

# Seller's Real Property Disclosure Statement

1. **SELLER(S) NAME(S):** \_\_\_\_\_  
Property Address: \_\_\_\_\_

Is each individual named above a U.S. Citizen or resident alien? Yes  No

Approximate Age of Property: \_\_\_\_\_ Date Purchased: \_\_\_\_\_

## 2. NOTICE TO SELLER

Each Seller is obligated to disclose to a buyer all known facts that may materially affect the value of the property being sold and that are not readily observable. This disclosure statement is designed to assist the seller in complying with disclosure requirements and to assist the buyer in evaluating the property being considered. The listing real estate broker, the selling real estate broker and their respective representatives (collectively, "Brokers") will also rely upon this information when they evaluate, market and present the property to prospective buyers.

## 3. NOTICE TO BUYER

THIS IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THAT BUYER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OR REPRESENTATION OF ANY KIND BY THE BROKERS (NONE OF WHOM HAVE MADE ANY INDEPENDENT VERIFICATION OF THE INFORMATION CONTAINED HEREIN), AND BUYER AGREES NOT TO RELY ON THE INFORMATION CONTAINED HEREIN AS SUCH. BUYER AGREES TO INDEMNIFY AND HOLD BROKERS HARMLESS FROM ANY NON-DISCLOSURE, OMISSION, OR MISREPRESENTATION OF SELLER. SELLER SHALL NOT BE OBLIGATED TO REPAIR OR CORRECT ANY ITEM LISTED BELOW UNLESS STATED IN THE SALES CONTRACT.

## 4. OCCUPANCY

Does Seller currently occupy this property? Yes  No  If not, how long since Seller occupied the property? \_\_\_\_\_

Is the property currently being leased? Yes  No  If yes, when does the lease expire? \_\_\_\_\_

## 5. LAND (SOILS, DRAINAGE AND BOUNDARIES)

(a) Is there any fill or expansive soil on the property? Yes  No  Unknown

(b) Do you know of any sinkhole, sliding, settling, earth movement, upheaval or earth stability problems that have occurred on the property or in the immediate neighborhood? Yes  No

(c) Has any insurance company paid any amounts on a sinkhole claim? Yes  No . If "Yes", were the full amounts of the proceeds utilized to repair the sinkhole damage? Yes  No . (Required pursuant to §627.7073, Fla. Stat.).

(d) Is the property located in a flood zone or wetlands area? Yes  No  Unknown

(e) Do you currently have flood insurance? Yes  No  Is the policy assumable? Yes  No  Unknown

(f) Do you know of any past or present drainage or flood problems affecting the property or adjacent properties? Yes  No

(g) Is the property partially or totally seaward of the Coastal Construction Control Line? Yes  No  Unknown

(h) Do you know of any encroachments, boundary lines disputes, or easements affecting the property? Yes  No

If any of your answers in this section are "Yes," explain in detail: \_\_\_\_\_

## 6. STRUCTURAL ITEMS

(a) Are you aware of any past or present movement, shifting, deterioration, or other problems with walls or foundations? Yes  No

(b) Have you ever filed an insurance or manufacturer's claim for defective or damaged construction materials? Yes  No

(c) Are you aware of any past or present cracks or flaws in the walls or foundations? Yes  No

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

(e) Have there been any repairs or attempts to control the cause or effect of any problem above? Yes  No  Unknown

If any of your answers in this section are "Yes," explain in detail. When describing repairs or control efforts, describe the location, date, nature of repair or control effort, and name of person who performed repair or control effort: \_\_\_\_\_

## 7. ADDITIONS/REMODELS

(a) Have you made any additions, structural changes, or other alterations to the property? Yes  No

If "Yes," did you obtain all necessary permits and approvals and was all work done in compliance with building codes? Yes  No  If your answer is "No," explain: \_\_\_\_\_

(b) If in flood zone, has there been any major remodeling or additions within the past 5 years that would impact the FEMA 50% rule? Yes  No  Approximate cost of additions/ remodeling \$ \_\_\_\_\_

(c) Did any former owner(s) make any additions, structural changes, or other alterations to the property? Yes  No  Unknown  If "Yes", was all work done with all necessary permits and approvals and in compliance with building codes? Yes  No  Unknown  If your answer is "No", explain: \_\_\_\_\_

Seller Initials \_\_\_\_\_ / \_\_\_\_\_ Buyer Initials \_\_\_\_\_ / \_\_\_\_\_

Page 1 of 3

Seller Name: \_\_\_\_\_ Property Address: \_\_\_\_\_

**8. ELECTRICAL SYSTEM**

Are you aware of any problems or conditions that affect the value or desirability of the electrical system? Yes  No

