

Seller's Property Disclosure – Condominium

Notice to Licensee and Seller: This form is to be completed only by the Seller.

Notice to Seller: Florida law requires you, as the seller of a home, to disclose to the buyer any known facts that materially impact the value of the property being sold and that are not easily observable or known by the buyer. This disclosure form is designed to help you comply with that requirement. Keep in mind, however, that the form may not cover every issue specific to the property. Think about what information you would want to know if you were buying the property today. If you need more space for additional details, comments, or explanations, mark the checkbox in Paragraph 10 and attach an addendum.

Notice to Buyer: The statements below are made solely by the Seller, not by any real estate agent. This disclosure does not serve as a warranty or guarantee of any kind. It is not a substitute for inspections, warranties, or insurance you may choose to obtain. Use your own judgment and common sense in evaluating this information. The details provided reflect only the Seller's actual knowledge of the property's condition. The Seller may not know every material or significant issue. You are strongly encouraged to obtain an independent, professional home inspection to confirm the property's condition and to determine any potential repair costs. This disclosure is informational only and is not a contract or part of any purchase agreement.

Florida law² also requires that when buying a condominium unit from a non-developer seller, the seller must, at their expense, provide the buyer with current copies of the condominium declaration, articles of incorporation, association bylaws and rules, the latest annual financial statement and budget, and the "Frequently Asked Questions and Answers" document (if requested in writing by the buyer). These documents, along with meeting minutes and agendas, address important matters that should be reviewed before purchase, such as recurring fees, special assessments, capital contributions, penalties, and restrictions relating to alterations, leasing, parking, pets, resale, vehicles, and more.

Except for the information provided in Sections 6–9, this disclosure relates only to the individual unit described below and not to the limited common elements, common elements, or the condominium association ("Association").

The Seller makes the following disclosure for the property identified as:
_____ (the "Unit").

The Unit is ☐ owner-occupied ☐ tenant-occupied ☐ unoccupied (If unoccupied, how long has it been since the Seller last lived in the unit? _____)

1. Structures, Systems, and Appliances

(a) Is the roof a common element maintained by the Association?
☐ Yes ☐ No ☐ Don't Know

(b) To your knowledge, is the roof of the Unit structurally sound and free of leaks?
☐ Yes ☐ No ☐ Don't Know

(c) Are ceilings, walls, doors, windows, and other structural components sound and free of leaks?
☐ Yes ☐ No ☐ Don't Know

(d) Has any additional structural reinforcement been added to the Unit?

☐ Yes ☐ No ☐ Don't Know

(e) Are heating and cooling systems common elements maintained by the Association?

☐ Yes ☐ No ☐ Don't Know

(f) To your knowledge, are the heating and cooling systems working properly and operating as intended?

☐ Yes ☐ No ☐ Don't Know

(g) Are existing major appliances, mechanical systems, and electrical systems in working order, functioning as designed?

☐ Yes ☐ No ☐ Don't Know

(h) Are any appliances leased?

☐ Yes ☐ No ☐ Don't Know

If yes, which ones: _____

(i) If you answered "No" to questions 1(b), 1(c), 1(f), or 1(g), or "Yes" to 1(d), please explain:

1 Johnson v. Davis, 480 So. 2d 625 (Fla. 1985).

2 Section 718.503(2), Florida Statutes.

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explain: _____

2. Termites; Wood-Destroying Organisms; Pests

(a) Are there termites, other wood-destroying organisms (including fungi), or pests currently in the Unit, or has the Unit ever had structural damage caused by them? ☐ Yes ☐ No ☐ Not Sure

(b) Has the Unit ever been treated for termites, other wood-destroying organisms, fungi, or pests? ☐ Yes ☐ No ☐ Not Sure

(c) If you answered "Yes" to 2(a) or 2(b), please provide details: _____

3. Water Intrusion; Plumbing; Flood Coverage

(a) Has the Unit experienced past or present water intrusion or flooding? ☐ Yes ☐ No ☐ Not Sure

(b) Does the Unit contain polybutylene piping? ☐ Yes ☐ No ☐ Not Sure

(c) Have there been any plumbing leaks or sewage backups, past or present, in the Unit? ☐ Yes ☐ No ☐ Not Sure

(d) Has water leaked into your Unit from units above or beside it, or leaked from your Unit into units next to or below it? ☐ Yes ☐ No ☐ Not Sure

(e) Does your mortgage lender require flood insurance? ☐ Yes ☐ No ☐ Not Sure

(f) If you answered "Yes" to any of 3(a)-3(d), please explain: _____

4. Fire Protection; Modifications; Renovations

(a) Does the Unit have a fire sprinkler system? ☐ Yes ☐ No ☐ Not Sure

If not, has the Association decided to require sprinkler retrofitting for each Unit? ☐ Yes ☐ No ☐ Not

