



TALLAHASSEE BOARD OF REALTORS®, INC.
SELLER'S PROPERTY DISCLOSURE STATEMENT



REVISED AUGUST 2011

IT IS SUGGESTED THAT COPIES OF THIS DISCLOSURE BE AVAILABLE AT THE PROPERTY

Seller: _____

Property address: _____

Date Property Purchased _____ Year Built _____

NOTICE TO SELLER : Every SELLER is obligated to disclose to a BUYER all known facts that materially and/or adversely affect the value of the property being sold. This disclosure statement is intended to assist SELLER in complying with disclosure requirements and to assist BUYER in evaluating the property being considered. The listing broker, the selling broker and their respective salespersons will also rely upon this information when they evaluate, market and present SELLER'S property to prospective BUYERS.

NOTICE TO BUYER : This is a disclosure of SELLER'S knowledge of the condition of the property as of the date signed by the SELLER and is not a substitute for any inspections that BUYER may wish to obtain. It is not a warranty of any kind by SELLER or a warranty or representation by the listing broker, the selling broker, or their salespersons.

• **IF THIS PROPERTY IS UNIMPROVED, COMPLETE SECTIONS 15 TO 20 ONLY.**

• **When explanations are needed please give details such as location, extent, date, and name of repair persons. Use extra sheets if necessary.**

1. OCCUPANCY

- (a) Does SELLER currently occupy this property? Yes No
- (b) If not, when did Seller vacate property? _____
- (c) If property is vacant, provide date it was vacated. _____
- (d) Is the property tenant occupied? Yes No
- (e) If "Yes," is there a written lease? Yes No
- (f) Length of lease _____ Date lease ends: _____
- (g) Payment due under lease _____

2. STRUCTURAL ITEMS

- (a) Name of contractor or Builder who built home, if known _____
- (b) Are you aware of any past or present movement, shifting, deterioration, structural damage or other problems with walls or foundations? Yes No
- (c) Are you aware of any past or present cracks or flaws in the walls, foundation or other parts of property? Yes No
- (d) Are you aware of any past or present water leakage or intrusion in the property? Yes No
- (e) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls? Yes No
- (f) Have there been any repairs or other efforts to control the cause or effect of any problem described above? Yes No
- (g) Has there ever been a fire in this property? Yes No Unknown
- (h) Are you aware of any problems with the fireplace? Yes No

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

3. ADDITIONS / REMODELING

- (a) Have you made any additions, structural changes, or other alterations to the property? Yes No
- (b) If "Yes," explain: _____
- (c) If "Yes," did you obtain all necessary permits? Yes No Was all the work in compliance with building codes? Yes No
 If your answer is "No," explain: _____
- (d) Did the previous owners make any additions, structural changes, or other alterations to the property that you are aware of? Yes No Unknown
- (e) If "Yes," explain: _____
- (f) Please provide the name of any contractor or individual who did any additions, structural changes or other alterations to the property, if known. _____

4. ROOF

- (a) Year roof put on _____
- (b) Has the roof ever leaked during your ownership? Yes No
- (c) Has the roof been replaced or repaired during your ownership? Yes No
If "Yes," provide name of Contractor or individual who did the work and details of replacement/repair _____
- (d) Do you know of any problems with the roof or gutters? Yes No
If any of your answers are "Yes," explain in detail: _____

5. SIDING

- (a) Exterior siding material(s)
 Brick Wood Vinyl Stucco Synthetic Stucco
 Manufactured Siding Other _____ Unknown
- (b) If manufactured siding, provide name of manufacturer, if known _____
- (c) Do you know of any problems/defects with the siding? Yes No
- (d) Have you filed any claims with manufacturers in regards to the siding? Yes No
If any of your answers are "Yes," explain in detail: _____

6. WINDOWS/DOORS/LOCKS

- (a) Are the windows insulated glass? Yes No
- (b) If "Yes," are there any fogged windows? Yes No Unknown
If "Yes," which ones _____
- (c) Are any windows broken or cracked? Yes No Unknown
- (d) Do all operable windows open, stay open, close and lock properly? Yes No Unknown
- (e) Are any screens missing or damaged? Yes No Unknown
If "Yes," which ones _____
- (f) Do all doors operate properly? Yes No If no, explain in detail: _____

