

2020 South Dakota Legislature

House Bill 1178

Introduced by: Representative Chase

1	An Act to revise the seller's property condition disclosure statement.
2	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:
3	Section 1. That § 43-4-44 be AMENDED:
4	43-4-44. Property condition disclosure statement.
5	The following form shall be used for the property condition disclosure statement:
6	SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT
7	(This disclosure shall be completed by the seller. This is a disclosure
8	required by law. If you do not understand this form, seek legal advice.)
9	Seller
10	
11	
12 13	Property Address
14	
15	
16	
17	This Disclosure Statement concerns the real property identified above
18	situated in the City of County of, State of South
19	Dakota.
20	THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE
21	DESCRIBED PROPERTY IN COMPLIANCE WITH § 43-4-38. IT IS NOT A
22	WARRANTY OF ANY KIND BY THE SELLER OR ANY AGENT REPRESENTING ANY
23	PARTY IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY
24	INSPECTIONS OR WARRANTIES THE PARTIES MAY WISH TO OBTAIN. Seller
25	hereby authorizes any agent representing any party in this transaction to

1	provide a copy of this statement to any person or entity in connection with any
2	actual or anticipated sale of the property.
3	IF ANY MATERIAL FACT CHANGES BEFORE CONVEYANCE OF TITLE TO THIS
4	PROPERTY, THE SELLER MUST DISCLOSE SUCH MATERIAL FACT WITH A
5	WRITTEN AMENDMENT TO THIS DISCLOSURE STATEMENT.
6	
7	1. When did you purchase or build the home?
8 9	If the answer is yes to any of the following, please explain under additional
10	comments or on an attached separate sheet.
11	
12	
13	2. Were there any title problems when you purchased the property?
14	Yes No
15	3. Are there any recorded liens or financial instruments against the
16	property, other than a first mortgage?
17	Yes No
18	4. Are there any unrecorded liens or financial instruments against the
19	property, other than a first mortgage; or have any materials or services been
20	provided in the past one hundred twenty days that would create a lien against
21	the property under chapter 44-9?
22	Yes No Unknown
23	Are there any easements which have been granted in connection with
24	the property (other than normal utility easements for public water and sewer,

1	gas and electric service, telephone service, cable television service, drainage,
2	and sidewalks)?
3	Yes No Unknown
4	6. Are there any problems related to establishing the lot
5	lines/boundaries?
6	Yes No Unknown
7	7. Do you have a location survey in your possession or a copy of the
8	recorded plat? If yes, attach a copy.
9	Yes No Unknown
10	8. Are you aware of any encroachments or shared features, from or or
11	adjoining property (i.e. fences, driveway, sheds, outbuildings, or other
12	improvements)?
13	Yes No
14	9. Are you aware of any covenants or restrictions affecting the use of
15	the property in accordance with local law? If yes, attach a copy of the
16	covenants and restrictions.
17	Yes No
18	10. Are you aware of any current or pending litigation, foreclosure,
19	zoning, building code or restrictive covenant violation notices, mechanic's

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1	liens, judgments, special assessments, zoning changes, or changes that could
2	affect your property?
3	Yes No
4	11. Is the property currently occupied by the owner?
5	Yes No
6	12. Does the property currently receive the owner occupied tax reduction
7	pursuant to SDCL 10-13-39?
8	Yes No
9	13. Is the property currently part of a property tax freeze for any reason?
10	Yes No Unknown
11	14. Is the property leased?
12	Yes No
13	15. If leased, does the property use comply with local zoning laws?
14	Yes No
15	16. Does this property or any portion of this property receive rent? If
16	yes, how much \$ and how often?
17	Yes No
18	17. Do you pay any mandatory fees or special assessments to a
19	homeowners' or condominium association?
20	Yes No
21	If yes, what are the fees or assessments? \$ per (i.e. annually,
22	semi-annually, monthly)
23	Payable to whom:
24	
25	For what purpose?
26	
27	18. Are you aware if the property has ever had standing water in either
28	the front, rear, or side yard more than forty-eight hours after heavy rain?
29	Yes No
30	19. Is the property located in or near a flood plain?
31	Yes No Unknown
32	20. Are wetlands located upon any part of the property?
33	Yes No Unknown
34	21. Are you aware of any private transfer fee obligations, as defined
35	pursuant to § 43-4-48, that would require a buyer or seller of the property to

