

SELLER'S PROPERTY DISCLOSURE STATEMENT

This form recommended and approved for, but not restricted to use by, the members of the Pennsylvania Association of REALTORS® (PAR).

SPD

1 Property Address \_\_\_\_\_ 1

2 \_\_\_\_\_ 2

3 Seller \_\_\_\_\_ 3

4 The Real Estate Seller Disclosure Law (68 P.S. §7301 et. seq.) requires that a seller of a property must disclose to a buyer all known 4
5 material defects about the property being sold that are not readily observable. While the Law requires certain disclosures, this disclo- 5
6 sure statement covers common topics beyond the basic requirements of the Law in an effort to assist sellers in complying with dis- 6
7 closure requirements and to assist buyers in evaluating the property being considered. Sellers who wish to see or use the basic dis- 7
8 closure form can find the form on the Web site of the Pennsylvania State Real Estate Commission. 8

9 This Statement discloses Seller's knowledge of the condition of the property as of the date signed by Seller and is not a substitute for 9
10 any inspections or warranties that Buyer may wish to obtain. This Statement is not a warranty of any kind by Seller or a warranty or 10
11 representation by any listing real estate broker, any selling real estate broker, or their licensees. Buyer is encouraged to address concerns 11
12 about the conditions of the property that may not be included in this Statement. This Statement does not relieve Seller of the obligation 12
13 to disclose a material defect that may not be addressed on this form. 13

14 A Material Defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the 14
15 value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsys- 15
16 tem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by itself a material defect. 16

17 1. SELLER'S EXPERTISE Seller does not possess expertise in contracting, engineering, architecture, environmental assessment or 17
18 other areas related to the construction and conditions of the property and its improvements, except as follows: \_\_\_\_\_ 18
19 \_\_\_\_\_ 19

20 2. OWNERSHIP/OCCUPANCY 20

21 (a) Is the property currently occupied? \_\_\_ Yes \_\_\_ No If "yes," by whom? \_\_\_ Seller \_\_\_ Other occupants (tenants) 21
22 If property is not occupied, when was it last occupied? \_\_\_\_\_ 22

23 (b) How long have you owned the property? \_\_\_\_\_ 23

24 (c) Are you aware of any pets having lived in the house or other structures during your ownership? \_\_\_ Yes \_\_\_ No 24
25 If "yes," describe: \_\_\_\_\_ 25

26 3. ROOF 26

27 (a) Date roof installed: \_\_\_\_\_ Documented? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown 27

28 (b) Has the roof been replaced or repaired during your ownership? \_\_\_ Yes \_\_\_ No 28
29 If "yes," was the existing roofing material removed? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown 29

30 (c) Has the roof ever leaked during your ownership? \_\_\_ Yes \_\_\_ No 30

31 (d) Are you aware of any problems with the roof, gutters, flashing or downspouts? \_\_\_ Yes \_\_\_ No 31

32 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts: 32
33 \_\_\_\_\_ 33

34 4. BASEMENTS AND CRAWL SPACES (Complete only if applicable) 34

35 (a) Does the property have a sump pump? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown 35
36 If "yes," has it ever run? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown Is it in working order? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown 36

37 (b) Are you aware of any water leakage, accumulation, or dampness within the basement or crawl space? \_\_\_ Yes \_\_\_ No 37

38 (c) Do you know of any repairs or other attempts to control any water or dampness problem in the basement or crawl space? \_\_\_ Yes \_\_\_ No 38

39 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts: 39
40 \_\_\_\_\_ 40

41 5. TERMITES/WOOD-DESTROYING INSECTS, DRYROT, PESTS 41

42 (a) Are you aware of any termites/wood-destroying insects, dryrot, or pests affecting the property? \_\_\_ Yes \_\_\_ No 42

43 (b) Are you aware of any damage to the property caused by termites/wood-destroying insects, dryrot, or pests? \_\_\_ Yes \_\_\_ No 43

44 (c) Is your property currently under contract by a licensed pest control company? \_\_\_ Yes \_\_\_ No 44

45 (d) Are you aware of any termite/pest control reports or treatments for the property? \_\_\_ Yes \_\_\_ No 45

