

SELLER'S PROPERTY DISCLOSURE STATEMENT

This form recommended and approved for, but not restricted to use by, the members of the Pennsylvania Association of REALTORS® (PAR).

SPD

1 **Property Address** _____ 1

2 _____ 2

3 **Seller** _____ 3

4 The Real Estate Seller Disclosure Law (68 P.S. §7301 et. seq.) requires that a seller of a property must disclose to a buyer all known 4
5 material defects about the property being sold that are not readily observable. While the Law requires certain disclosures, this disclosure 5
6 statement covers common topics beyond the basic requirements of the Law in an effort to assist sellers in complying with disclosure 6
7 requirements and to assist buyers in evaluating the property being considered. Sellers who wish to see or use the basic disclosure form 7
8 can find the form on the Web site of the Pennsylvania State Real Estate Commission. 8

9 This Statement discloses Seller's knowledge of the condition of the property as of the date signed by Seller and **is not a substitute for** 9
10 **any inspections or warranties that Buyer may wish to obtain.** This Statement is not a warranty of any kind by Seller or a warranty or 10
11 representation by any listing real estate broker, any selling real estate broker, or their licensees. Buyer is encouraged to address concerns 11
12 about the conditions of the property that may not be included in this Statement. This Statement does not relieve Seller of the obligation 12
13 to disclose a material defect that may not be addressed on this form. 13

14 A Material Defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the 14
15 value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsys- 15
16 tem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by itself a material defect. 16

17 1. **SELLER'S EXPERTISE** Seller does not possess expertise in contracting, engineering, architecture, environmental assessment or 17
18 other areas related to the construction and conditions of the property and its improvements, except as follows: _____ 18
19 _____ 19

20 **2. OWNERSHIP/OCCUPANCY** 20

21 (a) Is the property currently occupied? Yes No If "yes," by whom? Seller Other occupants (tenants) 21
22 If property is not occupied, when was it last occupied? _____ 22

23 (b) How long have you owned the property? _____ 23

24 (c) Are you aware of any pets having lived in the house or other structures during your ownership? Yes No 24
25 If "yes," describe: _____ 25

26 **3. ROOF** 26

27 (a) Date roof installed: _____ Documented? Yes No Unknown 27

28 (b) Has the roof been replaced or repaired during your ownership? Yes No 28
29 If "yes," was the existing roofing material removed? Yes No Unknown 29

30 (c) Has the roof ever leaked during your ownership? Yes No 30

31 (d) Are you aware of any problems with the roof, gutters, flashing or downspouts? Yes No 31

32 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:** 32
33 _____ 33

34 **4. BASEMENTS AND CRAWL SPACES (Complete only if applicable)** 34

35 (a) Does the property have a sump pump? Yes No Unknown 35

36 (b) If "yes," has it ever run? Yes No Unknown Is it in working order? Yes No Unknown 36

37 (c) Are you aware of any water leakage, accumulation, or dampness within the basement or crawl space? Yes No 37

38 (d) Do you know of any repairs or other attempts to control any water or dampness problem in the basement or crawl space? Yes No 38

39 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:** 39
40 _____ 40

41 **5. TERMITES/WOOD-DESTROYING INSECTS, DRYROT, PESTS** 41

42 (a) Are you aware of any termites/wood-destroying insects, dryrot, or pests affecting the property? Yes No 42

43 (b) Are you aware of any damage to the property caused by termites/wood-destroying insects, dryrot, or pests? Yes No 43

44 (c) Is your property currently under contract by a licensed pest control company? Yes No 44

45 (d) Are you aware of any termite/pest control reports or treatments for the property? Yes No 45

46 **Explain any "yes" answers in this section, including the name of any service/treatment provider, if applicable:** 46
47 _____ 47

48 **6. STRUCTURAL ITEMS** 48

49 (a) Are you aware of any past or present water leakage in the house or other structures? Yes No 49

50 (b) Are you aware of any past or present movement, shifting, deterioration, or other problems with walls, foundations, or other 50
51 structural components? Yes No 51

52 (c) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls on the property? Yes No 52

53 (d) Is your property constructed with an Exterior Insulating Finishing System (EIFS), such as Dryvit or synthetic stucco? 53
54 Yes No Unknown If yes, date installed, if known _____ 54

55 (e) Are there any defects (including stains) in flooring or floor coverings? Yes No Unknown 55

56 (f) Are you aware of any fire, storm, water or ice damage to the property? Yes No 56

57 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:** 57
58 _____ 58

59 **Buyer Initials:** _____ **Date** _____ **SPD Page 1 of 5** **Seller Initials:** _____ **Date** _____ 59

60 7. **ADDITIONS/REMODELS** Have you made any additions, structural changes, or other alterations to the property? Yes No
61 If "yes," describe: _____
62 _____