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1	pay a fee or charge upon the transfer of the property, regardless of whether
2	the fee or charge is a fixed amount or is determined as a percentage of the
3	value of the property?
4	Yes No Unknown
5	If yes, what are the fees or charges? \$ per (i.e. annually,
5	semi-annually, monthly)
7	
8	If the answer is yes to any of the following, please explain under additional
9	comments or on an attached separate sheet.
10	 Are you aware of any water penetration problems in the walls,
11	windows, doors, basement, or crawl space?
12	Yes No
13	2. What water damage related repairs, if any, have been made?
14	If any, when?
15	
16	
17	3. Are you aware if drain tile is installed on the property?
18	Yes No
19	4. Are you aware of any interior cracked walls or floors, or cracks or
20	defects in exterior driveways, sidewalks, patios, or other hard surface areas?
21	Yes No
22	What related repairs, if any, have been made?
23	
24	
25	5. Are you aware of any roof leakage, past or present?
26	Yes No
27	Type of roof covering:
28	
29	Age:
30	
31	
32	What roof repairs, if any, have been made, when and by whom?
33	
34	Describe any existing unrepaired damage to the roof:
35	

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1	6. Are you aware of insulation in:
2	the ceiling/attic? Yes No
3	the walls? Yes No
4	the floors? Yes No
5	7. Are you aware of any pest infestation or damage, either past or
6	present?
7	Yes No
8	8. Are you aware of the property having been treated for any pest
9	infestation or damage?
10	Yes No
11	If yes, who treated it and when?
12	
13	9. Are you aware of any work upon the property which required a
14	building, plumbing, electrical, or any other permit?
15	Yes No
16	If yes, describe the work:
17	
18	Was a permit obtained? Yes
19	
20	Was the work approved by an inspector? Yes No
21	10. Are you aware of any past or present damage to the property (i.e.
22	fire, smoke, wind, floods, hail, or snow)?
23	Yes No
24	If yes, describe
25 26	
20 27	—— Have any insurance claims been made?
28	Yes No Unknown
29	Was an insurance payment received?
30	Yes No Unknown
31	Has the damage been repaired?
32	Yes No
33	If yes, describe in detail:
34	

11. Are you aware of any problems with sewer blockage or backup, past
or present?
Yes No
12. Are you aware of any drainage, leakage, or runoff from any sewer,
septic tank, storage tank, or drain on the property into any adjoining lake,
stream, or waterway?
Yes No
If yes, describe in detail:

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1		NONE		NOT
2		/NOT		
3		INCLU	WOR	WOR
4		DED	KING	KING
5	1. 220 Volt Service			===
6			=	=
8	2. Air Exchanger			
9 10			=	=
11	3. Air Purifier			
13			=	=
14	4. Attic Fan			
18			=	=
17	5. Burglar Alarm and			
18	Security System		=	=
19	6. Ceiling Fan			
2 9			=	=
22	7. Central Air - Electric			
2 3			=	=
24 25	8. Central Air - Water			
26	Cooled		=	=
27	9. Cistern			
2 8			=	=
30	10. Dishwasher			
<u>31</u>			=	=
32 33	11. Disposal			
3.4			=	=
34 36	12. Doorbell			
			=	=
37 38 39	13. Fireplace		<u> </u>	
			_	_
40 42	14. Fireplace Insert		<u> </u>	
	2 i nopiace zibere			
44 45	15. Garage Door/Opener			_
46	Control(s)			
+0	Control(s)		=	=

1	16. Garage Wiring	 	
² / ₃	17. Heating System	 = :	= ===
§ 7 8 a	18. Hot Tub, Whirlpool,	 = : == :	= ===
9	19. Humidifier	 	
19 12	20. Intercom	 = :	= ===
13 15	21. Light Fixtures	 = :	= ==
19 18	22. Microwave/Hood	 = :	= ==
20 21	23. Plumbing and Fixtures	 =	=
223 24	24. Pool and Equipment	 	= ===
26 27	25. Propane Tank	 = -	-
28 30	26. Radon System	 _ =	= ====
3½ 33	27. Sauna	 =	=
34 36	28. Septic/Leaching Field	 =	= ===
37 39	29. Sewer Systems/Drains	 = :	=
49 42	30. Smoke/Fire Alarm	 =	=
43 45	31. Solar House - Heating	 = ==	= ==
49 48	32. Sump Pump(s)	 = :	= ==
3 8		=	=