If "Yes," explain in detail: \_\_\_\_\_

**9. HEATING AND AIR CONDITIONING**

- (a) Air Conditioning:  Central Electric  Central Gas  Window \_\_\_\_\_ (#) Units Included in Sale  
(b) Heating:  Electric  Fuel Oil  Natural Gas  Other \_\_\_\_\_  
(c) Water Heating:  Electric  Gas  Solar  Other \_\_\_\_\_

Are you aware of any problems regarding these items? Yes  No  If "Yes," explain in detail: \_\_\_\_\_

**10. PLUMBING-RELATED ITEMS**

- (a) What is your drinking water source: Public  Private System  Well on Property   
(b) What is the water source for your sprinkler system, if applicable? \_\_\_\_\_  
(c) If your drinking water is from a well, when was your water last checked for safety and what was the result of the test? \_\_\_\_\_

- (d) Do you have a water softener? Yes  No  Is it Leased  Owned   
(e) What is the type of sewage system: Public Sewer  Private Sewer  Septic Tank  Cesspool   
(f) Is there a sewage or sump pump? Yes  No   
(g) When was the septic tank or cesspool last serviced? \_\_\_\_\_  
(h) Do you know of any leaks, backups, or other problems relating to any of the plumbing, water, or sewage system? Yes  No  If "Yes", explain in detail: \_\_\_\_\_

**11. ROOF**

- (a) Approximate age: \_\_\_\_\_ years.  
(b) Has the roof ever leaked during your ownership? Yes  No  Unknown   
(c) Has the roof been replaced or repaired during your ownership? Yes  No   
(d) Are you aware of any past or present hail or wind damage? Yes  No   
(e) Have you ever filed an insurance or manufacturer's claim for roof defects or damage? Yes  No   
(f) Do you know of any problems with the roof or rain gutters? Yes  No   
If any of your answers in this section are "Yes," explain in detail: \_\_\_\_\_

**12. TERMITES, DRY-ROT, PESTS**

- (a) Do you have any knowledge of termites, dry-rot, or pests on or affecting the property? Yes  No   
(b) Do you have any knowledge of any damage to the property caused by termites, dry-rot, or pests? Yes  No   
(c) Is your property currently under warranty or other coverage by a licensed pest control company? Yes  No   
If yes, please state the name of the company: \_\_\_\_\_  
(d) Does the warranty cover repairs? Yes  No  / Does the warranty cover treatment? Yes  No   
Does the warranty cover regular pest control? Yes  No  Does the warranty transfer to the Buyer? Yes  No   
(e) Do you know of any termite or pest control reports or treatments for the property in the last five years? Yes  No   
If any of your answers in this section are "Yes," explain in detail: \_\_\_\_\_

**13. EQUIPMENT AND APPLIANCES**

Mark the items that may be included in the sale of your property:  Electric Garage Door Opener ( \_\_\_\_\_ Number of Transmitters);  Hurricane shutters or panels (  Complete  Partial set ); Security Alarm System (  Owned  Leased,  Monitored  Non-Monitored );  Lawn Sprinklers;  Smoke Detectors ( How many? \_\_\_\_\_ );  Automatic Timer;  Swimming Pool;  Pool Heater;  Spa/hot tub;  Pool/Spa Equipment (list): \_\_\_\_\_  
 Refrigerator;  Stove;  Oven;  Microwave Oven;  Washer;  Dryer;  Dishwasher;  Trash Compactor;  Intercom;  Ceiling Fans;  Disposal;  Ice Maker;  Other \_\_\_\_\_  
Are any of these in need of repair or replacement? Yes  No  If "Yes," explain in detail: \_\_\_\_\_  
Are you aware of any swimming pool or spa leaks? Yes  No  If "Yes", explain in detail: \_\_\_\_\_

**14. DOCKS, DAVITS, PIERS AND SEAWALLS**

- (a) Are you aware of any conditions that may affect the desirability, use, or function of the dock, davits, pier or seawall? Yes  No  If "Yes", explain: \_\_\_\_\_  
(b) Was (is) a federal, state, or local governmental permit required for the construction or maintenance of the dock, davits, pier or seawall? Yes  No  Unknown  If "Yes", were all appropriate permits and approvals issued for the construction and maintenance of such structures? Yes  No  Unknown  If no, explain: \_\_\_\_\_

Seller Initials \_\_\_\_\_ / \_\_\_\_\_ Buyer Initials \_\_\_\_\_ / \_\_\_\_\_ Page 2 of 3

