

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 affecting the value of the property being sold 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 brokers 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: _____

Street City Zip Telephone

Year Built: _____ County: _____

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

2. **OCCUPANCY**

Is property currently occupied by Seller Tenant Vacant. If vacant, how long? _____ . 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.

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

4. **ROOF**

- (a) Age: _____ Years Unknown. Under warranty: Yes No.
Transferable? Yes No.
- (b) Has the roof leaked or suffered any other significant damage during your ownership?
 Yes No.
- (c) Has the roof been replaced, repaired or inspected during your ownership?
 Yes No.
- (d) 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 warranty or other coverage by a licensed pest control company? Yes No. Transferable? Yes No.
- (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 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

- (d) What is the type of sewage system: Public Sewer Private Sewer Septic Tank Cesspool. Location of Drain field: _____

- (e) Is there a sewage pump? Yes No

- (f) Have you had the septic tack 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 any of your answers in this section are "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

Do you have any knowledge of any problems regarding these items? Yes No

If any of your answers in this section are "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 any of your answers in this section are "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) Water Softener
 (Owned Leased) 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 any of your answers in this section are "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 any of your answers in this section are "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 any of your answers in this section are "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 you 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 any of your answers in this section are "Yes", explain in detail: _____

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, non-conforming 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 an proceeds for 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 obtained by a buyer of your property? Yes No If "Yes", name of home warranty company _____

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 ACKNOWLEDGMENT OF BUYER

- 1. 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.

- 2. 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.

- 3. THIS IS A LEGALLY BINDING DOCUMENT. IF NOT UNDERSTOOD, CONSULT AN ATTORNEY.

BUYER: _____ DATE: _____

BUYER: _____ DATE: _____