

SELLER DISCLOSURE OF PROPERTY CONDITION

The information in this form is only for the period the undersigned owned the property, beginning

to

(date of purchase)

(date of this form)

PROPERTY ADDRESS:

This form applies to sales and purchases of residential real estate. This form is not required for:

1. Residential purchases of new homes if a warranty is offered;
2. Sales of real estate at auction; or
3. A court supervised foreclosure.

PURPOSE OF STATEMENT: Completion of this form shall satisfy the requirements of KRS 324.360 which mandates the seller's disclosure of information about the property he is about to sell. This disclosure is based solely on the seller's observation and knowledge of the property's condition and the improvements thereon. This statement shall not be a warranty by the seller or seller's agent and shall not be intended as a substitute for an inspection or warranty the purchaser may wish to obtain.

INSTRUCTIONS TO THE SELLER: (1) Complete all numbered items. (2) Report all known conditions affecting the property. (3) Attach additional pages, if necessary, with your signature and the date and time of signing. (4) Complete this form yourself or sign the authorization at the end of this form to authorize the licensee to complete this form on your behalf in accordance with KRS 324.360(9). (5) If some items do not apply to your property, write "not applicable." (6) If you do not know the answer to a question, write "unknown."

SELLER'S DISCLOSURE: As seller, I/we disclose the following information regarding the property. This information is true and accurate to the best of my/our knowledge as of the date signed. Seller authorizes the agent to provide a copy of this statement to a person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. The following are not the representations of the agent.

Please answer all questions. If the answer is yes, please explain. If additional space is needed, use the reverse side or make attachments.

1. **HOUSE SYSTEMS** **YES NO UNKNOWN**

Any past or current problems affecting:

- | | | | |
|--|-----|-----|-----|
| (a) Plumbing | ___ | ___ | ___ |
| (b) Electrical system | ___ | ___ | ___ |
| (c) Appliances | ___ | ___ | ___ |
| (d) Floors and walls | ___ | ___ | ___ |
| (e) Doors and windows | ___ | ___ | ___ |
| (f) Ceiling and attic fans | ___ | ___ | ___ |
| (g) Security system | ___ | ___ | ___ |
| (h) Sump pump | ___ | ___ | ___ |
| (i) Chimneys, fireplaces, inserts | ___ | ___ | ___ |
| (j) Pool, hot tubs, sauna | ___ | ___ | ___ |
| (k) Sprinkler system | ___ | ___ | ___ |
| (l) Heating.....age | ___ | ___ | ___ |
| (m) Cooling/air conditioning.....age | ___ | ___ | ___ |

Explain: _____

2. **FOUNDATION/STRUCTURE/BASEMENT**

- | | | | |
|--|-----|-----|-----|
| (a) Any defects or problems, current or past, to the foundation or slab? | ___ | ___ | ___ |
| (b) Any defects or problems, current or past, to the structure or exterior veneer? | ___ | ___ | ___ |
| Explain: _____ | | | |
| (c) Has the basement leaked at anytime since you have owned or lived in the property? | ___ | ___ | ___ |
| (d) When was the last time the basement leaked? | | | |
| (e) Have you ever had any repairs done to the basement? | ___ | ___ | ___ |

Initials (Buyer) _____ / _____ Date/Time _____ Initials (Seller) _____ / _____ Date/Time _____

		YES	NO	UNKNOWN
(f)	If you have had repairs done to the basement relative to leaking, when was the repair performed? _____ Explain: _____	___	___	___
(g)	If the basement presently leaks, how often does it leak? (e.g., every time it rains, only after an extremely heavy rain, etc.) _____	___	___	___
(h)	Have you experienced, or are you aware of, any water or drainage problems with regard to the crawl space?	___	___	___
3.	ROOF			
(a)	Age of the roof ? _____	___	___	___
(b)	1. Has the roof leaked at any time since you have owned or lived in the property? 2. When was the last time the roof leaked? _____	___	___	___
(c)	1. Have you ever had any repairs done to the roof?	___	___	___
	2. If you have ever had the roof repaired, when was the repair performed? _____	___	___	___
(d)	1. Have you ever had the roof replaced?	___	___	___
	2. If you have had the roof replaced, when was the replacement performed? _____	___	___	___
(e)	If the roof presently leaks, how often does it leak? (e.g., every time it rains, only after an extremely heavy rain, etc.) _____	___	___	___
(f)	1. Have you ever had roof repairs that involved placing shingles on the roof instead of replacing the entire roof?	___	___	___
	2. If you have ever had roof repairs that involved placing shingles on the roof instead of replacing the entire roof, when was the repair performed? _____	___	___	___
4.	LAND/DRAINAGE			
(a)	Any soil stability problems?	___	___	___
(b)	Has the property ever had a drainage, flooding, or grading problem?	___	___	___
(c)	Is the property in a flood plain zone?	___	___	___
(d)	Is there a retention/detention basin, pond, lake, creek, spring, or water shed on or adjoining this property?	___	___	___
	Explain: _____	___	___	___
5.	BOUNDARIES			
(a)	Have you ever had a staked or pinned survey of the property?	___	___	___
(b)	Do you know the boundaries?	___	___	___
(c)	Are the boundaries marked in any way?	___	___	___
(d)	Are there any encroachments or unrecorded easements relating to the property of which you are aware?	___	___	___
	Explain: _____	___	___	___
6.	WATER			
(a)	1. Source of water supply _____	___	___	___
	2. Are you aware of below normal water supply or water pressure?	___	___	___
(b)	Is there a water purification system or softener remaining with the house?	___	___	___
(c)	Has your water ever been tested? If yes, give results _____	___	___	___
	Explain: _____	___	___	___
7.	SEWER SYSTEM			
(a)	Property is serviced by: ___ public sewer; ___ private sewer; ___ septic tank; ___ storm sewer; ___ leach field; ___ aeration tank; ___ filtration bed; ___ unknown	___	___	___
(b)	If not a public or private sewer, Date of last inspection _____, Date last cleaned _____	___	___	___
(c)	Are you aware of any problems with the sewer system?	___	___	___
	Explain: _____	___	___	___
8.	CONSTRUCTION/REMODELING			
(a)	Have there been any additions, structural modifications, or other alterations made?	___	___	___
(b)	Were all necessary permits and government approvals obtained?	___	___	___
	Explain: _____	___	___	___
9.	HOMEOWNER'S ASSOCIATION			
(a)	1. Is the property subject to rules or regulations of a homeowner's association?	___	___	___
	2. If yes, what is the yearly assessment? \$ _____	___	___	___

