

### 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 225 South 6th Street, Indiana, Pa 15701

2 SELLER Joseph B. Dell Jr., Mary F. Dell

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

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

13 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 value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or sub-  
15 system 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 1. **SELLER'S EXPERTISE** Seller does not possess expertise in contracting, engineering, architecture, environmental assessment or  
17 other areas related to the construction and conditions of the property and its improvements, except as follows: \_\_\_\_\_  
18

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? Since 2001 - 10 YRS 5 MONTHS

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: DOGS

25 3. **ROOF**

26 (a) Date roof installed: 08/06 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 SOME WATER FROM THE OUTSIDE DUE TO CLOSED GUTTER IN FRONT (A) COURT

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 HAD PEST CONTROL SPRAY - FENCE WHITE ONYX

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 SOME CEILING WAS WORN BUT REPAIRED

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

Seller Initials: JBD Date \_\_\_\_\_



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Phone: 724.349.1501 Fax: 724.349.1506

Jessica Stonebraker

Dell

59 7. ADDITIONS/ALTERATIONS Have any additions, structural changes, or other alterations been made to the property  
60 during your ownership?  Yes  No

61	If yes, list additions, structural changes, or alterations (use additional sheets if necessary).	Approximate date of work	Were permits obtained? (Yes/No/Unknown)	Were final inspections/approvals obtained? (Yes/No/Unknown)
62	Removed wall in family room	01/03	No	No
63				
64				
65				
66				
67				

68 Note to Buyer: The PA Construction Code Act, 35 P.S. §7210.101 et seq. (effective 2004), and local codes establish standards for building and  
69 altering properties. Buyers should check with the municipality to determine if permits and/or approvals were necessary for disclosed work and if  
70 so, whether they were obtained. Where required permits were not obtained, the municipality might require the current owner to upgrade or remove  
71 changes made by prior owners. Buyers can have the property inspected by an expert in codes compliance to determine if issues exist. Expanded  
72 title insurance policies may be available for Buyers to cover the risk of work done to the property by previous owners without a permit or approval.

73 8. WATER SUPPLY

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

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

90 9. SEWAGE SYSTEM

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

107 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:  
108

109 10. PLUMBING SYSTEM

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

115 11. DOMESTIC WATER HEATING

- 116 (a) Type of water heating:  Electric  Natural Gas  Fuel Oil  Propane  Solar  Summer/Winter Hook-Up  
117 Other (explain): \_\_\_\_\_
- 118 (b) Are you aware of any problems with any water heater or related equipment?  Yes  No New Water Heater 2010  
119 If "yes," explain: \_\_\_\_\_

120 Buyer Initials: \_\_\_\_\_ Date \_\_\_\_\_ SFD Page 2 of 5 Seller Initials: [Signature] Date \_\_\_\_\_

21 12. AIR CONDITIONING SYSTEM

22 (a) Type of air conditioning: \_\_\_ Central Air \_\_\_ Wall Units  Window Units \_\_\_ None  
23 Other (explain): \_\_\_\_\_  
24 Number of window units included in sale 5 Location(s) \_\_\_\_\_  
25 (b) Age of Central Air Conditioning System: \_\_\_\_\_ Unknown Date last serviced, if known \_\_\_\_\_  
26 (c) List any areas of the house that are not air conditioned: \_\_\_\_\_  
27 (d) Are you aware of any problems with any item in this section? \_\_\_ Yes \_\_\_ No  
28 If "yes," explain: \_\_\_\_\_