- (g) Do you have keys to all door locks? Yes No If no, explain: _____

7. HEATING AND AIR CONDITIONING

- (a) Air conditioning: Central Electric Natural Gas Window Units Number units included in sale _____
- (b) Heating: Central Electric Central Electric Heat Pump Fuel Oil Natural Gas Other _____
Provide age if known _____
Are you aware of any problems regarding these items? Yes No
Have there been any repairs/replacement of these units during your ownership? Yes No
If "Yes," explain in detail: _____

8. ELECTRICAL SYSTEM

- (a) Are you aware of any problems with the electrical system? Yes No
- (b) Who supplies electrical service: City of Tallahassee Talquin Other _____
- (c) Average utility bill? \$ _____ month
- (d) Number of people living in property _____

9. PLUMBING

- (a) Are you aware of any problems with the plumbing system? Yes No
 - (b) Are you aware of any polybutelene pipes? Yes No
 - (c) Are you aware of any leaks, back-ups, water, and sewer/septic tank problems? Yes No
 - (d) What is your water supply source: Public Community Well Well on Property
 - (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 Test Results: _____
 - (g) Do you have a water conditioning system? Yes No If "Yes," is the system Owned Leased
 - (h) What is the type of sewage system do you have? Public Community Sewer Septic Tank(s) How Many _____
Location(s) _____ When was septic tank last pumped? _____
During your ownership have there been any septic system problems? Yes No
 - (i) Does your utility bill contain a fee for sewer? Yes No
If yes, it is the responsibility of the BUYER to contact the utility department to determine if a sewer is currently in use or if the sewer fee is for availability of sewer for future usage.
 - (j) If on a septic tank, is sewer service available to your property? Yes No Unknown
If yes, it is the responsibility of the BUYER to contact the local health department regarding continued use of a septic system.
 - (k) Type of water heater? Gas Electric Solar Number of Water Heaters? _____ Number of gallons? _____
Is it on a timer? Yes No Age of water heater(s) _____
- If any of your answers are "Yes," explain in detail: _____

10. COSMETIC DEFECTS

- (a) Are you aware of any cosmetic defects? Yes No If yes, please describe: _____

11. EQUIPMENT AND APPLIANCES INCLUDED IN SALE (Subject to final negotiated contract)

Mark the items included in the sale of your property:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Above Ground Pool | <input type="checkbox"/> Generator | <input type="checkbox"/> Refrigerator <input type="checkbox"/> with Icemaker | <input type="checkbox"/> Water Softener/Purifier |
| <input type="checkbox"/> Ceiling Fans - all | <input type="checkbox"/> Ice Maker - Stand Alone | <input type="checkbox"/> Satellite System | <input type="checkbox"/> Window Treatments - all |
| <input type="checkbox"/> Central Vacuum and Attachments | <input type="checkbox"/> Intercom | <input type="checkbox"/> Security System - owned | <input type="checkbox"/> Window/Wall AC |
| <input type="checkbox"/> Dishwasher | <input type="checkbox"/> Light Fixtures - all | <input type="checkbox"/> Spa or Hot Tub with Heater | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Disposal | <input type="checkbox"/> Microwave Oven | <input type="checkbox"/> Sprinkler System | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Dryer | <input type="checkbox"/> Pool Equipment | <input type="checkbox"/> Storage Shed | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Garage Door Opener and Transmitter(s) | <input type="checkbox"/> Pool Heater | <input type="checkbox"/> Trash Compactor | <input type="checkbox"/> _____ |
| | <input type="checkbox"/> Range/Oven | <input type="checkbox"/> Washer | <input type="checkbox"/> _____ |

Oil/Propane Tanks Owned Leased, If leased, from whom _____ Cost _____

Security System Owned Leased, If leased, from whom _____ Cost _____

If any of these items have been replaced during your ownership, which items and what year: _____

If any of these items have any defects, explain in detail: _____

12. POOL / SPA / HOT TUB (Complete if applicable)

- (a) **POOL** year installed _____
 In ground: gunnite fiberglass vinyl age of liner _____
 Above ground
- (b) Pool heater: none gas electric solar
- (c) Pool pump: year installed _____ Filter type: _____ year installed _____
- (d) Is pool equipment included? Yes No
 If "Yes," itemize: _____
- (e) Is there an automatic pool cleaner? Yes No If yes, manufacturer name _____
- (f) **SPA/HOT TUB** year installed _____
- (g) Spa heater: none gas electric solar
- (h) Is Spa equipment included? Yes No
 If "Yes," itemize: _____

If you are aware of any problems with any of the items above, please explain in detail: _____

