



SELLER'S DISCLOSURE AND LATENT DEFECTS STATEMENT

(To Be Completed At Time of Listing)



NOTICE TO SELLER

In Florida, each Seller is obligated to disclose to a buyer all facts known to Seller that materially and adversely affect the value of the property being sold and which are not readily observable by Buyer. This disclosure statement is designed to assist Seller in complying with disclosure requirements and to assist Buyer in evaluating the property being considered. The listing real estate broker(s) and cooperating broker(s) will also rely upon this information when they evaluate, market and present your property to prospective buyers.

NOTICE TO BUYER

This is a disclosure of the Seller's knowledge of the property's condition and any latent defects as of the date signed by Seller. It is not a substitute for any inspections or warranties that Buyer may wish to obtain. It is not a warranty of any kind by the Seller or a warranty or representation by the listing broker, the selling broker, or their agents.

1. Seller(s) Name(s): _____

Property Address: _____

County _____ City _____ Zip _____ Telephone _____

Year Built: _____ Seller a U.S. citizen? Yes No

2. OCCUPANCY

Is property currently occupied by Seller Tenant Vacant.

If occupied by tenant, lease expiration date _____.

3. LAND (SOILS, DRAINAGE AND BOUNDARIES)

(a) Do you have any knowledge of any fill or expansive soil on the property? Yes No.

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

(c) Do you have any knowledge whether the property has been affected by any adverse weather conditions (e.g., earthquake, hurricane, hailstorm, tornado, lightning)? Yes No.

(d) Do you have any knowledge whether the property or adjacent properties have been affected by any past or recent drainage or flood problems? Yes No Unknown.

(e) Do you have any knowledge of any encroachments, boundary line disputes, or easements affecting the property? Yes No Unknown.

(f) Are you currently required to carry flood insurance? Yes No.

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

(g) Do you have a survey of the property? Yes No. If "Yes," please provide a copy.

4. ROOF

(a) _____ Year existing roof installed. Unknown.

(b) Has the roof leaked, suffered any other significant damage, been replaced or inspected during your ownership? Yes No.

(c) Do you have any knowledge of any present problems with the roof or rain gutters? Yes No.

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

5. TERMITES, DRYROT, PESTS

(a) Do you have any knowledge of termites, dryrot, or pests presently affecting the property? Yes No.

(b) Do you have any knowledge of any damage to the property caused by termites, dryrot, or pests? Yes No.

(c) Is your property currently under a termite bond or termite warranty by a licensed pest control company? Yes No.

Transferable? Yes No. Cost to transfer _____.

Transferability unknown (to be determined upon request).

(d) Do you know of any termite/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: _____

_____.

6. STRUCTURAL ITEMS

- (a) Do you have any knowledge of any past or present movement, shifting, deteriorations, or other problems with walls or foundations? Yes No.
- (b) Do you have any knowledge of any past or present cracks or flaws in the walls, ceilings or foundations? Yes No.
- (c) Do you have any knowledge of any past or present water leakage in the house? Yes No.
- (d) Do you have any knowledge of any past or present problems with driveways, walkways, patios, or retaining walls on the property? Yes No.
- (e) Do you have any knowledge of repairs or other attempts made to control the cause or effect of any problem described above? Yes No.

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

_____.

7. BASEMENTS AND CRAWL SPACES (complete only if applicable)

- (a) Does the property have a sump pump? Yes No.
- (b) Do you have any knowledge of any water leakage, accumulation, or dampness within the basement or crawl space? Yes No.

If "Yes," describe in detail: _____
_____.

- (c) Do you have any knowledge of repairs or other attempts made to control any water or dampness problem in the basement or crawl space? Yes No.

If "Yes," describe the location, extent, date, and name of the person who did the repair or control effort: _____

_____.

8. ADDITIONS/REMODELS

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

If "Yes," were all necessary permits and approvals obtained and was all work in compliance with building code? Yes No. If your answer is "No," explain: _____
_____.

- (b) Do you have any knowledge whether any former owners of the property made 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 in compliance with building codes? Yes No Unknown.

If your answer is "No," explain: _____
_____.

9. PLUMBING-RELATED ITEMS

- (a) What are your potable (drinking) water sources? Public Private System Well on Property.
- (b) If your drinking water is from a well, when was your water last checked for safety and what was the result of the test? _____
- (c) Do you have a water softener? Yes No. If "yes," is it: Leased Owned Included in sale.
- (d) What is the type of sewage system: Public Sewer Private Sewer Septic Tank Cesspool. Location of Drainfield: _____
- (e) Is there a sewage pump? Yes No.
- (f) Have you had the septic tank or cesspool serviced? Yes What year? _____ No.
- (g) Do you have any knowledge of any leaks, backups, or other problems relating to plumbing, water, and sewage systems? Yes No.
- (h) Do you have any knowledge whether the home has ever been replumbed? Yes What year? _____ No.