Seller Name: \_\_\_\_\_ Property Address: \_\_\_\_\_

**15. MOLD AND TOXIC SUBSTANCES**

- (a) Are you aware of any past or present water leakage, accumulation, or dampness within the house, basement or crawl space? Yes  No
- (b) Are you aware of any past or present instances of mold or water or moisture intrusion in the structure(s) on the property? Yes  No  If "Yes", explain in detail: \_\_\_\_\_
- (c) Are you aware of any past or present damage to the structure(s) on the property that resulted from water or moisture intrusion, including, but not limited to, the presence of mold? Yes  No  If yes, where: \_\_\_\_\_
- (d) Are you aware of any underground tanks or potentially toxic substances present on the property (structure or soil) such as asbestos, PCB'S, accumulated radon, Chinese/defective drywall, lead paint, above ground or buried oil tanks, or others? Yes  No  Unknown  If "Yes," explain in detail: \_\_\_\_\_
- (e) Are you aware of whether the property has been tested for any of the items listed in (d) above? Yes  No  Unknown  If "Yes," explain in detail: \_\_\_\_\_
- (f) Are you aware of any repairs or other corrective or remedial measures that were undertaken as a result of the matters identified in sections (a), (b), (c), (d) or (e) above? Yes  No  If "Yes", explain in detail: \_\_\_\_\_

**16. CONDOMINIUMS, HOMEOWNERS ASSOCIATIONS AND COMMUNITY DEVELOPMENT DISTRICTS**

- (a) Is the property located in a Community Development District? Yes  No  If "Yes", is the remaining capital balance on this special tax assessment to be:  assumed by Buyer, or  paid in full by the Seller, at closing.
- (b) Are the recreational or common areas leased or owned by the association?  Owned  Leased
- (c) Is the property part of a condominium or other common ownership or is it subject to covenants, conditions, and restrictions of a homeowner's association? Yes  No  (If "No", ignore remainder of this section).
- (d) Is there any defect, damage, or problem with any common elements or common areas that could affect their value or desirability? Yes  No  Unknown
- (e) Is there any condition or claim which may result in a special assessment or increase in assessments or fees? Yes  No  Unknown
- (f) Is there any existing or threatened legal action against the association? Yes  No  Unknown
- (g) If "Yes" to any of the above, explain in detail: \_\_\_\_\_
- (h) Do you authorize prospective buyers to contact the association as your designee to obtain all available information concerning the property and common elements? Yes  No
- (i) Assigned parking spaces to be conveyed with the property? Yes  No  How many \_\_\_ Space Nos. \_\_\_\_\_

**17. NEIGHBORHOOD**

Are you aware of any existing condition or proposed change in your neighborhood that could adversely affect the value or desirability of the property, such as noise or other nuisance, electric and magnetic field levels, threat of condemnation or street changes? Yes , No  If "Yes," explain in detail: \_\_\_\_\_

**18. OTHER MATTERS**

- (a) Is there any existing or threatened legal action affecting the property? Yes  No  Unknown
- (b) Do you know of any violations of local, state, or federal laws or regulations relating to this property? Yes  No
- (c) Is there anything else that you feel you should disclose to a prospective Buyer because it may materially affect the value or desirability of the property (e.g., zoning or code violations, nonconforming units, setback violations, potential zoning or road changes, etc.)? Yes  No  If your answers to (a), (b) or (c) are "Yes," explain in detail: \_\_\_\_\_
- (d) Is there an existing home warranty in place? Yes  No  If "Yes", company name: \_\_\_\_\_
- (e) Does the warranty automatically transfer to the Buyer? Yes  No  Explain: \_\_\_\_\_

**ACKNOWLEDGMENT OF SELLER**

Seller acknowledges and represents that the information in this Disclosure Statement is accurate and complete and Seller agrees to notify the listing broker in writing immediately if any information becomes inaccurate in any way through the passage of time. Seller represents that Seller, and not the Brokers, have filled out this Disclosure Statement and that Seller is not relying on the Brokers for any of the information contained herein. Seller authorizes the Brokers to provide this information to prospective buyers.

Seller: \_\_\_\_\_ Date \_\_\_\_\_ Seller: \_\_\_\_\_ Date \_\_\_\_\_

**ACKNOWLEDGMENT OF BUYER**

Buyer acknowledges and represents that the Buyer has received this Real Property Disclosure Statement, has been advised to have the property examined by professional inspectors to evaluate its conditions and to investigate every aspect of the property that could be important to Buyer. Buyer acknowledges that the Brokers are not qualified to conduct such professional inspections or to inspect or detect physical defects in the property, and the Brokers have not undertaken any independent investigation to verify the accuracy of the information contained in this Disclosure Statement. If there are any blank responses above that are important to Buyer, Buyer agrees to obtain written responses or a corrected disclosure statement from the Seller/Lesser prior to signing below. Acceptance of this Disclosure Statement with partial or incomplete answers shall constitute a waiver of any claims against Brokers in any way related to such information.

Buyer: \_\_\_\_\_ Date \_\_\_\_\_ Buyer: \_\_\_\_\_ Date \_\_\_\_\_

**THIS IS A LEGAL BINDING DOCUMENT. IF NOT UNDERSTOOD, CONSULT AN ATTORNEY**

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Page 3 of 3