1	33. Switches and Outlets			
3			=	=
4	34. Underground Sprinkler			
5	and Heads		=	=
6	35. Vent Fan			
8			=	=
9	36. Water Heater - Electric			
10	or Gas		=	=
11	37. Water Purifier			
13			=	=
14	38. Water Softener -			
15	Leased or Owned		=	=
16	39. Well and Pump			
18			=	=
19	40. Wood Burning Stove			
2 9			=	=
22	IV. HAZARDOUS CONDITION	IS		
23	Are you aware of any existing haz	ardous conditio	ns of the prop	erty and are

you aware of any tests having been performed?

Catchlines are not law. (§ 2-16-13.1)

1	EXISTING CONDITIONS TESTS	PERFORME	Ð		
2		¥	N	¥	N
3		ES	Ð	ES	0
4	1. Methane Gas	=	=	=	=
5		=	===		
8		=			=
9	2. Lead Paint	=	=	=	=
10					
13		=			=
14	3. Radon Gas (House)	=	=	=	=
18		===			
18		=			=
19	4. Radon Gas (Well)	=	=	=	=
2 9		===			
22 23		=			=
24	5. Radioactive Materials	=	=	=	=
2 5		===			
27 28		=			=
29	6. Landfill, Mineshaft	=	=	=	=
3 0		==			
3 3		=			=
34	7. Expansive Soil	=	=	=	=
3 5		==			
3 7		=			=
39	8. Mold	=	=	=	=
49		=			
43		=			=
44	9. Toxic Materials	=	=	=	=
48		==			
48		=			=
49	10. Urea Formaldehyde Foam	=	=	=	=
50	Insulations				
51		=			=

1	11. Asbestos Insulation	=	=	=	=
3					
4		=			=
6	12. Buried Fuel Tanks	=	=	=	=
3		=			
9 10		=			=
11	13. Chemical Storage Tanks	=	=	=	=
13		==			==
13		=			=
16	14. Fire Retardant Treated	=	=	=	=
17	Plywood				===
18		=			=
20	15. Production of	=	=	=	=
21	Methamphetamines				
22 23		=			=
24	If the answer is yes to any of the q	uestions ab	ove, pleas	e explain i	n
25	additional comments or on an attached	d separate	sheet.		
26	V. MISCELLANEOUS INFORMA	ATION			
27	1. Is the street or road located	at the end	of the drive	eway to th	e
28	property public or private?				
29	Public Private				
30	2. Is there a written road maint	tenance ag	reement?		
31	If yes, attach a copy of the mainter	nance agree	ement.		
32	Yes No				
33	3. When was the fireplace/woo	d stove/ch	imney flue	last clean	ed?
34					
35	4. Within the previous twelve n	nonths prio	r to signin g	, this doc u	ment, are
36	you aware of any of the following occ	urring on t l	ne subject	property?	<u>-</u>
37	a. A human death by homicide	or suicide?	If yes, exp	lain:	
38					
39	Yes No				
40	b. Other felony committed agai	nst the pro	perty or a	person on	the
41	property? If yes, explain:				
42					
43	Yes No				

1	5. Is the water source public or private (select one)?
2	6. If private, what is the date and result of the last water test?
3	
4	7. Is the sewer system public or private
5	(select one)?
6	8. If private, what is the date of the last time the septic tank was
7	pumped?
8	9. Are there broken window panes or seals?
9	Yes No
10	If yes, specify:
11	10. Are there any items attached to the property that will not be left,
12	such as: towel bars, mirrors, swag lamps and hooks, curtain rods, window
13	coverings, light fixtures, clothes lines, swing sets, storage sheds, ceiling fans,
14	basketball hoops, mail boxes, etc.
15	Yes No
16	If yes, please list
17	11. Are you aware of any other material facts or problems that have not
18	been disclosed on this form?
19	Yes No
20	If yes, explain:
21	
22	NECESSARY)
23	
24	
25	
26	CLOSING SECTION
27	The Seller hereby certifies that the information contained herein is true and
28	correct to the best of the Seller's information, knowledge, and belief as of the
29	date of the Seller's signature below. If any of these conditions change before
30	conveyance of title to this property, the change will be disclosed in a written
31	amendment to this disclosure statement.
32	SELLER DATE
33	SELLER DATE
34	THE SELLER AND THE BUYER MAY WISH TO OBTAIN PROFESSIONAL ADVICE
35	AND INSPECTIONS OF THE PROPERTY TO OBTAIN A TRUE REPORT AS TO THE

