Clear Form

SELLER'S PROPERTY DISCLOSURE

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NOTICE TO SELLER

In Florida a seller of residential property is obligated to disclose to a buyer all facts known to a seller that materially and adversely affect the value of the Property being sold which are not readily observable by a buyer. This Disclosure is designed to assist a seller in complying with the disclosure requirements under Florida law and to assist a buyer in evaluating the Property described below ("the Property"). All parties, including the listing real estate Broker(s) and cooperating Broker(s), may wish to refer to this information when they evaluate, market or present the Property to prospective buyers.

NOTICE TO BUYER

This Disclosure is not a warranty by SELLER or a representation of any kind by any REALTOR to this transaction and is not considered a substitute for inspections or warranties a buyer may wish to obtain. This Disclosure is based only upon SELLER's knowledge of the Property's condition as of the date signed by SELLER.

SELLER _____

Street Address _____

City _____ State _____ Zip _____

Year Built: _____ Date SELLER purchased Property: _____

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

Do you currently occupy the Property? ☐Yes ☐No

If not, when did you vacate the Property? _____

Is the Property tenant occupied? ☐Yes ☐No

If yes, is there a written lease? ☐Yes ☐No

Date lease began _____ Deposit amount $_____ Date lease ends _____

Monthly payment due under lease $_____ Date payable _____

1. **PROPERTY INFORMATION:** The Property has the items checked below, which are installed and, to SELLER's actual knowledge, are in working condition unless otherwise indicated:

☐Range Brand: _____
☐Oven Brand: _____
☐Dishwasher Brand: _____
☐Disposal Brand: _____
☐Trash Compactor Brand: _____
☐Ceiling Fans - Number of fans:_____
☐Intercom
☐Audio Visual System Wiring
☐Light Fixtures
☐Bathroom Mirrors
☐Drapery Hardware
☐All Window Treatments
☐Garage Door Opener(s) and Number of Control(s): _____
☐Security Gate and other Access Devices
☐Pool Heater
☐Storage Shed
☐Mounted/Installed Speakers
☐TV Antennae/Satellite Dish ☐Owned ☐Leased
☐Water Softener/Treatment System ☐Owned ☐Leased
☐Storm Shutters and Panels
☐Spa or Hot Tub with Heater
☐Sauna
☐Built In Grill ☐Gas Supply: ☐Utility ☐Bottled/Tank
☐Irrigation System ☐Full ☐Partial
☐Water Heater: ☐Electric ☐Gas ☐Solar Brand: _____

☐Refrigerator Brand: _____
☐Microwave Oven Brand: _____
☐Washer Brand: _____
☐Dryer Brand: _____
☐Fireplace ☐Gas Logs ☐Wood burning ☐Electric
☐Smoke Detectors
☐Security System ☐Owned ☐Leased
☐Window/Wall a/c(s) - Number of units:_____
☐Built In Generator
☐Wine Cooler ☐Built-in ☐Free Standing
☐In-ground Pool
☐Above Ground Pool
☐Pool Fence/Barrier
☐Pool Sweep
☐Solar Panels
☐Individual Mail Box
☐Cluster Mail Box and Key - Box Number_____
☐Smart Home System(s) consisting of:
_____
_____
_____

2. CLAIMS AND ASSESSMENTS:

a. Are you aware of any existing, pending or proposed legal or administrative action affecting the Property? ☐Yes ☐No

b. Are you aware of any existing or proposed municipal or county special assessments affecting the Property? ☐Yes ☐No

c. Have any local, state or federal authorities notified you that repairs, alterations or corrections to the Property are required? ☐Yes ☐No

d. Are you aware of any existing, pending or proposed legal action or administrative action affecting homeowners'/condominium association common areas (such as clubhouse, pools, tennis courts, walkways or other areas)? ☐Yes ☐No

If yes to any of these items, please explain: _____

_____

3. DEED/HOMEOWNERS'/CONDOMINIUM ASSOCIATION RESTRICTIONS:

a. Are there any deed, homeowners' or condominium restrictions? ☐Yes ☐No

b. Are there any mandatory homeowners' or condominium associations? ☐Yes ☐No

If yes, how many?_____

If yes, please see Homeowners' Association/Community Disclosure Addendum or Condominium Rider

