Property Disclosure Statement

REALTORS®

NAME: _____
SELLER HAS ❑ HAS NOT ❑ OCCUPIED THE PROPERTY.
DATE SELLER PURCHASED PROPERTY? _____
IS THE PROPERTY CURRENTLY LEASED? NO ❑ YES ❑ TERMINATION DATE OF LEASE: _____
DOES THE PROPERTY CURRENTLY HAVE HOMESTEAD EXEMPTION? NO ❑ YES ❑; YEAR _____

GENERAL INFORMATION ABOUT PROPERTY:
PROPERTY ADDRESS: _____
LEGAL DESCRIPTION: _____

NOTICE TO BUYER AND SELLER:
In Florida, a Seller is obligated to disclose to a Buyer all known facts that materially affect the value of the property being sold and that are not readily observable. This disclosure statement is designed to assist Seller in complying with the disclosure requirements under Florida law and to assist the Buyer in evaluating the property being considered. This disclosure statement concerns the condition of the real property located at above address. It is not a warranty of any kind by the Seller or any Licensee in this transaction. It is not a substitute for any inspections or warranties the parties may wish to obtain. It is based only upon Seller's knowledge of the property condition. This disclosure is not intended to be a part of any contract for sale and purchase. All parties may refer to this information when they evaluate, market, or present Seller's property to prospective Buyers.

The following representations are made by the Seller(s) and are not the representations of any real estate licensees.

1. CLAIMS & ASSESSMENTS

a. Are you aware of existing, pending, or proposed legal actions, claims, special assessments, municipal service taxing or benefit unit charges or unpaid assessments (including homeowners' association maintenance fees or proposed increases in assessments and/or maintenance fees) affecting the property? NO ❑ YES ❑ If yes, explain: _____

b. Have any local, state, or federal authorities notified you that repairs, alterations or corrections of the property are required? NO ❑ YES ❑ If yes, explain: _____

2. DEED/HOMEOWNERS' ASSOCIATION RESTRICTIONS

Are You Aware:

a. of any deed or homeowner restrictions? NO ❑ YES ❑
b. of any proposed changes to any of the restrictions? NO ❑ YES ❑
c. of any resale restrictions? NO ❑ YES ❑
d. of any restrictions on leasing the property? NO ❑ YES ❑
e. If any answer to questions 2a-2e is yes, please explain: _____

f. Are access roads private ❑ public ❑? If private, describe the terms and conditions of the maintenance agreement: _____
g. If there is a homeowner association, is membership mandatory? NO ❑ YES ❑, and are fees charged by the homeowner association? NO ❑ YES ❑ If yes, explain: _____

3. PROPERTY-RELATED ITEMS

Are You Aware:

a. if you have ever had the property surveyed? NO ❑ YES ❑ Date: _____
b. if the property was surveyed, did you receive an elevation certificate? NO ❑ YES ❑ Date: _____
c. of any walls, driveways, fences or other features shared in common with adjoining landowners or any encroachments, boundary line disputes, setback violations, or easements affecting the property? NO ❑ YES ❑
d. of any portion of the property that is fenced? NO ❑ YES ❑
If any answer to questions 3a-3d is yes, please explain: _____

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4. THE LAND:

Are You Aware:

a. of any past or present settling, soil movement, or sinkhole problems on the property or on adjacent properties? NO ❑ YES ❑

b. of any past or present drainage or flood problems affecting the property or adjacent properties? NO ❑ YES ❑

c. of any past or present problems with driveways, walkways, patios, seawalls, or retaining walls on the property or adjacent properties due to drainage, flooding, or soil movements? NO ❑ YES ❑

If any answer to questions 4a-4c is yes, please explain: _____

_____

_____

_____

5. ENVIRONMENT:

Was the property built before 1978? NO ❑ YES ❑

Are You Aware:

a. of any substances, materials, or products which may be an environmental hazard, such as, but not limited to, asbestos, urea formaldehyde, radon gas, mold, lead-based paint, fuel, propane or chemical storage tanks (active or abandoned), or contaminated soil or water on the property? NO ❑ YES ❑

b. of any condition or proposed change in the vicinity of the property that does or will materially affect the value of the property, such as, but not limited to, proposed development or proposed roadways? NO ❑ YES ❑

c. of wetlands, mangroves, archeological sites, or other environmentally sensitive areas located on the property? NO ❑ YES ❑