1	CONDITION OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE
2	PROVISIONS IN ANY CONTRACT OF SALE AS NEGOTIATED BETWEEN THE
3	SELLER AND THE BUYER WITH RESPECT TO SUCH PROFESSIONAL ADVICE AND
4	INSPECTIONS.
5	I/We acknowledge receipt of a copy of this statement on the date appearing
6	beside my/our signature(s) below. Any agent representing any party to this
7	transaction makes no representations and is not responsible for any conditions
8	existing in the property.
9	BUYER DATE
10	BUYER DATE
11	RESIDENTIAL-SDCL 43-4-44
12	Seller(s)
13	Property Address
14	Property Legal Description
15	
16	This Disclosure Statement concerns the real property identified above and offered for sale.
17	This disclosure is required by law to be completed by sellers of real property and given to
18	potential buyers. This form can have important legal consequences. If you do not
19	understand this form, you should seek advice from a competent source.
20	
21	Seller states that the information contained in this disclosure fully reflects the Seller's
22	knowledge of the matters disclosed as of the date affixed to the form. If any material fact
23	changes prior to closing, the seller MUST disclose that change in a written amendment to
24	this disclosure statement and give the same to the buyer.
25	
26	This statement is a DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED
27	PROPERTY in compliance with South Dakota law § 43-4-38. It is NOT A WARRANTY of ANY
28	KIND by the Seller or anyone representing any party in a transaction. It is NOT A
29	SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES either party may wish to obtain.
30	
31	Seller hereby authorizes any agent representing any party in this transaction to provide a
32	copy of this statement to any person or entity in connection with any actual or anticipated
33	sale of the property.
34	

If the answer to any of the following requires more space for explanation, please fully explain in comments or on an attached separate sheet.

I. LOT OR TITLE INFORMATION

1. When did you purchase or build the home? Month Year

	LOT OR TITLE INFORMATION	<u>Yes</u>	<u>No</u>	<u>Do Not</u>	N/A	<u>Comments</u>
				<u>Know</u>		
<u>2.</u>	Are there any recorded liens or					
	financial instruments against the					
	property, other than a first					
	mortgage?					
<u>3.</u>	Are there any unrecorded liens or					
	financial instruments against the					
	property, other than a first					
	mortgage; or have any materials					
	or services been provided in the					
	past one hundred twenty days					
	that would create a lien against					
	the property under chapter 44-9?					
<u>4.</u>	Are there any easements which					
	have been granted in connection					
	with the property (other than					
	normal utility easements for					
	public water and sewer, gas and					
	electric service, telephone					
	service, cable television service,					
	drainage, and sidewalks)?					
<u>5.</u>	Are there any problems related to					
	establishing the lot					
	lines/boundaries?					
<u>6.</u>	Do you have a location survey in					If yes, attach a copy.
	your possession or a copy of the					
	recorded plat?					
<u>7.</u>	Are you aware of any					
	encroachments or shared					
	features, from or on adjoining					
	property (i.e. fences, driveway,					
	sheds, outbuildings, or other					
	improvements)?					
<u>8.</u>	Are you aware of any covenants					If yes, attach a copy.
	or restrictions affecting the use of					