46 Explain any "yes" answers in this section, including the name of any service/treatment provider, if applicable: 46
47 \_\_\_\_\_ 47

48 6. STRUCTURAL ITEMS 48

49 (a) Are you aware of any past or present water leakage in the house or other structures? \_\_\_ Yes \_\_\_ No 49

50 (b) Are you aware of any past or present movement, shifting, deterioration, or other problems with walls, foundations, or other 50
51 structural components? \_\_\_ Yes \_\_\_ No 51

52 (c) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls on the property? \_\_\_ Yes \_\_\_ No 52

53 (d) Is your property constructed with an Exterior Insulating Finishing System (EIFS), such as Dryvit or synthetic stucco? 53
54 \_\_\_ Yes \_\_\_ No \_\_\_ Unknown If yes, date installed, if known \_\_\_\_\_ 54

55 (e) Are there any defects (including stains) in flooring or floor coverings? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown 55

56 (f) Are you aware of any fire, storm, water or ice damage to the property? \_\_\_ Yes \_\_\_ No 56

57 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts: 57
58 \_\_\_\_\_ 58

59 Buyer Initials: \_\_\_\_\_ Date \_\_\_\_\_

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Seller Initials: \_\_\_\_\_ Date \_\_\_\_\_ 59



60 7. **ADDITIONS/REMODELS** Have you made any additions, structural changes, or other alterations to the property?  Yes  No  
61 If "yes," describe: \_\_\_\_\_  
62 \_\_\_\_\_

63 **8. WATER SUPPLY**

- 64 (a) What is the source of your drinking water?  Public Water  Well on Property  Community Water  
65  None  Other (explain): \_\_\_\_\_  
66 (b) When was your water last tested? \_\_\_\_\_ Test results: \_\_\_\_\_  
67 If your drinking water source is not public, is the pumping system in working order?  Yes  No  
68 If "no," explain: \_\_\_\_\_  
69 (c) Do you have a softener, filter, or other treatment system?  Yes  No  
70 If you do not own the system, explain: \_\_\_\_\_  
71 (d) Have you ever had a problem with your water supply?  Yes  No  
72 (e) Has your well ever run dry?  Yes  No  Not Applicable  
73 (f) Is there a well on the property not used as the primary source of drinking water?  Yes  No  
74 If yes, is the well capped?  Yes  No  
75 (g) Is the water system shared?  Yes  No  
76 (h) Are you aware of any leaks or other problems, past or present, relating to the water supply, pumping system, and related items?  
77  Yes  No

78 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:**

79 \_\_\_\_\_  
80 **9. SEWAGE SYSTEM**

- 81 (a) What is the type of sewage system?  Public Sewer  Individual On-lot Sewage Disposal System  
82  Individual On-lot Sewage Disposal System in Proximity to Well  Community Sewage Disposal System  
83  Ten-acre Permit Exemption  Holding Tank  None  None Available/Permit Limitations in Effect  
84  Other type of sewage system (explain): \_\_\_\_\_  
85 \_\_\_\_\_  
86 (b) If Individual On-lot sewage system, what type?  Cesspool  Drainfield  Unknown  
87  Other (specify): \_\_\_\_\_  
88 (c) Are there any septic tanks on the Property?  Yes  No  Unknown  
89 If "yes," what type of tank(s)?  Metal/steel  Cement/concrete  Fiberglass  Unknown  
90  Other (specify): \_\_\_\_\_  
91 (d) When was the on-site sewage disposal system last serviced? \_\_\_\_\_  
92 (e) Are there any sewage pumps located on the property?  Yes  No  
93 If yes, type(s) of pump(s) \_\_\_\_\_ Are pump(s) in working order?  Yes  No  
94 Who is responsible for maintenance of sewage pumps? \_\_\_\_\_  
95 (f) Is the sewage system shared?  Yes  No  
96 (g) Are you aware of any past or present leaks, backups, or other problems relating to the sewage system and related items?  
97  Yes  No