Fees are payable to: _____

Payee's address:_____

Payee's phone number:_____

☐Homeowners' Association fees and assessments are payable in the amount of $_____ per _____

☐Master Association fees and assessments are payable in the amount of $_____ per _____

☐Condominium Association maintenance fees are payable in the amount of $_____ per _____

☐Condominium Association special assessment fees are payable in the amount of $_____ per _____

☐_____ fees or assessments are payable in the amount of $_____ per _____

☐_____ fees or assessments are payable in the amount of $_____ per _____

☐_____ Association transfer/access fees payable by BUYER $_____

☐_____ Association Capital Contribution fee payable by BUYER $_____

c. Are you aware of any pending special assessment(s)? If yes please explain: ☐Yes ☐No

_____

_____

d. Are any of your Association fees delinquent? ☐Yes ☐No

e. Are you aware of any proposed changes to any of the restrictions? ☐Yes ☐No

f. Are there any resale restrictions? ☐Yes ☐No

g. Are there any restrictions to leasing the Property? ☐Yes ☐No

h. Are you aware of any violations of the restrictive covenants affecting the Property including failure to obtain Association approval for improvements or changes to the Property? ☐Yes ☐No

i. Is the Property part of a Community Development District (CDD)? ☐Yes ☐No

If yes, please see Community Development District Acknowledgment.

4. ENVIRONMENT:

a. Was the Property built before 1978? ☐Yes ☐No

If yes, complete the Lead-Based Paint Disclosure.

b. Are there or have there been any substances, materials or products which may be an environmental hazard such as, but not limited to, asbestos, urea formaldehyde, methamphetamine, radon gas, mold, lead-based paint, defective drywall, defective flooring, fuel oil, propane or chemical storage tanks (active or abandoned), or contaminated soil or water on the Property? ☐Yes ☐No ☐Unknown

c. Has there been any clean up, repair or remediation of the Property due to any of the substances, materials or products listed in subsection (b) above? ☐Yes ☐No ☐Unknown

d. Are there any wetlands, conservation easements/buffers, archeological sites or other environmentally sensitive areas located on the Property active or abandoned? ☐Yes ☐No ☐Unknown

If yes to any of these items, please explain:_____

_____

5. ROADS/LAND USE

a. Are access roads ☐Public ☐Private? If private, is there a recorded road maintenance agreement? ☐Yes ☐No ☐Unknown

b. Is the Property zoned for its current use? ☐Yes ☐No ☐Unknown

c. Are there any restrictions governing reconstruction of the Property following casualty loss or damage (e.g. for oceanfront or historic district properties)? ☐Yes ☐No ☐Unknown

If yes to any of these items, please explain:_____

_____

6. ADDITIONS/REMODELING/INSURANCE CLAIMS

a. Has there been any structural damage or damage to personal property which may have resulted from casualties including, but not limited to, fire, wind, water, flood, hail or sinkholes? ☐Yes ☐No ☐Unknown

b. If yes, are you aware if any insurance claims were filed? ☐Yes ☐No

c. Have you made any additions, structural changes or other alterations to the Property? ☐Yes ☐No

If yes, did you obtain all necessary permits? ☐Yes ☐No

Was/Were the permit(s) closed out (finalized)? ☐Yes ☐No ☐Unknown

d. Was any of the work in violation of any building codes? ☐Yes ☐No

e. Were there any additions, structural changes or other alterations made to the Property by any previous owner? ☐Yes ☐No ☐Unknown

f. Please provide the name of any contractor or individual who constructed any addition or made any structural change to the Property. _____

g. Are you aware of any active or open permits on the Property which have not been closed by a final inspection? ☐Yes ☐No

If yes to any of these items, please explain: _____

_____

7. ROOF-RELATED ITEMS

a. What is the approximate age of the roof? _____ ☐Unknown

b. Has the roof leaked during your ownership of the Property? ☐Yes ☐No

If yes, what was done to correct the leak(s)? _____

c. Has the roof been replaced or repaired during your ownership of the Property? ☐Yes ☐No

If replaced or repaired, please provide the date and name of contractor

_____ is there a transferable warranty? ☐Yes ☐No

If yes, please provide a copy of the warranty.

8. POOL/SPA OR HOT TUB

a. Does the Property have any of the following?