the property in accordance with local law? 9. Are you aware of any current or pending litigation, foreclosure, zonina, building code or restrictive coverant violation notices, mechanic's liens, ludgments, special assessments, zoning changes, or changes that could affect your property? 10. Is the property currently occupied by the owner? 11. Does the property currently receive the owner-occupied tax reduction pursuant to SDC1. 10-13-39? 12. Is the property currently part of a property currently preserve the owner-occupied tax reduction pursuant to SDC1. 10-13-39? 13. Is the property currently part of a property currently part of a property tax freeze for any reason? 14. If leased, does the property use comply with applicable local ordinances? 24. If a property receive rently or any portion of this property receive rently or any portion of this property receive rently association? 13. Do you pay any mandatory fees or special assessments to a homeowners' or condominium association? 14. Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours? 18. Is the property located in a flood plain?					
9. Are you aware of any current or pendinal titication, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property? 10. Is the property currently occupied by the owner? 11. Does the property currently receive the owner-occupied tax reduction pursuant to SDCL 10-13-392 12. Is the property currently part of a property tax freeze for any reason? 13. Is the property currently part of a property tax freeze for any reason? 14. If leased, does the property use comply with applicable local ordinances? 15. Does this property or any portion of this property reavent to a homeowners' or condominium association? 16. Do you pay any mandatory fees or special assessments to a homeowners' or condominium association? 17. Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hous? 18. Is the property located in a flood	1		the property in accordance with		
pending litigation, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liers, iudgments, special assessments, zoning chances, or chances that could affect your property? 10	2		local law?		
20 13. Is the property currently part of a property tax freeze for any reason? 14. If leased, does the property use comply with applicable local ordinances? 15. Does this property or any portion of this property receive rent? 16. Do you pay any mandatory fees or special assessments or special assessments or special assessments.	3	<u>9.</u>	Are you aware of any current or		
restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property?	4		pending litigation, foreclosure,		
	5		zoning, building code or		
Section Sect	6		restrictive covenant violation		
20	7		notices, mechanic's liens,		
10	8		judgments, special assessments,		
10. Is the property currently occupied by the owner?	9		zoning changes, or changes that		
12	10		could affect your property?		
11. Does the property currently receive the owner-occupied tax reduction pursuant to SDCL 10- 13-39?	11	<u>10.</u>	Is the property currently occupied		
14	12		by the owner?		
14	13	11.	Does the property currently		
15					
13-392	15				
12. Is the property currently part of a property tax freeze for any reason?	16		·		
18		12.			
19					
13. Is the property leased?					
14. If leased, does the property use comply with applicable local ordinances?		13.			
22					
23		<u> </u>			
15. Does this property or any portion of this property receive rent? If yes, how much \$ and how often 16. Do you pay any mandatory fees or special assessments to a homeowners' or condominium association? If yes, what are the fees or assessments? 17. Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours? 18. Is the property located in a flood					
25		15			If yes, how much \$
26 27 28 28 29 30 31 31 32 32 4 Payable to whom: 37 38 4 Is the property located in a flood 16. Do you pay any mandatory fees or special assessments to a homeowners' or condominium assessments? \$ per (i.e. assessments?) \$ per (i.e. annually, semi-annually, monthly) Payable to whom: For what purpose:		15.			
27 or special assessments to a homeowners' or condominium association? \$ per 30 annually, semi-annually, monthly) 32 Payable to whom: 33 For what purpose: 34 17. Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours? 36 Is. Is the property located in a flood		16			
28 29 30 31 32 32 33 34 35 36 37 38 38 38 30 30 30 31 30 31 31 31 32 32 33 34 35 36 37 38 38 38 38 38 38 38 38 38 38 38 38 38		10.			
30 31 32 32 33 34 35 36 37 4					
31 monthly) 32 Payable to whom: 33 For what purpose: 34 17. Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours? 38 18. Is the property located in a flood			<u>ussociation:</u>		
Payable to whom: For what purpose: 17. Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours? 18. Is the property located in a flood					
33 34 17. Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours? 38 18. Is the property located in a flood	31				monuny)
33 34 17. Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours? 38 18. Is the property located in a flood	22				Pavable to whom:
34	32				Tayable to Wilom.
35 ever had water in either the front, 36 rear, or side yard more than 37 forty-eight hours? 38 18. Is the property located in a flood	33				For what purpose:
36 rear, or side yard more than 37 forty-eight hours? 38 18. Is the property located in a flood	34	<u>17.</u>	Are you aware if the property has		
36 rear, or side yard more than 37 forty-eight hours? 38 18. Is the property located in a flood	35		ever had water in either the front,		
37 <u>forty-eight hours?</u> 38 <u>18. Is the property located in a flood</u>			rear, or side yard more than		
38 <u>18. Is the property located in a flood</u>			·		
		<u>18.</u>			
			1		