Sure

(b) Have any improvements or modifications been made to the Unit—by you or anyone else—without the necessary Association approval? ☐ Yes ☐ No ☐ Not Sure

(c) Have any improvements or changes to the Unit—by you or others—been made in violation of building codes, zoning, or government permits? ☐ Yes ☐ No ☐ Not Sure

(d) Are there any improvements located below the base flood elevation? ☐ Yes ☐ No ☐ Not Sure

(e) Have any improvements been made that conflict with local flood requirements? ☐ Yes ☐ No ☐ Not Sure

(f) Are there open permits for the Unit that remain unresolved or not closed with a final inspection? ☐ Yes ☐ No ☐ Not Sure

(g) If you answered “Yes” to any of 4(b)-4(f), please explain: _____

5. Hazardous Materials

(a) Was the Unit built before 1978? ☐ Yes ☐ No ☐ Not Sure

If yes, please review the Lead-Based Paint Disclosure.

(b) Are there any materials or substances in the Unit considered hazardous or environmental risks, such as lead-based paint, asbestos, mold, radon gas, urea formaldehyde, meth contamination, or Chinese drywall? ☐ Yes ☐ No ☐ Not Sure

(c) Has the Unit ever had damage, cleanup, or repairs due to any of the items listed in (b)? ☐ Yes ☐ No ☐ Not Sure

(d) If you answered “Yes” to 5(b) or 5(c), please explain: _____

6. Limited Common Areas

(a) Does the Unit include any limited common areas designated for your exclusive use (e.g., assigned parking, storage, boat slip, cabana, garage, carport, balcony, or patio)? ☐ Yes ☐ No ☐ Not Sure

(b) If yes, list those areas and state whether a separate deed or other legal document gives you exclusive usage rights: _____

7. The Association

(a) Are there any planned changes to the Association’s governing documents?

(b) Is there any proposed modification that would significantly impact the common areas?

(c) Is the Association currently involved in, or facing, any legal actions?

(d) Has the Association ever been, or is it now, involved in lawsuits or claims related to construction defects or faulty building materials?

(e) To your knowledge, is there any discussion about converting the Condominium to another type of property?

(f) To your knowledge, is any investor or investment group attempting to acquire units in the community?

(g) Have any increases in fees or assessments been approved but not yet put into effect?

(h) Is any portion of the Association’s property located within a designated flood hazard area?

(i) Is any portion of the Association’s property located seaward of the coastal construction control line?

(j) Has any past or present soil settling, ground movement, or sinkhole activity affected the Association’s property?

(k) Has there been any structural damage to the Association’s property?

(l) Has any additional structural reinforcement been made to any portion of the Association’s property?

(m) Does the Association impose any restrictions on rentals?

(n) Does the Association impose any restrictions on pets?

If “Yes” to any of the above (7a–7n), please explain: _____

8. Milestone Inspection & Structural Integrity Reserve Study (F.S. 553.899)

- (a) Have the Association's agendas or meeting minutes included any discussions about the Milestone Inspection & Structural Integrity Reserve Study for the community?
- (b) Has the Association set aside funds to cover the cost of hiring an engineer for the Milestone Inspection & Structural Integrity Reserve Study?
- (c) Has the Association engaged an engineer to complete the Milestone Inspection & Structural Integrity Reserve Study?
- If yes, what is the expected completion date? _____
- (d) Has the Association budgeted for or discussed increasing fees or issuing a Special Assessment to cover costs of complying with the Milestone Inspection and/or Structural Integrity Reserve Study?
- If yes, provide details: _____

Further information may be provided through the Milestone Inspection and Structural Integrity Reserve Study Disclosure.

9. Foreign Investment in Real Property Tax Act ("FIRPTA")

- (a) Is the Seller subject to FIRPTA withholding under Section 1445 of the Internal Revenue Code?
- If yes, both Buyer and Seller should obtain professional legal and tax advice to ensure compliance.

10. ☐ (If checked) Other Matters; Additional Comments:

An attached addendum includes further information, explanations, or comments.

Seller affirms that the details provided in this form and any attached documents are true and complete to the best of Seller's knowledge as of the date signed. Seller authorizes the listing broker to share this disclosure statement with real estate agents and potential buyers of the Property. Seller further agrees to promptly inform **Buyer** in writing if any information contained in this disclosure becomes inaccurate or incorrect.

Seller: _____ / _____ Date: _____
(signature) (print)

Seller: _____ / _____ Date: _____
(signature) (print)

Buyer confirms that **Buyer** has read, understands, and received a copy of this disclosure statement.

Buyer: _____ / _____ Date: _____
(signature) (print)

Buyer: _____ / _____ Date: _____
(signature) (print)