Pool/Spa Heater ☐Yes ☐No Type: ☐Gas ☐Electric ☐Solar

Pool Sweep ☐Yes ☐No

Spa/Hot Tub ☐Yes ☐No Type: ☐Gas ☐Electric

What is the approximate age of the Pool _____ Spa_____ Hot Tub_____?

b. Have repairs/replacements ever been made to any item mentioned above? ☐Yes ☐No ☐Unknown

If yes, please explain:_____

c. What type of pool/spa or hot tub chlorination system do you have? (salt or chlorine) _____

d. The pool/spa has the following safety features (as defined by Section 515, Florida Statutes):

☐ Enclosure that meets the pool barrier requirements ☐ Approved safety pool cover

☐ Required door and window exit alarms ☐ Required door locks

9. HEATING AND AIR CONDITIONING

Please indicate existing equipment:

a. Air Conditioning: ☐Central ☐Electric Brand Name: _____ Age ____

b. Heating: ☐Central ☐Electric ☐Gas ☐Fuel Oil Brand Name: _____ Age ____

c. If heat pump, type: _____

d. Air condenser age _____ Air handler age _____

e. Window/Wall Unit (s) _____ Number and location of units included in sale: _____

f. Solar Heating: ☐Owned ☐Leased

g. Do you have any fuel storage tanks? ☐Yes ☐No

If yes, ☐ Underground ☐ Above ground ☐ Both

h. Are you aware of any malfunction, condensation problem or defect regarding these items or ductwork since you have owned the Property? ☐Yes ☐No

If yes, explain: _____

10. WATER INTRUSION

a. Are you aware of any past or present water intrusion, accumulation of water or dampness affecting the Property, including any crawl spaces? ☐Yes ☐No

If yes, please explain_____

b. Are you aware of any attempts to control any water or dampness problems, including in any crawl spaces? ☐Yes ☐No

c. Are you aware of any insurance claims filed for water intrusion? ☐Yes ☐No
If yes, please indicate when_____
If yes, has the claim been completely settled with your insurance company? ☐Yes ☐No
If yes, was the full amount of the claim proceeds used to repair the water intrusion? ☐Yes ☐No

11. SINKHOLES, SETTLING AND SOIL MOVEMENT

a. Are you aware of any past or present settling, soil movement or sinkhole(s) affecting the Property? ☐Yes ☐No
If yes, please explain:_____
b. Are you aware of any insurance claims filed for a sinkhole with an insurance company? ☐Yes ☐No
If yes, has the claim has been completely settled with your homeowner's insurance company? ☐Yes ☐No
If yes, was the full amount of the claim proceeds used to repair the sinkhole damage? ☐Yes ☐No

12. WINDOWS/DOORS/LOCKS

a. Are the windows insulated glass? ☐Yes ☐No ☐Unknown
b. Are any windows low "e" filtered windows? ☐Yes ☐No ☐Unknown
c. Are there any fogged windows? ☐Yes ☐No
d. Are any windows broken or cracked? ☐Yes ☐No
e. Do all operable windows open, stay open, close and lock properly? ☐Yes ☐No
f. Are any screens missing or damaged? ☐Yes ☐No
g. Do all doors operate properly? ☐Yes ☐No

13. PLUMBING

a. Are you aware of any problems with the plumbing system/fixtures? ☐Yes ☐No
b. Are you aware of any polybutylene pipes on the Property? ☐Yes ☐No
c. Are you aware of any leaks, back-ups, water or sewer/septic tank problems? ☐Yes ☐No
d. What is your drinking water supply source? ☐Public ☐Private ☐Well on Property ☐Shared well
e. If your water is from a well, have there ever been repairs/replacements to the well or pump? ☐Yes ☐No ☐Unknown
f. Has the well water ever been tested? ☐Yes ☐No ☐Unknown
g. Do you have a separate water supply source for irrigation? ☐Yes ☐No
h. **If yes,** ☐ Irrigation Meter ☐Shallow Well
i. What type of sewage system do you have? ☐Public ☐Private ☐Septic Tank(s)
If septic, how many? _____ Locations: _____
When was septic tank last pumped? _____ Age of septic tank if known: _____
Age of drain field if known: _____
j. Number of water heaters? _____ ☐ Electric ☐ Gas ☐ Solar ☐ Tankless
If yes to any of these items, please explain: _____
_____