1	<u>19.</u>	Are federally protected wetlands		
2		located upon any part of the		
3		property?		
4	<u>20.</u>	Are you aware of any private		If yes, what are the fees or
5		<u>transfer fee obligations, as</u>		charges?\$
6		defined pursuant to § 43-4-48,		per
7		that would require a buyer or		(i.e. annually, semi-annually,
8		seller of the property to pay a fee		monthly)
9		or charge upon the transfer of the		
10		property, regardless of whether		
11		the fee or charge is a fixed		
12		amount or is determined as a		
13		percentage of the value of the		
14		property?		
15				
16				
17	Addition	al Comments		
18				
19				
20				
21				
22				
23				

II. STRUCTURAL INFORMATION

	STRUCTURAL INFORMATION	Yes	<u>No</u>	<u>Do</u> <u>Not</u> Know	N/A	<u>Comments</u>
<u>1.</u>	Are you aware of any water penetration in the walls, windows, doors, basement, or crawl space?					
<u>2.</u>	Have any water damage related repairs been made?					
	Are there any unrepaired water-related damages that remain?					
<u>3.</u>	Are you aware if drain tile is installed on the property?					
<u>4.</u>	Are you aware of any interior cracked walls, ceilings or floors, or cracks or defects in exterior driveways, sidewalks, patios, or other hard surface areas?					
<u>5.</u>	Type of roof covering:					
<u>6.</u>	Are you aware of any roof leakage, past or present?					
<u>7.</u>	Is there any existing unrepaired damage to the roof?					

Are you aware of insulation in ceiling/attic?

8.

<u>9.</u>	Are you aware of insulation in walls?				
<u>10.</u>	Are you aware of insulation in the				
	<u>floors?</u>				
<u>11.</u>	Are you aware of any pest				
	infestation or damage, either past or				
	present?				
	Are you aware of the property				If yes, who treated it
	having been treated or repaired for				when?
	any pest infestation or damage?				
<u>12.</u>	Are you aware of any work upon the				
	property which required a building,				
	plumbing, electrical, or any other				
	permit?				
<u>13.</u>	Was a permit obtained for work				
	performed upon the property?				
	Was the work approved by an				
	inspector as required by local or				
	state ordinance?				
<u>14.</u>	Are you aware of any past or present				
	damage to the property (i.e. fire,				
	smoke, wind, floods, hail, or				
	snow)?				
<u>15</u>	Have any insurance claims been				
	made for damage to the property?				
<u>16.</u>	Was an insurance payment received				
	for damage to the property?				
<u>17.</u>	Has the damage to the property				
	been repaired?				
<u>18.</u>	Are there any unrepaired damages				
	to the property from the insurance				
	claim?				
<u>19.</u>	Are you aware of any problems with				
	sewer blockage or backup, past or			1	
	present?				
<u>20.</u>	Are you aware of any drainage,				
	leakage, or runoff from any sewer,			1	
	septic tank, storage tank, or drain on			1	
	the property into any adjoining lake,			1	
J	stream, or waterway?		l		

III. SYSTEMS/UTILITIES INFORMATION

	SYSTEMS/UTILITIES INFORMATION	<u>Working</u>	<u>Not</u> <u>Working</u>	<u>None</u>	<u>Not</u> Included	<u>Comments</u>
1.	Air conditioning System					Age of System, if known:
<u>2.</u>	<u>Air Exchanger</u>					

1 2 3 4 5	
6 7 8 9 10 11	
12 13 14 15 16 17	
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 33 33 33 33 33 33 33 33 33 33 33 33	
24 25 26 27 28	
30 31 32 33 34	
35 36 37 38 39 40	
41 42 43 44 45 46	
47 48 49 50 51	
52 53 54 55	