If your answer is "Yes," explain in detail: _____

10. HEATING AND AIR CONDITIONING

- (a) Air Conditioning: Central Electric Central Gas Window Heat Pump. If heat pump, type: _____ #Window Units Included in Sale _____.
- (b) Heating: Electric Fuel Oil Natural Gas Fireplace Other.
- (c) Water Heating: Electric Gas Solar.
- (d) Do you have any fuel storage tanks? Yes No. If yes, what type of fuel? _____
 Location of fuel tank: _____. Above ground? Yes No.
 Below ground? Yes No.
 Do you have any knowledge of any problems regarding these items? Yes No. If "Yes," explain in detail: _____

11. ELECTRICAL SYSTEM

- Is the wiring: Aluminum Copper Unknown?
- Do you have any knowledge of any problems or conditions that affect the value or desirability of the electrical system? Yes No.
- If "Yes," explain in detail: _____

12. OTHER EQUIPMENT AND APPLIANCES BEING SOLD

- Mark the items included in the sale of your property:
- Electric Garage Door Opener, (____ Number of Transmitters), Security Alarm System (Owned Leased), Solar Equipment (Owned Leased), Smoke Detector (____ How Many?), Lawn Sprinklers, Automatic Timer, Swimming Pool, Pool Heater, Spa/Hot Tub, Pool/Spa Equipment (list): _____
- Refrigerator, Stove, Microwave Oven, Washer, Dryer, Dishwasher, Trash Compactor, Disposal, Intercom, Ceiling Fans (____ How Many?), Fences, Fireplace Hardware. Other: _____
- Are any of the above items in need of repair or replacement? Yes No. If "Yes," explain in detail: _____
- Are any of the above items leased? Yes No. If "Yes," list which ones: _____

13. TOXIC SUBSTANCES

- (a) Do you have any knowledge of any underground tanks or toxic substances present on the property (structure or soil) such as asbestos, PCBs, accumulated radon, lead paint, or others? Yes No.
 If "Yes," explain in detail: _____
- (b) Do you have any knowledge whether the property has been tested for radon or any other toxic substance? Yes No.
 If "Yes," explain in detail: _____

14. NEIGHBORHOOD

- Do you have any knowledge of any condition or proposed change of conditions in your neighborhood that could adversely affect the value or desirability of the property, such as noise or other nuisance, threat of condemnation, etc.? Yes No. If "Yes," explain in detail: _____

15. CONDOMINIUMS AND OTHER HOMEOWNERS ASSOCIATIONS

- (a) Is the property part of a condominium or other common ownership or is it subject to covenants, conditions, and restrictions (CC & R's) of a homeowner's association?
 Yes No. (If your answer is "No," you may ignore the remainder of this section.)
- (b) Do you have any knowledge of any defect or damage to, or claim or problem relating to, any common elements or common areas which could affect their value or desirability?
 Yes No Unknown.
- (c) Do you have any knowledge of any condition of, or claim or problem relating to, the common elements or common areas which may result in an increase in assessments or fees?
 Yes No.
 If your answer to (b) or (c) is "Yes," explain in detail: _____
- (d) Do you have any knowledge of any present violations of any covenants, conditions and restrictions (CC & R's) on the property? Yes No.

If "Yes," explain in detail: _____

(e) Are dues required? Yes No. Annual amount \$_____. Paid \$_____/month, \$_____/quarter, \$_____/6 months.

16. OTHER MATTERS

- (a) Do you have any knowledge of any existing or threatened legal action affecting the property? Yes No.
- (b) Do you have any knowledge of any violations of local, state or federal laws or regulations relating to this property? Yes No.
- (c) Do you have any knowledge of anything else that you feel you should disclose to a prospective buyer because it may materially and adversely affect the value or desirability of the property, e.g., zoning violations, nonconforming units, setback violations, zoning changes, road changes, etc.? Yes No.
- (d) Do you have in your possession any inspection reports on the property? Yes No.
- (e) Have you received any proceeds from any insurance claims regarding this property? Yes No.
- (f) Do you have any knowledge of any title problems affecting the property (such as delinquent taxes) or any other person claiming an interest in the property? Yes No.
- (g) Is your property currently covered by a home warranty program which can be transferred to a buyer of your property? Yes No. If "Yes", name of home warranty company _____
- (h) Do you have an owner's title insurance policy? Yes No. If yes, please provide a copy.
- (i) Are there any deed restrictions on the property? Yes No. If yes, please provide a copy of deed containing restrictions.

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

The undersigned Seller represents that the information set forth in the foregoing disclosure and latent defects statement is accurate and complete to the best of the 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 this form to prospective buyers of the property and to real estate brokers and sales people. Seller understands and agrees that Seller will notify the listing broker in writing immediately if any information set forth in this disclosure becomes inaccurate or incorrect in any way through the passage of time.

Seller: _____ Date: _____

Seller: _____ Date: _____

RECEIPT AND ACKNOWLEDGEMENT OF BUYER

- 17. I HAVE INSPECTED THE PROPERTY. I HAVE BEEN ADVISED TO HAVE THE PROPERTY EXAMINED BY PROFESSIONAL INSPECTORS. I ACKNOWLEDGE THAT NEITHER ANY BROKER NOR AGENT INVOLVED IN THIS TRANSACTION IS AN EXPERT AT DETECTING OR REPAIRING PHYSICAL DEFECTS IN THE PROPERTY.
- 18. I STATE THAT NO REPRESENTATIONS CONCERNING THE CONDITION OF THE PROPERTY ARE BEING RELIED ON BY ME EXCEPT AS DISCLOSED ABOVE OR STATED WITHIN THE SALES CONTRACT.
- 19. THIS IS A LEGALLY BINDING DOCUMENT. IF NOT UNDERSTOOD, CONSULT AN ATTORNEY.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

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