29 13. HEATING SYSTEM

30 (a) Type(s) of heating fuel(s) (check all that apply): \_\_\_ Electric \_\_\_ Fuel Oil  Natural Gas \_\_\_ Propane  
31 \_\_\_ Coal \_\_\_ Wood \_\_\_ Other: \_\_\_\_\_  
32 (b) Type(s) of heating system(s) (check all that apply): \_\_\_ Forced Hot Air \_\_\_ Hot Water \_\_\_ Heat Pump  
33 \_\_\_ Electric Baseboard \_\_\_ Steam \_\_\_ Wood Stove (How many? \_\_\_\_\_) \_\_\_ Coal Stove (How many? \_\_\_\_\_)  
34 \_\_\_ Other: \_\_\_\_\_  
35 (c) Age of Heating System: \_\_\_\_\_ Unknown Date last serviced, if known \_\_\_\_\_  
36 (d) Are there any fireplaces? \_\_\_ Yes \_\_\_ No If "yes," how many? \_\_\_\_\_ Are they working? \_\_\_ Yes \_\_\_ No  
37 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)? \_\_\_ Yes \_\_\_ No  
38 If "yes," how many? \_\_\_\_\_ When were they last cleaned? \_\_\_\_\_ Unknown \_\_\_  
39 Are they working? \_\_\_ Yes \_\_\_ No If "no," explain: \_\_\_\_\_  
40 (f) List any areas of the house that are not heated: \_\_\_\_\_  
41 (g) Are you aware of any heating fuel tanks on the property? \_\_\_ Yes \_\_\_ No  
42 Location(s), including underground tank(s): \_\_\_\_\_  
43 If you do not own the tanks, explain: \_\_\_\_\_  
44 Are you aware of any problems or repairs needed regarding any item in this section? \_\_\_ Yes \_\_\_ No  
45 If "yes," explain: \_\_\_\_\_  
46 \_\_\_\_\_

47 14. ELECTRICAL SYSTEM

48 (a) Type of Electrical System: \_\_\_ Fuses  Circuit Breakers How Many Amps? \_\_\_\_\_  Unknown  
49 (b) Are you aware of any knob and tube wiring in the home? \_\_\_ Yes  No  
50 Are you aware of any problems or repairs needed in the electrical system? \_\_\_ Yes  No  
51 If "yes," explain: \_\_\_\_\_

52 15. OTHER EQUIPMENT AND APPLIANCES

53 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  
54 not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will  
55 determine which items, if any, are included in the purchase of the Property.  
56 (a)  Electric Garage Door Opener Number of Transmitters 2 Keyless Entry \_\_\_  
57 (b)  Smoke Detectors How many? \_\_\_\_\_ Location(s) \_\_\_\_\_  
58 (c) \_\_\_ Security Alarm System \_\_\_ Owned \_\_\_ Leased (Lease Information \_\_\_\_\_)  
59 (d) \_\_\_ Lawn Sprinkler(s) How many? \_\_\_\_\_ Automatic Timer \_\_\_  
60 (e) \_\_\_ Swimming Pool \_\_\_ Hot Tub/Spa \_\_\_ Pool/Spa Heater \_\_\_ Pool/Spa Cover \_\_\_ Whirlpool/Tub  
61 \_\_\_ Pool/Spa Equipment and Accessories (list): \_\_\_\_\_  
62 (f)  Refrigerator(s)  Range/Oven  Microwave Oven \_\_\_ Dishwasher  Trash Compactor  
63  Garbage Disposal \_\_\_ Chest Freezer \_\_\_ Washer \_\_\_ Dryer \_\_\_ Intercom  
64 (g) \_\_\_ Ceiling Fan(s) How many? \_\_\_\_\_ Location(s) \_\_\_\_\_  
65 (h) \_\_\_ Awnings \_\_\_ Attic Fan(s)  Satellite Dish \_\_\_ Storage Shed \_\_\_ Deck(s)  Electric Animal Fence  
66 (i) \_\_\_ Other: \_\_\_\_\_  
67 Are you aware of any problems or repairs needed regarding any item in this section?  Yes \_\_\_ No *Electric Animal Fence*  
68 If "yes," explain: \_\_\_\_\_

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

70 (a) Land/Soils  
71 1) Are you aware of any fill or expansive soil on the property? \_\_\_ Yes  No  
72 2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have  
73 occurred on or affect the property? \_\_\_ Yes  No  
74 3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this  
75 property? \_\_\_ Yes  No  
76 Note to Buyer: The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence  
77 damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidence  
78 Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within Pennsylvania) or  
79 (724) 769-1100 (outside Pennsylvania).