<u>3.</u>	Air Purifier				
<u>4.</u>	Attic Fan				
<u>5.</u>	Bathroom Whirlpool and				
	<u>Controls</u>				
<u>6.</u>	Burglar Alarm & Security				
	<u>System</u>				
<u>7.</u>	<u>Ceiling Fan</u>				
<u>8.</u>	Central Air - Electric				
<u>9.</u>	Central Air - Water Cooled				
<u>10.</u>	<u>Cistern</u>				
<u>11.</u>	<u>Dishwasher</u>				
<u>12.</u>	<u>Disposal</u>				
<u>13.</u>	<u>Doorbell</u>				
<u>14.</u>	<u>Fireplace</u>				
<u>15.</u>	Fireplace Insert				
<u>16.</u>	Garage Door(s)				
<u>17.</u>	Garage Door Opener(s)				
<u>18.</u>	Garage Door Control(s)				
<u>19.</u>	Garage Wiring				
<u>20.</u>	Home Heating System(s)				Age of System, if
	Type:				known:
<u>21.</u>	Hot Tub and Controls				
<u>22.</u>	<u>Humidifier</u>				
<u>23.</u>	<u>In Floor Heat</u>				
<u>24.</u>	<u>Intercom</u>				
<u>25.</u>	<u>Light Fixtures</u>				
<u>26.</u>	<u>Microwave</u>				
<u>27.</u>	<u>Microwave Hood</u>				
<u>28.</u>	Plumbing and Fixtures				
<u>29.</u>	Pool and Equipment				
<u>30.</u>	Propane Tank - Select One:				
	<u>Leased Owned</u>				
<u>31.</u>	<u>Radon System</u>				
<u>32.</u>	<u>Sauna</u>				
<u>33.</u>	Septic/Leaching Field				
<u>34.</u>	<u>Sewer Systems/Drains</u>				
<u>35.</u>	Smart Home System				Smart Home System
					<u>includes:</u>
<u>36.</u>	Smoke/Fire Alarm		1		
<u>37.</u>	<u>Solar House – Heating</u>				
<u>38.</u>	Sump Pump(s)				
<u>39.</u>	Switches and Outlets		1		
<u>40.</u>	<u>Underground Sprinkler and</u>				
4.1	<u>Heads</u>		1		
41.	<u>Vent Fan – Kitchen</u>		1		
<u>42.</u>	<u>Vent Fan – Bathroom</u>				
<u>43.</u>	Water Heater, Select One:				Age of System, if
4.4	Electric Gas				known:
<u>44.</u>	Water Purifier, Select One:				
45	<u>Leased Owned</u>				
<u>45.</u>	Water Softener, Select One:				
16	Leased Owned		1		
<u>46.</u>	Well and Pump		1		
<u>47.</u>	<u>Wood Burning Stove</u>	<u> </u>	1	I	

Lead Paint Radon Gas (House) Radon Gas (Well) Radioactive Materials Landfill, Mineshaft Expansive Soil Responsive Soil Respons	Additional Comments							
the answer is yes to any of the questions below, please explain in additional an attached separate sheet. HAZARDOUS CONDITIONS Existing Conditions Tests Performed Yes No Ye								
the answer is yes to any of the questions below, please explain in additional an attached separate sheet. HAZARDOUS CONDITIONS Existing Conditions Tests Performed Yes No Ye								
the answer is yes to any of the questions below, please explain in additional an attached separate sheet. HAZARDOUS CONDITIONS Existing Conditions Tests Performed Yes No Ye								
the answer is yes to any of the questions below, please explain in additional an attached separate sheet. HAZARDOUS CONDITIONS		<u>IV</u>	. HAZ	ARDO	US C	ONDITI	<u>ONS</u>	
the answer is yes to any of the questions below, please explain in additional an attached separate sheet. HAZARDOUS CONDITIONS	Are vou aware of anv existi	ing haza	ardous	condi	tions (of the pi	opertv	and are vou a
the answer is yes to any of the questions below, please explain in additional an attached separate sheet. HAZARDOUS CONDITIONS	•	_						
HAZARDOUS CONDITIONS Existing Conditions Performed Yes No Yes Yes No Yes Yes No Yes	any tests having been pent	Jillieu:						
HAZARDOUS CONDITIONS Existing Conditions Performed Yes No Yes Yes No Yes Yes No Yes								
HAZARDOUS CONDITIONS Existing Conditions Performed Yes No Xes No	If the answer is yes to any	of the o	questio	ns be	low, p	<u>lease ex</u>	<u>ıplain ir</u>	<u>additional</u> co
Conditions Performed Yes No Yes No Yes No	on an attached separate sh	<u>ieet.</u>						
Conditions Performed Yes No Yes No Yes No								
Conditions Performed Yes No Yes No Yes No	HAZARDOUS CONDITIONS	Exis	stina	Te	sts			Comments
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E. Lead Paint B. Radon Gas (House) B. Radon Gas (Well) B. Radioactive Materials B. Landfill, Mineshaft C. Expansive Soil B. Mold D. Toxic Materials O. Urea Formaldehyde 1. Asbestos Insulation 2. Buried Fuel Tanks 3. Chemical Storage Tanks 4. Fire Retardant Treated 5. Production of 6. Use of WISCELLANEOUS INFORMATION MISCELLANEOUS INFORMATION MISCELLANEOUS INFORMATION MISCELLANEOUS INFORMATION MISCELLANEOUS INFORMATION Is the street or road located at the end of the driveway to the property public or private? Public Private Is there a written road maintenance agreement? If yes, attach a copy of the		<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>			
A. Radon Gas (House) A. Radon Gas (Well) A. Radioactive Materials A. Landfill, Mineshaft A. Expansive Soil B. Mold A. Toxic Materials B. Urea Formaldehyde A. Ashestos Insulation A. Buried Fuel Tanks B. Chemical Storage Tanks A. Fire Retardant Treated B. Production of B. Use of W. MISCELLANEOUS INFORMATION MISCELLANEOUS INFORMATION MISCELLANEOUS INFORMA	1. Methane Gas							
Radon Gas (Well) Radioactive Materials Landfill, Mineshaft Lexpansive Soil Rold Rold Rold Rold Rold Rold Rold Rol	2. Lead Paint							
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Private L. Is there a written road maintenance agreement? If yes, attach a copy of the	end of the driveway to t	the prop						
Is there a written road maintenance agreement? If yes, attach a copy of the		<u>C</u>						
agreement? If yes, attach a copy of the	<u>Private</u>							
<u>If yes, attach a copy of the</u>		mainten	ance					
I manifestation and a consequent	If yes, attach a copy of maintenance agreem							