If any answer to questions 5a-5c is yes, please explain: _____

_____

_____

_____

6. ZONING:

Are You Aware:

a. of the zoning classification of the property? NO ❑ YES ❑ If yes, identify the zoning classification _____

b. of any zoning violations or nonconforming uses? NO ❑ YES ❑

c. if the property is zoned for its current use? NO ❑ YES ❑

d. of any zoning restrictions affecting additions, improvements or replacement of the property? NO ❑ YES ❑

e. if there are any zoning, land use or administrative regulations which are in conflict with the existing or intended use of the property? NO ❑ YES ❑

f. of any restrictions other than association and flood area requirements affecting improvements or replacement of the property? NO ❑ YES ❑

If any answer to questions 6a-6f is yes, please explain: _____

_____

_____

_____

7. FLOOD:

Are You Aware:

a. if any portion of the property is in a special flood hazard area? NO ❑ YES ❑

b. does the property require flood insurance? NO ❑ YES ❑

c. whether any improvements including additions, are located below the base flood elevation? NO ❑ YES ❑

d. whether such improvements have been constructed in violation of applicable local flood guidelines? NO ❑ YES ❑

e. if any portion of the property is seaward of the coastal construction control line? NO ❑ YES ❑

If any answer to questions 7a-7e is yes, please explain: _____

_____

_____

_____

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8. TERMITES, DRY ROT, PESTS, WOOD DESTROYING ORGANISMS:

a. Do you have any knowledge of termites, dry rot, pests or wood destroying organisms on or affecting any improvements located on the property or any structural damage to the property by them? NO ❑ YES ❑ If yes, explain: _____

b. Have you ever had the property inspected for termites, dry rot, pest or wood destroying organism? NO ❑ YES ❑ Date of inspection_____If so, what was the outcome of the inspection? _____

c. Has the property been treated for termites, dry rot, pest or wood destroying organisms? NO ❑ YES ❑ Date and type of treatment _____,Company name: _____

9. STRUCTURE-RELATED ITEMS:

Are You Aware:

a. of any structural damage which may have resulted from events including, but not limited to, fire, wind, flood, hail, landslide, or blasting, and which materially affect the value of the property? NO ❑ YES ❑

b. of any structural condition or, in the case of a homeowner association, any condition in the common elements that materially affects the value of the property? NO ❑ YES ❑

c. of any improvements or additions to the property, whether by you or by others, that have been constructed in violation of building codes or without necessary permits? NO ❑ YES ❑

d. of any active permits on the property which have not been closed by a final inspection? NO ❑ YES ❑

If any answer to questions 9a-9d is yes, please explain: _____

10. ROOF-RELATED ITEMS:

Are You Aware:

a. of any roof or overhang defects? NO ❑ YES ❑

b. if the roof has leaked since you owned the property? NO ❑ YES ❑

c. if anything was done to correct the leaks? NO ❑ YES ❑

d. if the roof has been replaced? NO ❑ YES ❑ If yes, when:_____

e. If there is a warranty on the roof? NO ❑ YES ❑ If yes, is it transferable? NO ❑ YES ❑

f. If the roof has been inspected within the last twelve months? NO ❑ YES ❑

If any answer to questions 10a-10f is yes, please explain: _____

11. PLUMBING-RELATED ITEMS:

a. What is your drinking water source? Public ❑ Private Well ❑ Other Source ❑. If your drinking water is from a well or other source, when was your water last checked for safety and what was the result of the test?_____

b. Do you have a water conditioning system? NO ❑ YES ❑ If yes, type:_____Owned ❑ Leased ❑

c. What is the balance owed on the system? $_____

d. Do you have a sewer ❑ or septic system ❑? If septic system describe the location of each system: _____

e. Are you aware of any septic tanks or wells on the property which are not currently being used? NO ❑ YES ❑ If yes, explain:_____

f. Are you aware of any plumbing leaks since you have owned the property? NO ❑ YES ❑ If yes, explain: _____

g. Are you aware of any conditions that materially affect the value of the property relating to the septic tank/drain field, sewer lines, or any other plumbing related items? NO ❑ YES ❑ If yes, explain: _____

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12. POOLS/HOT TUBS/SPAS:

a. Does the property have a swimming pool? NO ❑ YES ❑ Hot tub? NO ❑ YES ❑ Spa? NO ❑ YES ❑

b. If you answered yes to any part of 12a, was the certificate of completion received after Oct. 1, 2000 for the pool? NO ❑ YES ❑ For the spa? NO ❑ YES ❑ For the hot tub? NO ❑ YES ❑

c. Check the pool safety features (as defined by Section 515.27, Florida Statutes) your swimming pool, hot tub or spa has: Enclosure that meets the pool barrier requirements ❑ Approved safety pool cover ❑
Required door and window exit alarms ❑ Required door locks ❑ none ❑

d. Are you aware of any conditions regarding these items that materially affect the value of the property? NO ❑ YES ❑ If yes, explain: _____

