or Property Owners' Association (POA) mandatory as a condition of ownership of this property?

☐ Yes ☐ No

a) Are dues required for HOA, COA, or POA membership? ☐ Yes ☐ No

b) Are there any current or pending special assessments? ☐ Yes ☐ No ☐ No Knowledge

c) Provide contact information for HOA/COA/POA (name, email, phone):

Note: Any information in this disclosure related to HOAs, COAs, POAs, restrictive covenants, or building restrictions is a summary only. Governing documents such as covenants, restrictions, and HOA bylaws are a matter of public record and may be obtained from the Clerk of Court's conveyance records in the parish where the property is located. The SELLER must provide copies of such documents only if they are in the SELLER's possession. Otherwise, these documents may be obtained from the public records or the contact listed above. If no contact is provided, the SELLER is not aware of one.

44. The streets providing access to the property are:

☐ Private ☐ Public ☐ No Knowledge

45. Is the property subject to a common regime of restrictive covenants, building restrictions, or both?

a) Restrictive Covenants ☐ Yes ☐ No ☐ No Knowledge

b) Building Restrictions ☐ Yes ☐ No ☐ No Knowledge

c) Both ☐ Yes ☐ No ☐ No Knowledge

46. Is there a homestead exemption currently in effect for the property?

☐ Yes ☐ No ☐ No Knowledge

47. Is there any pending litigation concerning the property that has not already been disclosed in this document?

☐ Yes ☐ No ☐ No Knowledge

48. Has an animal or pet ever lived in the structure?

a) During the SELLER's ownership? ☐ Yes ☐ No

b) Before the SELLER's ownership? ☐ Yes ☐ No ☐ No Knowledge

49. Does the property or any of its structures contain any of the following?

(Check all that apply and provide details at the end of this section.)

- Asbestos ☐ Yes ☐ No ☐ No Knowledge
- Formaldehyde ☐ Yes ☐ No ☐ No Knowledge
- Radon gas ☐ Yes ☐ No ☐ No Knowledge
- Chemical storage tanks ☐ Yes ☐ No ☐ No Knowledge
- Contaminated soil ☐ Yes ☐ No ☐ No Knowledge
- Contaminated water ☐ Yes ☐ No ☐ No Knowledge
- Hazardous waste ☐ Yes ☐ No ☐ No Knowledge
- Toxic mold ☐ Yes ☐ No ☐ No Knowledge
- Mold / Mildew ☐ Yes ☐ No ☐ No Knowledge
- Electromagnetic fields ☐ Yes ☐ No ☐ No Knowledge
- Contaminated drywall / sheetrock ☐ Yes ☐ No ☐ No Knowledge
- Contaminated flooring ☐ Yes ☐ No ☐ No Knowledge

- Other hazardous materials or conditions ☐ Yes ☐ No ☐ No Knowledge

50. Has there ever been an illegal laboratory for the production or manufacture of methamphetamine operating on the property?

☐ Yes ☐ No ☐ No Knowledge

51. Is there a salt cavity beneath the property created by solution mining (dissolution with water)?

☐ Yes ☐ No ☐ No Knowledge

52. Is there a solution mining injection well within 2,640 feet (½ mile) of the property?

☐ Yes ☐ No ☐ No Knowledge

Explanation of “Yes” Answers (attach additional sheets if needed):

PROPERTY DISCLOSURE DOCUMENT ACKNOWLEDGEMENTS

All SELLERS are required to provide a written disclosure of any **known defects** related to the property being transferred. I/We affirm that the above statements and explanations have been completed by me/us and are true and accurate to the best of my/our knowledge.

(If either party is represented by a licensed real estate professional, signing below acknowledges that you have been informed of your rights and obligations under LSA-R.S. 9:3196–3200 and that you have read and understood the informational statement.)

SELLER(S) agree to immediately notify all parties, in writing, if any information contained in this Property Disclosure Document becomes inaccurate, incorrect, or materially changes.

The SELLER(S) confirm that the information provided in this document is current as of the date signed below.

SELLER SIGNATURE(S):

_____ Date _____ Time _____ (Print Name) _____

_____ Date _____ Time _____ (Print Name) _____

_____ Date _____ Time _____ (Print Name) _____

_____ Date _____ Time _____ (Print Name) _____

BUYER ACKNOWLEDGEMENT:

By signing below, the BUYER(S) confirm receipt of this Property Disclosure Document.

BUYER SIGNATURE(S):

_____ Date _____ Time _____ (Print Name) _____

_____ Date _____ Time _____ (Print Name) _____

_____ Date _____ Time _____ (Print Name) _____

_____ Date _____ Time _____ (Print Name) _____