<u>3.</u>	Has the fireplace/wood			
	stove/chimney flue been cleaned? If			
4	yes, please provide date of service.			
<u>4.</u>	Since you have owned the property,			
	are you aware of a human death by homicide or suicide occurring on the			
	property?			
5.	Is the water source (select one)			If private, what is t
<u> </u>	public or private			date and result of t
	<u>public of</u> <u>private</u>			water test?
6.	Is the sewer system (select one)			If private, what is the
	public or private			date of the last time
				septic tank was pur
<u>7.</u>	Are there broken window panes or			
	seals?			
<u>8.</u>	Are there any items attached to the			If yes, please list:
	property that will not be left, such			
	as: towel bars, mirrors, curtain rods,			
	window coverings, light fixtures,			
	clothes lines, swing sets, storage			
	sheds, ceiling fans, basketball hoops,			
	mail boxes, tv mounts, speakers, etc.?			
9.	Are you aware of any other material			If yes, please expla
_	facts which have not been			11 yes, piedse expid
	disclosed on this form?			
	VI. ADDITIONAL COMMENTS (A	ATTACH AD	DITIONAL P	AGES IF NECESSA
•				
•				
	CI	OSING SEC	TTION	
	<u>CL</u> The Seller hereby certifies that the in	OSING SEC		n is true and correc
		formation c	ontained herei	

property, the change will be disclosed in a written amendment to this disclosure

statement.

1					
2					
3					
4	<u>Seller</u>	Date	Seller		Date
5					
6	THE SELLER AND THE	BUYER MAY W	/ISH TO OBT	AIN PROFESSIONAL A	ADVICE AND
7	INSPECTIONS OF THE	PROPERTY TO	OBTAIN A	TRUE REPORT AS TO	THE CONDITION
8	OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN ANY				
9	CONTRACT OF SALE AS NEGOTIATED BETWEEN THE SELLER AND THE BUYER WITH				
10	RESPECT TO SUCH PROFESSIONAL ADVICE AND INSPECTIONS.				
11					
12	I/We acknowledge rece	eipt of a copy	of this state	ment on the date app	earing beside
13	my/our signature(s) below. Any agent representing any party to this transaction makes				
14	no representations and is not responsible for any conditions existing in the property.				
15					
16					
17					
18	<u>Buyer</u>	Date	<u>e</u>	Buyer	Date