80 Buyer Initials: \_\_\_\_\_ Date \_\_\_\_\_ SPD Page 3 of 5 Seller Initials: *[Signature]* Date \_\_\_\_\_

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- 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.*

- 5) 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
- 6) Are you aware of the transfer, sale and/or lease of any of the following property rights (by you or a previous owner of the property)?  Timber  Coal  Oil  Natural Gas  Other minerals

*Note to Buyer: Before entering into an agreement of sale, Buyer can investigate the status of these rights by, among other means, engaging legal counsel, obtaining a title examination of unlimited years and searching the official records in the county Office of the Recorder of Deeds, and elsewhere. Buyer is also advised to investigate the terms of any existing leases, as Buyer may be subject to terms of those leases.*

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

**(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 for utility services and other reasons. These easements generally do not restrict the ordinary use of the property and Seller may not be aware of them. Before entering into an agreement of sale, Buyers can investigate the existence of easements and similar restrictions by ordering an Abstract of Title or searching the official records in the county Office of the Recorder of Deeds.*

- 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 any tests for mold, fungi, or indoor air quality in the property?  Yes  No
  - (d) 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.*
- (e) Are you aware of any dumping on the property?  Yes  No
  - (f) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any adjacent property?  Yes  No
  - (g) 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

- (h) 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

- (i) 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: \_\_\_\_\_

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

- !44 (j) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint
- !45 or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based
- !46 paint hazards on the property?  Yes  No
- !47 If "yes," list all available reports and records: \_\_\_\_\_
- !48 (k) Are you aware of testing on the property for any other hazardous substances or environmental concerns?  Yes  No
- !49 (l) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property?
- !50  Yes  No

!51 Explain any "yes" answers in this section: \_\_\_\_\_

!52

!53 **18. CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable)**

!54 Type:  Condominium  Cooperative  Homeowner Association or Planned Community

!55 Other: \_\_\_\_\_

!56 *Notice regarding Condominiums, Cooperatives, and Planned Communities: A buyer of a resale unit in a condominium, cooperative, or planned*

!57 *community must receive a copy of the declaration (other than the plats and plans), the by-laws, the rules or regulations, and a certificate of resale issued*

!58 *by the association in the condominium, cooperative, or planned community. Buyers may be responsible for capital contributions, initiation fees or sim-*

!59 *ilar one-time fees in addition to regular monthly maintenance fees. The buyer will have the option of canceling the agreement with the return of all*

!60 *deposit monies until the certificate has been provided to the buyer and for five days thereafter or until conveyance, whichever occurs first.*

- !61 **19. MISCELLANEOUS**
- !62 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property?
  - !63  Yes  No
  - !64 (b) Are you aware of any existing or threatened legal action affecting the property?  Yes  No
  - !65 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property?  Yes  No
  - !66 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain
  - !67 unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected?  Yes  No
  - !68 (e) Are you aware of any judgment, encumbrance, lien (for example, co-maker or equity loan), overdue payment on a support obli-
  - !69 gation, or other debt against this property that cannot be satisfied by the proceeds of this sale?  Yes  No
  - !70 (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
  - !71 property?  Yes  No
  - !72 (g) Are you aware of any insurance claims filed relating to the property?  Yes  No
  - !73 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form?
  - !74  Yes  No

!75 A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact

!76 on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element,

!77 system or subsystem is at or beyond the end of normal useful life of such a structural element, system or subsystem is not by

!78 itself a material defect.

!79 Explain any "yes" answers in this section: \_\_\_\_\_

!80

!81 The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best

!82 of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the prop-

!83 erty and to other real estate licensees. **SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION**

!84 **CONTAINED IN THIS STATEMENT.** Seller shall cause Buyer to be notified in writing of any information supplied on this form

!85 which is rendered inaccurate by a change in the condition of the property following completion of this form.

!86 WITNESS \_\_\_\_\_ SELLER Joseph F. Dell Jr. DATE 2011

!87 WITNESS \_\_\_\_\_ SELLER Mary F. Dell DATE \_\_\_\_\_

!88 WITNESS \_\_\_\_\_ SELLER \_\_\_\_\_ DATE \_\_\_\_\_

!89 **EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK**

!90 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required

!91 to fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known mater-

!92 ial defect(s) of the property.

!93 \_\_\_\_\_ DATE \_\_\_\_\_

!94 **RECEIPT AND ACKNOWLEDGEMENT BY BUYER**

!95 The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a

!96 warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It

!97 is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property

!98 be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components.

!99 WITNESS \_\_\_\_\_ BUYER \_\_\_\_\_ DATE \_\_\_\_\_

!100 WITNESS \_\_\_\_\_ BUYER \_\_\_\_\_ DATE \_\_\_\_\_

!101 WITNESS \_\_\_\_\_ BUYER \_\_\_\_\_ DATE \_\_\_\_\_

**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 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.