14. ELECTRICAL SYSTEM

a. Are you aware of any damaged or malfunctioning switches, receptacles, wiring or any problem with the electrical system/fixtures? ☐Yes ☐No
If yes, please explain: _____
b. Does the Property have any aluminum wiring? ☐Yes ☐No ☐Unknown

15. EXCLUSIONS/LEASED SYSTEMS

a. Are there any items that are affixed to the Property that are excluded from the sale? ☐Yes ☐No
If yes, please itemize: _____
b. Is there any leased equipment included in the sale? ☐Yes ☐No
If yes, please itemize: _____

16. WOOD-DESTROYING ORGANISMS

a. Are you aware of any past or present infestation or damage to the Property caused by any wood-destroying organisms, including fungi? ☐Yes ☐No
If yes, please explain: _____
b. Is the Property currently under service agreement or bond for wood-destroying organisms with a licensed pest control company? ☐Yes ☐No
If yes, with what company and renewal date?_____
Is the service agreement or bond transferable? ☐Yes ☐No
If yes, please attach a copy of the service agreement or bond.
c. Do you know of any wood-destroying organism reports on the Property issued in the past five years? ☐Yes ☐No
If yes, please explain and attached a copy if available:_____

17. FLOOD ZONE/DRAINAGE/BOUNDARIES

a. Is any portion of the Property in a special flood hazard area for which a lender may require flood insurance? ☐Yes ☐No
If yes, please attach a copy of the flood elevation certificate if available.

b. Are you aware of any past or present drainage/flood problems affecting the Property? ☐Yes ☐No

c. Are you aware of any encroachments or boundary line disputes affecting the Property? ☐Yes ☐No

d. Are you aware of any shared access/driveway, dock, well or other joint use agreements? ☐Yes ☐No
If yes, ☐ oral ☐ written. If written, please attach a copy.

e. Are you aware of any easements affecting the Property other than utility easements? ☐Yes ☐No
If yes, please explain:_____

f. Do you have a survey map of the Property? ☐Yes ☐No
If yes, please attach a copy.

18. OTHER MATTERS

a. Does anyone, including any owner's association, have a right of first refusal or an option to buy the Property? ☐Yes ☐No

b. Are you aware of any existing or threatened legal action affecting you or the Property? ☐Yes ☐No

c. Does the Property have homestead tax exemption for the current year? ☐Yes ☐No

d. Water/Sewer Provider: _____
Garbage Pick-up Provider: _____ Gas/Fuel oil Provider: _____
Electricity Provider: _____

e **Is there anything else you feel you should disclose to a prospective buyer that may materially adversely affect the value or desirability of the Property?** ☐Yes ☐No
If yes to any of these items, please explain: _____

SELLER represents that the information set forth in this Property Disclosure is accurate and complete to the best of SELLER's knowledge. SELLER does not intend this Disclosure to be a warranty or guaranty of any kind. SELLER hereby authorizes the listing Broker to provide a copy of this Disclosure to prospective buyers of the Property and to real estate brokers and licensees. **SELLER shall notify the listing Broker in writing immediately if any information set forth in this Disclosure becomes inaccurate or incorrect.**

SELLER	DATE	SELLER	DATE
SELLER	DATE	SELLER	DATE

RECEIPT AND ACKNOWLEDGMENT BY BUYER

BUYER hereby acknowledges receipt of a copy of this Property Disclosure. BUYER is strongly advised to obtain Property inspection(s) as provided for in the Purchase and Sale Agreement. BUYER should select professionals with appropriate qualifications to conduct inspections. BUYER acknowledges that this Property Disclosure is not intended as a warranty or guaranty of any kind by SELLER.

BUYER hereby acknowledges that SELLER's representations are made to BUYER based on SELLER's knowledge and, further, that it is BUYER's responsibility to have the Property inspected. The statements in this Disclosure are those of SELLER only. The Brokers and their licensees do not warrant or guarantee the statements contained in this Property Disclosure or the condition of the Property and are not responsible for the condition of the Property. BUYER understands that the Property is being sold in its present condition unless otherwise agreed upon in the Purchase and Sale Agreement and Deposit Receipt.

BUYER	DATE	BUYER	DATE
BUYER	DATE	BUYER	DATE