13. EXCLUSIONS/LEASED SYSTEMS

- (a) Is there anything on or about the property excluded from the sale? Yes No
 If "Yes," itemize _____

- (b) Are there any other leased systems that are not addressed elsewhere in the disclosure? Yes No
 If "Yes," itemize: _____

14. CRAWL SPACES AND BASEMENTS (Complete if applicable)

- (a) Has there ever been any water leakage, accumulation of water or dampness in the basement or crawl space? Yes No
 - (b) Have there been any repairs or other attempts to control any water or dampness problems in the basement or crawlspace? Yes No
- If any of your answers are "Yes," explain in detail: _____

15. WOOD DESTROYING ORGANISMS

- (a) Have termites or any wood destroying insects affected the property during your ownership? Yes No
 - (b) Has wood rot affected the property during your ownership? Yes No
 - (c) Has there ever been any damage to the property caused by termites or wood destroying insects during your ownership? Yes No
 - (d) Has there ever been any damage to the property caused by wood rot during your ownership? Yes No
 - (e) Is the property currently under bond for a wood destroying insect from a licensed pest control company? Yes No
 What type of bond? _____ What company? _____
 - (f) Do you know of any wood destroying organisms reports on the property in the last five years? Yes No
- If any of your answers are "Yes," explain in detail: _____

16. SOIL / DRAINAGE / BOUNDARIES

- (a) Is there any fill or pipe clay on the property? Yes No Unknown
- (b) Has there been any settling or earth movement on the property or in the immediate neighborhood? Yes No Unknown
- (c) Is the property located in a flood hazard area? Yes No Unknown
Flood zone, if known _____
- (d) Is flood insurance required by your lender? Yes No
- (e) Have there been any past or present drainage or flood problems affecting the property or adjacent properties? Yes No Unknown
- (f) Are there any encroachments, boundary line disputes, or easements affecting the property? Yes No Unknown
- (g) Are there any shared driveways, fences or joint use agreements? Yes No
- (h) Who owns any fences? _____
- (i) Are there any conservation easements or environmental restrictions? Yes No Unknown

If any answers are "Yes," explain in detail: _____

17. TOXIC SUBSTANCES

- (a) Are you aware of any hazardous materials in, on or about the property? (hazardous Materials may include but shall not be limited to: lead-based paint, asbestos materials, asbestos siding, radon, mold, and buried oil, fuel or other storage tanks) Yes No
- (b) Are you aware of the property ever being tested for radon, mold or any other toxic substances? Yes No

If any answers are "Yes," explain in detail: _____

18. NEIGHBORHOOD

- (a) Are you aware of any proposed change or condition in your neighborhood that could affect the value or desirability of the property?
 Yes No If "Yes," explain in detail: _____

- (b) Is this property subject to the Rooming House Ordinance? Yes No Don't Know
- (c) Is this property located within a geographical area which has been designated as a Historic Preservation Overlay District?
 Yes No Don't Know
- (d) Is this property located within a geographical area that is being considered for a designation as a Historic Preservation Overlay District?
 Yes No Don't Know

19A. HOMEOWNERS' ASSOCIATIONS

If the property is part of an association, complete the following:

- (a) What is the annual fee? \$ _____ How is it paid? _____
 monthly yearly other _____
- (b) What does the annual fee cover? _____
- (c) Are fees current? Yes No
- (d) Who is the contact person for the association? _____ Phone # _____
- (e) Are there any defects, damages, legal actions, conditions or assessments that may affect the association or its fees? Yes No
- (f) Are you aware if the property has any violations of the restrictive covenants? Yes No
- (g) If "Yes," explain in detail: _____

19B. HOMEOWNERS' ASSOCIATIONS / COMMUNITY DISCLOSURE

IF THE DISCLOSURE SUMMARY REQUIRED BY SECTION 720.401 FLORIDA STATUTES, HAS NOT BEEN PROVIDED TO THE PROSPECTIVE PURCHASER BEFORE EXECUTING THIS CONTRACT FOR SALE, THIS CONTRACT IS VOIDABLE BY BUYER BY DELIVERING TO SELLER OR SELLER'S AGENT OR REPRESENTATIVE WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 3 DAYS AFTER RECEIPT OF THE DISCLOSURE SUMMARY OR PRIOR TO CLOSING, WHICHEVER OCCURS FIRST. ANY PURPORTED WAIVER OF THIS VOIDABILITY RIGHT HAS NO EFFECT. BUYER'S RIGHT TO VOID THIS CONTRACT SHALL TERMINATE AT CLOSING.

