

SELLER'S PROPERTY DISCLOSURE STATEMENT

SPD

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

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

2 \_\_\_\_\_

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

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
5 material defects about the property being sold that are not readily observable. While the Law requires certain disclosures, this disclosure
6 statement covers common topics beyond the basic requirements of the Law in an effort to assist sellers in complying with disclosure
7 requirements and to assist buyers in evaluating the property being considered. Sellers who wish to see or use the basic disclosure form
8 can find the form on the Web site of the Pennsylvania State Real Estate Commission.

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
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
11 representation by any listing real estate broker, any selling real estate broker, or their licensees. Buyer is encouraged to address concerns
12 about the conditions of the property that may not be included in this Statement. This Statement does not relieve Seller of the obligation
13 to disclose a material defect that may not be addressed on this form.

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
15 value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsystem
16 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.

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

19 2. OWNERSHIP/OCCUPANCY

20 (a) Is the property currently occupied? \_\_\_ Yes \_\_\_ No If "yes," by whom? \_\_\_ Seller \_\_\_ Other occupants (tenants)

21 If property is not occupied, when was it last occupied? \_\_\_\_\_

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

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

25 3. ROOF

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

27 (b) Has the roof been replaced or repaired during your ownership? \_\_\_ Yes \_\_\_ No

28 If "yes," was the existing roofing material removed? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown

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

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

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

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

34 (a) Does the property have a sump pump? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown

35 If "yes," has it ever run? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown Is it in working order? \_\_\_ Yes \_\_\_ No \_\_\_ Unknown

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

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

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

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

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

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

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

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

47 6. STRUCTURAL ITEMS

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

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

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

52 (d) Is your property constructed with an Exterior Insulating Finishing System (EIFS), such as Dryvit or synthetic stucco?

53 \_\_\_ Yes \_\_\_ No \_\_\_ Unknown If yes, date installed, if known \_\_\_\_\_

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

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

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

58 Buyer Initials: \_\_\_\_\_ Date \_\_\_\_\_ SPD Page 1 of 5 Seller Initials: \_\_\_\_\_ Date \_\_\_\_\_



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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 Limitation 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)  Mixed  
102  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 bathroom  
104 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: \_\_\_\_\_

120 **Buyer Initials:** \_\_\_\_\_ **Date** \_\_\_\_\_ **SPD Page 2 of 5** **Seller Initials:** \_\_\_\_\_ **Date** \_\_\_\_\_

121 13. HEATING SYSTEM  
 122 (a) Type(s) of heating fuel(s) (check all that apply):  Electric  Fuel Oil  Natural Gas  Propane  Coal  Wood  
 123  Other: \_\_\_\_\_  
 124 (b) Type(s) of heating system(s) (check all that apply):  Forced Hot Air  Hot Water  Heat Pump  Electric Baseboard  
 125  Steam  Wood Stove (How many? \_\_\_\_\_ )  Coal Stove (How many? \_\_\_\_\_ )  
 126  Other: \_\_\_\_\_  
 127 (c) Age of Heating System: \_\_\_\_\_  Unknown Date last serviced, if known \_\_\_\_\_  
 128 (d) Are there any fireplaces?  Yes  No If "yes," how many? \_\_\_\_\_ Are they working?  Yes  No  
 129 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)?  Yes  No  
 130 If "yes," how many? \_\_\_\_\_ When were they last cleaned? \_\_\_\_\_ Unknown   
 131 Are they working?  Yes  No If "no," explain: \_\_\_\_\_  
 132 (f) List any areas of the house that are not heated: \_\_\_\_\_  
 133 (g) Are you aware of any heating fuel tanks on the property?  Yes  No  
 134 Location(s), including underground tank(s): \_\_\_\_\_  
 135 If you do not own the tanks, explain: \_\_\_\_\_  
 136 Are you aware of any problems or repairs needed regarding any item in this section?  Yes  No  
 137 If "yes," explain: \_\_\_\_\_  
 138 \_\_\_\_\_

139 14. ELECTRICAL SYSTEM  
 140 (a) Type of Electrical System:  Fuses  Circuit Breakers How Many Amps? \_\_\_\_\_  Unknown  
 141 (b) Are you aware of any knob and tube wiring in the home?  Yes  No  
 142 Are you aware of any problems or repairs needed in the electrical system?  Yes  No  
 143 If "yes," explain: \_\_\_\_\_  
 144 \_\_\_\_\_

145 15. OTHER EQUIPMENT AND APPLIANCES  
 146 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  
 147 not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will  
 148 determine which items, if any, are included in the purchase of the Property.  
 149 (a)  Electric Garage Door Opener Number of Transmitters \_\_\_\_\_ Keyless Entry   
 150 (b)  Smoke Detectors How many? \_\_\_\_\_ Location(s) \_\_\_\_\_  
 151 (c)  Security Alarm System  Owned  Leased (Lease Information \_\_\_\_\_ )  
 152 (d)  Lawn Sprinkler(s) How many? \_\_\_\_\_ Automatic Timer   
 153 (e)  Swimming Pool  Hot Tub/Spa  Pool/Spa Heater  Pool/Spa Cover  Whirlpool/Tub  
 154  Pool/Spa Equipment and Accessories (list): \_\_\_\_\_  
 155 (f)  Refrigerator(s)  Range/Oven  Microwave Oven  Dishwasher  Trash Compactor  Garbage Disposal  
 156  Chest Freezer  Washer  Dryer  Intercom  
 157 (g)  Ceiling Fan(s) How many? \_\_\_\_\_ Location(s) \_\_\_\_\_  
 158 (h)  Awnings  Attic Fan(s)  Satellite Dish  Storage Shed  Deck(s)  Electric Animal Fence  
 159 (i)  Other: \_\_\_\_\_  
 160 Are you aware of any problems or repairs needed regarding any item in this section?  Yes  No  
 161 If "yes," explain: \_\_\_\_\_  
 162 \_\_\_\_\_