98 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:**

99 \_\_\_\_\_  
100 **10. PLUMBING SYSTEM**

- 101 (a) Type of plumbing (check all that apply):  Copper  Galvanized  Lead  PVC  Polybutylene pipe (PB)  
102  Mixed  Unknown  Other (explain): \_\_\_\_\_  
103 (b) Are you aware of any problems with any of your plumbing fixtures (e.g., including but not limited to: kitchen, laundry, or bath-  
104 room fixtures; wet bars; etc.)?  Yes  No  
105 If "yes," explain: \_\_\_\_\_

106 **11. DOMESTIC WATER HEATING**

- 107 (a) Type of water heating:  Electric  Natural Gas  Fuel Oil  Propane  Solar  Summer/Winter Hook-Up  
108 Other (explain): \_\_\_\_\_  
109 (b) Are you aware of any problems with any water heater or related equipment?  Yes  No  
110 If "yes," explain: \_\_\_\_\_

111 **12. AIR CONDITIONING SYSTEM**

- 112 (a) Type of air conditioning:  Central Air  Wall Units  Window Units  None  
113 Other (explain): \_\_\_\_\_  
114 Number of window units included in sale \_\_\_\_\_ Location(s) \_\_\_\_\_  
115 (b) Age of Central Air Conditioning System: \_\_\_\_\_ Unknown Date last serviced, if known \_\_\_\_\_  
116 (c) List any areas of the house that are not air conditioned: \_\_\_\_\_  
117 \_\_\_\_\_  
118 (d) Are you aware of any problems with any item in this section?  Yes  No  
119 If "yes," explain: \_\_\_\_\_

121 13. HEATING SYSTEM

- (a) Type(s) of heating fuel(s) (check all that apply): \_\_\_ Electric \_\_\_ Fuel Oil \_\_\_ Natural Gas \_\_\_ Propane \_\_\_ Coal \_\_\_ Wood \_\_\_ Other:
(b) Type(s) of heating system(s) (check all that apply): \_\_\_ Forced Hot Air \_\_\_ Hot Water \_\_\_ Heat Pump \_\_\_ Electric Baseboard \_\_\_ Steam \_\_\_ Wood Stove (How many? \_\_\_) \_\_\_ Coal Stove (How many? \_\_\_) \_\_\_ Other:
(c) Age of Heating System: \_\_\_ Unknown Date last serviced, if known
(d) Are there any fireplaces? \_\_\_ Yes \_\_\_ No If "yes," how many? \_\_\_ Are they working? \_\_\_ Yes \_\_\_ No
(e) Are there any chimneys (from a fireplace, water heater or any other heating system)? \_\_\_ Yes \_\_\_ No If "yes," how many? \_\_\_ When were they last cleaned? \_\_\_ Unknown \_\_\_ Are they working? \_\_\_ Yes \_\_\_ No If "no," explain:
(f) List any areas of the house that are not heated:
(g) Are you aware of any heating fuel tanks on the property? \_\_\_ Yes \_\_\_ No Location(s), including underground tank(s): If you do not own the tanks, explain:

Are you aware of any problems or repairs needed regarding any item in this section? \_\_\_ Yes \_\_\_ No

If "yes," explain:

139 14. ELECTRICAL SYSTEM

- (a) Type of Electrical System: \_\_\_ Fuses \_\_\_ Circuit Breakers How Many Amps? \_\_\_ \_\_\_ Unknown
(b) Are you aware of any knob and tube wiring in the home? \_\_\_ Yes \_\_\_ No

Are you aware of any problems or repairs needed in the electrical system? \_\_\_ Yes \_\_\_ No

If "yes," explain:

144 15. OTHER EQUIPMENT AND APPLIANCES

This section must be completed for each item that will, or may, be sold with the property. The fact that an item is listed does not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will determine which items, if any, are included in the purchase of the Property.