DISCLOSURE SUMMARY

Disclosure summary for _____
(NAME OF COMMUNITY)

- 1. As a purchaser of property in this community, you will be obligated to be a member of a homeowners' association.
- 2. There have been or will be recorded restrictive covenants governing the use and occupancy of properties in this community.
- 3. You will be obligated to pay assessments to the association. Assessments may be subject to periodic change. If applicable, the current amount is \$_____ per _____. You will also be obligated to pay any special assessments imposed by the association. Such special assessments may be subject to change. If applicable, the current amount is \$_____ per _____.
- 4. You may be obligated to pay special assessments to the respective municipality, county, or special district. All assessments are subject to periodic change.
- 5. Your failure to pay special assessments or assessments levied by a mandatory homeowners' association could result in a lien on your property.
- 6. There may be an obligation to pay rent or land use fees for recreational or other commonly used facilities as an obligation of membership in the homeowners' association. If applicable, the current amount is \$_____ per _____.
- 7. The developer may have the right to amend the restrictive covenants without the approval of the association membership or the approval of the parcel owners.
- 8. The statements contained in this disclosure form are only summary in nature, and, as a prospective purchaser, you should refer to the covenants and the association governing documents before purchasing property.
- 9. These documents are either matters of public record and can be obtained from the record office in the county where the property is located, or are not recorded and can be obtained from the developer.

20. OTHER FEES AND RESTRICTIONS

- (a) Are there any transfer fees? Yes No Unknown
If yes, to whom _____ Amount \$ _____
- (b) Is there an "enhancement" fee or any other type of fee upon resale? Yes No Unknown
If yes, what kind of fee _____ to whom _____ Amount \$ _____
- (c) Is there a CDD (Community Development District) fee attached to your property? Yes No Unknown
If yes, amount \$ _____ how is it paid? _____
- (d) Are there any mandated re-sale fees or commissions to a 3rd party upon re-sale (i.e.: a developer, brokerage firm, etc.)
 Yes No Unknown If yes, amount \$ _____ to whom? _____
- (e) Are there any special assessments or any other fees of any type? Yes No
If yes, please explain nature of assessment/fee and amount _____

21. OTHER MATTERS

- (a) Does anyone have a first right of refusal to buy or an option to buy to this property? Yes No
- (b) Is there any existing or threatened legal action affecting the property? Yes No
- (c) Are you aware of any zoning violation, non-conforming use, set back violations, or proposed zoning or road changes? Yes No
- (d) Are you aware of any violations of local, state, or federal laws or regulations relating to this property? Yes No
- (e) Is there anything else you feel you should disclose to a prospective buyer that may materially and/or adversely affect the value or desirability of the property? Yes No
- (f) If "Yes," explain in detail: _____

The undersigned SELLER represents that the information set forth in the foregoing property disclosure statement is accurate and complete to the best of the SELLER'S knowledge on the date signed below. SELLER does not intend this property disclosure statement to be a warranty or guaranty of any kind. SELLER hereby authorizes Listing Broker to provide this information to prospective BUYERS and to other real estate brokers and other agents.

SELLER understands and agrees that SELLER will immediately notify Listing Broker in writing if any information set forth in this property disclosure changes.

Seller: _____ Date: _____

Seller: _____ Date: _____

RECEIPT AND ACKNOWLEDGMENT BY BUYER

BUYER hereby acknowledges receipt of a copy of this property disclosure. BUYER furthermore acknowledges BUYER has been in and upon subject property. BUYER is strongly advised to obtain property inspection(s) as provided for in the Deposit Receipt and Contract for Sale and Purchase. BUYER should select professionals with appropriate qualifications to conduct inspections. BUYER is advised that some properties may have siding materials (such as, but not limited to, Louisiana Pacific and Synthetic Stucco) that have failed the manufacturer's warranties and/or have been known to have defects, and that inspection is one way to identify this and determine what conditions these materials may be in. BUYER is aware that this property disclosure is not intended as a warranty or guaranty of any kind by SELLER. The Brokers and their Sales Associates do not warrant or guarantee the condition of the property and are in no way 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 Deposit Receipt and Contract for Sale and Purchase. BUYER acknowledges no representations concerning the condition of the property are being relied upon by BUYER except as disclosed herein or in the Deposit Receipt and Contract for Sale and Purchase.

Buyer: _____ Date: _____

Buyer: _____ Date: _____