_____

_____

13. MAJOR APPLIANCES:

Indicate existing equipment:
Range ❑ Oven ❑ Microwave ❑ Dishwasher ❑ Garbage Disposal ❑ Trash Compactor ❑ Refrigerator ❑
Freezer ❑ Washer ❑ Dryer ❑
Are any of these appliances leased? NO ❑ YES ❑ Are any of these gas appliances? NO ❑ YES ❑
Is the water heater: owned ❑ leased ❑; Is the water heater: electric ❑ gas ❑
Are you aware of any problems with these appliances, including whether any of the appliances have leaked or overflowed, since you have owned the property? NO ❑ YES ❑ If yes, explain: _____

_____

_____

14. ELECTRICAL SYSTEM:

Are You Aware:

a. of any damaged or malfunctioning switches, receptacles, or wiring? NO ❑ YES ❑

b. of any conditions that materially affect the value or operating capacity of the electrical system? NO ❑ YES ❑

If answers to questions 14a or 14b is yes, please explain: _____

_____

_____

15. HEATING AND AIR CONDITIONING:

Indicate existing equipment:

Air conditioning:
Central ❑ Window/Wall ❑ Number of units_____

Heating:
Electric ❑ Fuel Oil ❑ Gas ❑ Other ❑

Solar Heating:
Owned ❑ Leased ❑

Wood-burning stove: NO ❑ YES ❑

Fireplace: NO ❑ YES ❑ Describe fireplace equipment:_____

Are you aware of any defects, malfunctioning or condensation problems regarding these items, since you have owned the property? NO ❑ YES ❑ If yes, explain:_____

_____

16. OTHER EQUIPMENT:

Indicate existing equipment:
Security System: NO ❑ YES ❑ Leased ❑ Owned ❑ Connected to Central Monitor ❑ Monthly Fee $_____
Smoke Detectors: NO ❑ YES ❑, Number of smoke detectors?_____
Lawn Sprinkler System: NO ❑ YES ❑ Sprinkler water source:_____If well is source, is there an iron filter? NO ❑ YES ❑ Is there a timer? NO ❑ YES ❑ Is the timer automatic? NO ❑ YES ❑
Garage door openers? NO ❑ YES ❑, Number of transmitters?_____, Humidistat? NO ❑ YES ❑
Humidifier? NO ❑ YES ❑ Electric air filters? NO ❑ YES ❑ Vent fans? NO ❑ YES ❑
Paddle fans? NO ❑ YES ❑, Number of paddle fans?_____

17. OTHER MATTERS:

Is there anything else that materially affects the value of the property? NO ❑ YES ❑
If yes, explain: _____

_____

_____

_____

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ACKNOWLEDGEMENT OF SELLER

The undersigned Seller represents that the information set forth in the above disclosure statement is accurate and complete to the best of the Seller's knowledge on the date signed below. Seller does not intend for this disclosure statement to be a warranty or guaranty of any kind. Seller hereby authorizes disclosure of the information contained in this disclosure statement to prospective Buyers of the property. Seller understands and agrees that Seller will notify the Buyer in writing within five business days after Seller becomes aware that any information set forth in this disclosure statement has become inaccurate or incorrect in any way during the term of the pending purchase by the Buyer.

Seller:_____ / _____ Date:_____
(signature) (print)

Seller:_____ / _____ Date:_____
(signature) (print)

RECEIPT AND ACKNOWLEDGMENT OF BUYER

Seller is using this form to disclose Seller's knowledge of the condition of the real property and improvements located on the property as of the date signed by Seller. This disclosure form is not a warranty of any kind. The information contained in the disclosure is limited to information to which the seller has knowledge. It is not intended to be a substitute for any inspections or professional advice the Buyer may wish to obtain. An independent professional inspection is encouraged and may be helpful to verify the condition of the property and to determine the cost of repairs, if any. Buyer understands these representations are not made by any real estate licensee.

Buyer hereby acknowledges having received a copy of this disclosure statement.

Buyer:_____ / _____ Date:_____
(signature) (print)

Buyer:_____ / _____ Date:_____
(signature) (print)

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