- (a) \_\_\_ Electric Garage Door Opener Number of Transmitters \_\_\_ Keyless Entry \_\_\_
(b) \_\_\_ Smoke Detectors How many? \_\_\_ Location(s)
(c) \_\_\_ Security Alarm System \_\_\_ Owned \_\_\_ Leased (Lease Information)
(d) \_\_\_ Lawn Sprinkler(s) How many? \_\_\_ Automatic Timer \_\_\_
(e) \_\_\_ Swimming Pool \_\_\_ Hot Tub/Spa \_\_\_ Pool/Spa Heater \_\_\_ Pool/Spa Cover \_\_\_ Whirlpool/Tub \_\_\_ Pool/Spa Equipment and Accessories (list):
(f) \_\_\_ Refrigerator(s) \_\_\_ Range/Oven \_\_\_ Microwave Oven \_\_\_ Dishwasher \_\_\_ Trash Compactor \_\_\_ Garbage Disposal \_\_\_ Chest Freezer \_\_\_ Washer \_\_\_ Dryer \_\_\_ Intercom
(g) \_\_\_ Ceiling Fan(s) How many? \_\_\_ Location(s)
(h) \_\_\_ Awnings \_\_\_ Attic Fan(s) \_\_\_ Satellite Dish \_\_\_ Storage Shed \_\_\_ Deck(s) \_\_\_ Electric Animal Fence
(i) \_\_\_ Other:

Are you aware of any problems or repairs needed regarding any item in this section? \_\_\_ Yes \_\_\_ No

If "yes," explain:

161 16. LAND (SOILS, DRAINAGE, FLOODING AND BOUNDARIES)

(a) Land/Soils

- 1) Are you aware of any fill or expansive soil on the property? \_\_\_ Yes \_\_\_ No
2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have occurred on or affect the property? \_\_\_ Yes \_\_\_ No
3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this property? \_\_\_ Yes \_\_\_ No

Note to Buyer: The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidence Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within Pennsylvania) or (724) 769-1100 (outside Pennsylvania).

4) Is the property, or a portion of it, preferentially assessed for tax purposes, or subject to limited development rights?

\_\_\_ Yes \_\_\_ No If "yes", check all that apply below:

\_\_\_ Farmland and Forest Land Assessment Act - 72 P.S. §5490.1 et seq. (Clean and Green Program)

\_\_\_ Open Space Act - 16 P.S. §11941 et seq.

\_\_\_ Agricultural Area Security Law - 3 P.S. §901 et seq. (Development Rights)

\_\_\_ Other

Note to Buyer: Pennsylvania has enacted the Right to Farm Act (3 P.S. § 951-957) in an effort to limit the circumstances under which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any agricultural operations covered by the Act operate in the vicinity of the property.

Explain any "yes" answers in this section:

- 184 (b) **Flooding/Drainage** 184  
 185 1) Is any part of this property located in a wetlands area or a FEMA flood zone? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown 185  
 186 2) Do you know of any past or present drainage or flooding problems affecting the property? \_\_\_ Yes \_\_\_ No 186

187 **Explain any "yes" answers in this section, including dates and extent of flooding:** \_\_\_\_\_ 187  
 188 \_\_\_\_\_ 188

- 189 (c) **Boundaries** 189  
 190 1) Do you know of any encroachments, boundary line disputes, or easements affecting the property? \_\_\_ Yes \_\_\_ No 190

191 *Note to Buyer: Most properties have easements running across them for utility services and other reasons. In many cases, the* 191  
*easements do not restrict the ordinary use of the property, and Seller may not be readily aware of them. Buyers may wish to* 192  
*determine the existence of easements and restrictions by examining the property and ordering an Abstract of Title or searching* 193  
*the records in the Office of the Recorder of Deeds for the county before entering into an agreement of sale.* 194

- 195 2) Do you access the property from a private road or lane? \_\_\_ Yes \_\_\_ No 195  
 196 If yes, do you have a recorded right of way or maintenance agreement? \_\_\_ Yes \_\_\_ No 196  
 197 3) Are you aware of any shared or common areas (e.g., driveways, bridges, docks, walls, etc.) or maintenance agreements? 197  
 198 \_\_\_ Yes \_\_\_ No 198

199 **Explain any "yes" answers in this section:** \_\_\_\_\_ 199  
 200 \_\_\_\_\_ 200