163 16. LAND (SOILS, DRAINAGE, FLOODING AND BOUNDARIES)  
 164 (a) Land/Soils  
 165 1) Are you aware of any fill or expansive soil on the property?  Yes  No  
 166 2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have  
 167 occurred on or affect the property?  Yes  No  
 168 3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this  
 169 property?  Yes  No  
 170 *Note to Buyer: The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence*  
 171 *damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidence*  
 172 *Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within Pennsylvania)*  
 173 *or (724) 769-1100 (outside Pennsylvania).*  
 174 4) Is the property, or a portion of it, preferentially assessed for tax purposes, or subject to limited development rights?  
 175  Yes  No If "yes", check all that apply below:  
 176  **Farmland and Forest Land Assessment Act** - 72 P.S. §5490.1 et seq. (Clean and Green Program)  
 177  **Open Space Act** - 16 P.S. §11941 et seq.  
 178  **Agricultural Area Security Law** - 3 P.S. §901 et seq. (Development Rights)  
 179  Other \_\_\_\_\_  
 180 *Note to Buyer: Pennsylvania has enacted the Right to Farm Act (3 P.S. § 951-957) in an effort to limit the circumstances under*  
 181 *which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any*  
 182 *agricultural operations covered by the Act operate in the vicinity of the property.*  
 183 Explain any "yes" answers in this section: \_\_\_\_\_  
 184 \_\_\_\_\_

183 Buyer Initials: \_\_\_\_\_ Date \_\_\_\_\_ SPD Page 3 of 5 Seller Initials: \_\_\_\_\_ Date \_\_\_\_\_

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(b) **Flooding/Drainage**

- 1) Is any part of this property located in a wetlands area or a FEMA flood zone?  Yes  No  Unknown
- 2) Do you know of any past or present drainage or flooding problems affecting the property?  Yes  No

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

(c) **Boundaries**

- 1) Do you know of any encroachments, boundary line disputes, or easements affecting the property?  Yes  No

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

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

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

**17. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES**

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

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

- (f) Are you aware of any dumping on the property?  Yes  No
- (g) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any adjacent property?  Yes  No
- (h) Are you aware of any tests for radon gas that have been performed in any buildings on the property?  Yes  No

If "yes," list date, type, and results of all tests below:

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

- (i) Are you aware of any radon removal system on the property?  Yes  No

If "yes," list date installed and type of system, and whether it is in working order below:

DATE INSTALLED	TYPE OF SYSTEM	PROVIDER	WORKING ORDER?
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

- (j) If property was constructed, or if construction began, before 1978, you must disclose any knowledge of lead-based paint on the property. Are you aware of any lead-based paint or lead-based paint hazards on the property?  Yes  No

If "yes," explain how you know of it, where it is, and the condition of those lead-based paint surfaces: \_\_\_\_\_

- (k) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based paint hazards on the property?  Yes  No

If "yes," list all available reports and records: \_\_\_\_\_

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

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

242 **Buyer Initials:** \_\_\_\_\_ **Date** \_\_\_\_\_ **SPD Page 4 of 5** **Seller Initials:** \_\_\_\_\_ **Date** \_\_\_\_\_

243 18. CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable)

244 Type: \_\_\_ Condominium \_\_\_ Cooperative \_\_\_ Homeowner Association or Planned Community

245 Other: \_\_\_\_\_

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

252 19. MISCELLANEOUS

253 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property?  
254 \_\_\_ Yes \_\_\_ No

255 (b) Are you aware of any existing or threatened legal action affecting the property? \_\_\_ Yes \_\_\_ No

256 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property? \_\_\_ Yes \_\_\_ No

257 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain  
258 unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected? \_\_\_ Yes \_\_\_ No

259 (e) Are you aware of any judgment, encumbrance, lien (for example, co-maker or equity loan), overdue payment on a support obligation,  
260 or other debt against this property that cannot be satisfied by the proceeds of this sale? \_\_\_ Yes \_\_\_ No

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  
262 property? \_\_\_ Yes \_\_\_ No

263 (g) Are you aware of any insurance claims filed relating to the property? \_\_\_ Yes \_\_\_ No

264 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form?  
265 \_\_\_ Yes \_\_\_ No

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

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

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

277 WITNESS \_\_\_\_\_ SELLER \_\_\_\_\_ DATE \_\_\_\_\_

278 WITNESS \_\_\_\_\_ SELLER \_\_\_\_\_ DATE \_\_\_\_\_

279 WITNESS \_\_\_\_\_ SELLER \_\_\_\_\_ DATE \_\_\_\_\_

280 EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK

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

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

285 RECEIPT AND ACKNOWLEDGEMENT BY BUYER

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

290 WITNESS \_\_\_\_\_ BUYER \_\_\_\_\_ DATE \_\_\_\_\_

291 WITNESS \_\_\_\_\_ BUYER \_\_\_\_\_ DATE \_\_\_\_\_

292 WITNESS \_\_\_\_\_ BUYER \_\_\_\_\_ DATE \_\_\_\_\_

**INFORMATION REGARDING THE REAL ESTATE SELLER DISCLOSURE LAW**

294 Generally speaking, the Real Estate Seller Disclosure Law requires that before an agreement of sale is signed, the seller in a residential real  
295 estate transfer must make certain disclosures regarding the property to potential buyers in a form defined by the law. A residential real estate  
296 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  
297 property where **NOT LESS THAN ONE AND NOT MORE THAN FOUR RESIDENTIAL DWELLING UNITS** are involved.

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

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

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