Initials (Buyer) _____ / _____ Date/Time _____ Initials (Seller) _____ / _____ Date/Time _____

- | | YES | NO | UNKNOWN |
|--|-------|-------|---------|
| (b) Are you aware of any condition which may result in an increase in taxes or assessments? | _____ | _____ | _____ |
| (c) Are any features of the property shared in common with adjoining landowners, such as walls, fences, driveways, etc.? | _____ | _____ | _____ |
| Explain: _____ | | | |

10. MISCELLANEOUS

- | | | | |
|---|-------|-------|-------|
| (a) Was this house built before 1978? | _____ | _____ | _____ |
| (b) Are you aware of any use of ureaformaldehyde, asbestos materials, or lead based paint in or on this home? | _____ | _____ | _____ |
| (c) 1. Are you aware of any testing for radon gas? | _____ | _____ | _____ |
| 2. Results, if tested _____ | | | |
| (d) Are you aware of any underground storage tanks, old septic tanks, field lines, cisterns or abandoned wells on the property? | _____ | _____ | _____ |
| (e) Are you aware of any present or past wood infestation (i.e. termites, bores, carpenter ants, fungi, etc.)? | _____ | _____ | _____ |
| (f) Are you aware of any damage due to wood infestation? | _____ | _____ | _____ |
| (g) 1. Have the house or other improvements ever been treated for wood infestation? | _____ | _____ | _____ |
| 2. If yes, when, by whom, and any warranties? _____ | | | |
| (h) Are you aware of any existing or threatened legal action affecting this property? | _____ | _____ | _____ |
| (i) Are there any assessments other than property assessments that apply to this property (i.e. sewer assessments)? | _____ | _____ | _____ |
| (j) Are you aware of any violations of local, state, or federal laws, codes, or ordinances relating to this property? | _____ | _____ | _____ |
| (k) Are you aware of any other conditions which are defective with regard to this property? | _____ | _____ | _____ |
| (l) Are there any environmental hazards known to seller? | _____ | _____ | _____ |
| (m) Are there any warranties to be passed on? | _____ | _____ | _____ |
| (n) Has this house ever been damaged by fire or other disaster (i.e., tornado, hail, etc.)? | _____ | _____ | _____ |
| (o) If yes, please explain: _____ | | | |
| Are you aware if the existence of mold or other fungi in the property? | _____ | _____ | _____ |

SPACE FOR ADDITIONAL INFORMATION

The seller has owned this property since _____ (date) and makes these representations only since that date. Seller agrees to immediately notify Buyer of any changes which may become known to Seller prior to closing.

Seller _____	Date _____	Seller _____	Date _____
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 THE LICENSEE NAMED HERE (_____) HAS BEEN REQUESTED BY THE OWNER TO COMPLETE THIS FORM AND HAS DONE SO. I HEREBY AGREE TO HOLD HARMLESS THE NAMED LICENSEE FOR ANY REPRESENTATION THAT APPEAR ON THIS FORM IN ACCORDANCE WITH KRS 324-360(9).

Seller: _____ Date _____
 THE SELLER REFUSES TO COMPLETE THIS FORM AND ACKNOWLEDGES THAT THE AGENT SHALL SO INFORM THE BUYER.

Seller: _____ Seller: _____
 Date: _____ Date: _____

THE SELLER HAS REFUSED TO COMPLETE THIS FORM AND HAS REFUSED TO ACKNOWLEDGE HIS FAILURE TO COMPLETE THE FORM

Broker/Agent: _____ Date: _____
 THE BUYER ACKNOWLEDGES RECEIPT OF THIS FORM.

Buyer _____	Date _____	Buyer _____	Date _____
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THE SELLER MAY DISCLOSE ADDITIONAL INFORMATION NOT REQUESTED OF THIS FORM AND MAY RESPOND TO ADDITIONAL INQUIRIES OF THE BUYER.