201 **17. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES** 201

- 202 (a) Are you aware of any underground tanks (other than home heating fuel or septic tanks disclosed above)? \_\_\_ Yes \_\_\_ No 202  
 203 (b) Are you aware of any past or present hazardous substances present on the property (structure or soil) such as, but not limited 203  
 204 to, asbestos or polychlorinated biphenyls (PCBs), etc.? \_\_\_ Yes \_\_\_ No 204  
 205 (c) Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or have you 205  
 206 received written notice of sewage sludge being spread on an adjacent property? \_\_\_ Yes \_\_\_ No 206  
 207 (d) Are you aware of any tests for mold, fungi, or indoor air quality in the property? \_\_\_ Yes \_\_\_ No 207  
 208 (e) Other than general household cleaning, have you taken any efforts to control or remediate mold or mold-like substances in the 208  
 209 property? \_\_\_ Yes \_\_\_ No 209

210 *Note to Buyer: Individuals may be affected differently, or not at all, by mold contamination. If mold contamination or indoor air qual-* 210  
*ity is a concern, buyers are encouraged to engage the services of a qualified professional to do testing. Information on this issue is* 211  
*available from the United States Environmental Protection Agency and may be obtained by contacting IAQ INFO, P.O. Box 37133,* 212  
*Washington, D.C. 20013-7133, 1-800-438-4318.* 213

- 214 (f) Are you aware of any dumping on the property? \_\_\_ Yes \_\_\_ No 214  
 215 (g) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any 215  
 216 adjacent property? \_\_\_ Yes \_\_\_ No 216  
 217 (h) Are you aware of any tests for radon gas that have been performed in any buildings on the property? \_\_\_ Yes \_\_\_ No 217  
 218 If "yes," list date, type, and results of all tests below: 218

DATE	TYPE OF TEST	RESULTS (picocuries/liter or working levels)	NAME OF TESTING SERVICE
_____	_____	_____	_____
_____	_____	_____	_____

- 222 (i) Are you aware of any radon removal system on the property? \_\_\_ Yes \_\_\_ No 222  
 223 If "yes," list date installed and type of system, and whether it is in working order below: 223

DATE INSTALLED	TYPE OF SYSTEM	PROVIDER	WORKING ORDER?
_____	_____	_____	___ Yes ___ No
_____	_____	_____	___ Yes ___ No

- 227 (j) If property was constructed, or if construction began, before 1978, you must disclose any knowledge of lead-based paint on the 227  
 228 property. Are you aware of any lead-based paint or lead-based paint hazards on the property? \_\_\_ Yes \_\_\_ No 228  
 229 If "yes," explain how you know of it, where it is, and the condition of those lead-based paint surfaces: \_\_\_\_\_ 229  
 230 \_\_\_\_\_ 230

- 231 (k) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint 231  
 232 or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based 232  
 233 paint hazards on the property? \_\_\_ Yes \_\_\_ No 233  
 234 If "yes," list all available reports and records: \_\_\_\_\_ 234

- 235 (l) Are you aware of testing on the property for any other hazardous substances or environmental concerns? \_\_\_ Yes \_\_\_ No 235  
 236 (m) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property? 236

237 \_\_\_ Yes \_\_\_ No 237  
 238 **Explain any "yes" answers in this section:** \_\_\_\_\_ 238  
 239 \_\_\_\_\_ 239  
 240 \_\_\_\_\_ 240  
 241 \_\_\_\_\_ 241

243 18. **CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable)** 243  
244 Type:  Condominium  Cooperative  Homeowner Association or Planned Community 244  
245 Other: \_\_\_\_\_ 245

246 *Notice regarding Condominiums, Cooperatives, and Planned Communities: A buyer of a resale unit in a condominium, coopera-* 246  
247 *tive, or planned community must receive a copy of the declaration (other than the plats and plans), the by-laws, the rules or regula-* 247  
248 *tions, and a certificate of resale issued by the association in the condominium, cooperative, or planned com-* 248  
249 *munity. Buyers may be responsible for capital contributions, initiation fees or similar one-time fees in addition to regular monthly* 249  
250 *maintenance fees. The buyer will have the option of canceling the agreement with the return of all deposit monies until the certificate* 250  
251 *has been provided to the buyer and for five days thereafter or until conveyance, whichever occurs first.* 251

252 19. **MISCELLANEOUS** 252

- 253 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property? 253  
254  Yes  No 254
- 255 (b) Are you aware of any existing or threatened legal action affecting the property?  Yes  No 255
- 256 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property?  Yes  No 256
- 257 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain 257  
258 unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected?  Yes  No 258
- 259 (e) Are you aware of any judgment, encumbrance, lien (for example, co-maker or equity loan), overdue payment on a support obli- 259  
260 gation, or other debt against this property that cannot be satisfied by the proceeds of this sale?  Yes  No 260
- 261 (f) Are you aware of any reason, including a defect in title, that would prevent you from giving a warranty deed or conveying title to the 261  
262 property?  Yes  No 262
- 263 (g) Are you aware of any insurance claims filed relating to the property?  Yes  No 263
- 264 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form? 264  
265  Yes  No 265

266 A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact 266  
267 on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, 267  
268 system or subsystem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by 268  
269 itself a material defect 269

270 **Explain any "yes" answers in this section:** \_\_\_\_\_ 270  
271 \_\_\_\_\_ 271

272 **The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best** 272  
273 **of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the prop-** 273  
274 **erty and to other real estate licensees. SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION** 274  
275 **CONTAINED IN THIS STATEMENT. Seller shall cause Buyer to be notified in writing of any information supplied on this form** 275  
276 **which is rendered inaccurate by a change in the condition of the property following completion of this form.** 276

277 **WITNESS** \_\_\_\_\_ **SELLER** \_\_\_\_\_ **DATE** \_\_\_\_\_ 277  
278 **WITNESS** \_\_\_\_\_ **SELLER** \_\_\_\_\_ **DATE** \_\_\_\_\_ 278  
279 **WITNESS** \_\_\_\_\_ **SELLER** \_\_\_\_\_ **DATE** \_\_\_\_\_ 279

280 **EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK** 280

281 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required 281  
282 to fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known mate- 282  
283 rial defect(s) of the property. 283

284 \_\_\_\_\_ **DATE** \_\_\_\_\_ 284

285 **RECEIPT AND ACKNOWLEDGEMENT BY BUYER** 285

286 **The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a** 286  
287 **warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It** 287  
288 **is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property** 288  
289 **be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components.** 289

290 **WITNESS** \_\_\_\_\_ **BUYER** \_\_\_\_\_ **DATE** \_\_\_\_\_ 290  
291 **WITNESS** \_\_\_\_\_ **BUYER** \_\_\_\_\_ **DATE** \_\_\_\_\_ 291  
292 **WITNESS** \_\_\_\_\_ **BUYER** \_\_\_\_\_ **DATE** \_\_\_\_\_ 292

## INFORMATION REGARDING THE REAL ESTATE SELLER DISCLOSURE LAW

Generally speaking, the Real Estate Seller Disclosure Law requires that before an agreement of sale is signed, the seller in a residential real estate transfer must make certain disclosures regarding the property to potential buyers in a form defined by the law. A residential real estate transfer is defined as a sale, exchange, installment sales contract, lease with an option to buy, grant or other transfer of an interest in real property where **NOT LESS THAN ONE AND NOT MORE THAN FOUR RESIDENTIAL DWELLING UNITS** are involved.

The Law defines a number of exceptions where the disclosures do not have to be made:

1. Transfers that are the result of a court order.
2. Transfers to a mortgage lender that result from a buyer's default and subsequent foreclosure sales that result from default.
3. Transfers from a co-owner to one or more other co-owners.
4. Transfers made to a spouse or direct descendant.
5. Transfers between spouses that result from divorce, legal separation, or property settlement.
6. Transfers by a corporation, partnership or other association to its shareholders, partners or other equity owners as part of a plan of liquidation.
7. Transfer of a property to be demolished or converted to non-residential use.
8. Transfer of unimproved real property.
9. Transfers by a fiduciary during the administration of a decedent estate, guardianship, conservatorship or trust.
10. Transfers of new construction that has never been occupied when:
  - a. The buyer has received a one-year warranty covering the construction;
  - b. The building has been inspected for compliance with the applicable building code or, if none, a nationally recognized model building code; and
  - c. A certificate of occupancy or a certificate of code compliance has been issued for the dwelling.

In addition to these exceptions, disclosures for condominiums and cooperatives are limited to the seller's particular unit(s). Disclosures regarding common areas or facilities are not required, as those elements are already addressed in the laws that govern the resale of condominium and cooperative interests.