63 **8. WATER SUPPLY**

- 64 (a) What is the source of your drinking water? Public Water Well on Property Community Water
65 None Other (explain): _____
66 (b) When was your water last tested? _____ Test results: _____
67 If your drinking water source is not public, is the pumping system in working order? Yes No
68 If "no," explain: _____
69 (c) Do you have a softener, filter, or other treatment system? Yes No
70 If you do not own the system, explain: _____
71 (d) Have you ever had a problem with your water supply? Yes No
72 (e) Has your well ever run dry? Yes No Not Applicable
73 (f) Is there a well on the property not used as the primary source of drinking water? Yes No
74 If yes, is the well capped? Yes No
75 (g) Is the water system shared? Yes No
76 (h) Are you aware of any leaks or other problems, past or present, relating to the water supply, pumping system, and related items?
77 Yes No

78 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:**
79 _____
80 _____

81 **9. SEWAGE SYSTEM**

- 81 (a) What is the type of sewage system? Public Sewer Individual On-lot Sewage Disposal System
82 Individual On-lot Sewage Disposal System in Proximity to Well Community Sewage Disposal System
83 Ten-acre Permit Exemption Holding Tank None None Available/Permit Limitations in Effect
84 Other type of sewage system (explain): _____
85 _____
86 (b) If Individual On-lot sewage system, what type? Cesspool Drainfield Unknown
87 Other (specify): _____
88 (c) Are there any septic tanks on the Property? Yes No Unknown
89 If "yes," what type of tank(s)? Metal/steel Cement/concrete Fiberglass Unknown
90 Other (specify): _____
91 (d) When was the on-site sewage disposal system last serviced? _____
92 (e) Are there any sewage pumps located on the property? Yes No
93 If yes, type(s) of pump(s) _____ Are pump(s) in working order? Yes No
94 Who is responsible for maintenance of sewage pumps? _____
95 (f) Is the sewage system shared? Yes No
96 (g) Are you aware of any past or present leaks, backups, or other problems relating to the sewage system and related items?
97 Yes No

98 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:**
99 _____
100 _____

101 **10. PLUMBING SYSTEM**

- 101 (a) Type of plumbing (check all that apply): Copper Galvanized Lead PVC Polybutylene pipe (PB)
102 Mixed Unknown Other (explain): _____
103 (b) Are you aware of any problems with any of your plumbing fixtures (e.g., including but not limited to: kitchen, laundry, or bath-
104 room fixtures; wet bars; etc.)? Yes No
105 If "yes," explain: _____

106 **11. DOMESTIC WATER HEATING**

- 107 (a) Type of water heating: Electric Natural Gas Fuel Oil Propane Solar Summer/Winter Hook-Up
108 Other (explain): _____
109 (b) Are you aware of any problems with any water heater or related equipment? Yes No
110 If "yes," explain: _____

111 **12. AIR CONDITIONING SYSTEM**

- 112 (a) Type of air conditioning: Central Air Wall Units Window Units None
113 Other (explain): _____
114 Number of window units included in sale _____ Location(s) _____
115 (b) Age of Central Air Conditioning System: _____ Unknown Date last serviced, if known _____
116 (c) List any areas of the house that are not air conditioned: _____
117 _____
118 (d) Are you aware of any problems with any item in this section? Yes No
119 If "yes," explain: _____

121 **13. HEATING SYSTEM** 121

122 (a) Type(s) of heating fuel(s) (check all that apply): Electric Fuel Oil Natural Gas Propane 122

123 Coal Wood Other: _____ 123

124 (b) Type(s) of heating system(s) (check all that apply): Forced Hot Air Hot Water Heat Pump 124

125 Electric Baseboard Steam Wood Stove (How many?) Coal Stove (How many?) 125

126 Other: _____ 126

127 (c) Age of Heating System: _____ Unknown Date last serviced, if known _____ 127

128 (d) Are there any fireplaces? Yes No If "yes," how many? _____ Are they working? Yes No 128

129 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)? Yes No 129

130 If "yes," how many? _____ When were they last cleaned? _____ Unknown _____ 130

131 Are they working? Yes No If "no," explain: _____ 131

132 (f) List any areas of the house that are not heated: _____ 132

133 (g) Are you aware of any heating fuel tanks on the property? Yes No 133

134 Location(s), including underground tank(s): _____ 134

135 If you do not own the tanks, explain: _____ 135

136 **Are you aware of any problems or repairs needed regarding any item in this section?** Yes No 136

137 **If "yes," explain:** _____ 137

138 _____ 138

139 **14. ELECTRICAL SYSTEM** 139

140 (a) Type of Electrical System: Fuses Circuit Breakers How Many Amps? _____ Unknown 140

141 (b) Are you aware of any knob and tube wiring in the home? Yes No 141

142 **Are you aware of any problems or repairs needed in the electrical system?** Yes No 142

143 **If "yes," explain:** _____ 143

144 **15. OTHER EQUIPMENT AND APPLIANCES** 144

145 **This section must be completed for each item that will, or may, be sold with the property. The fact that an item is listed does** 145

146 **not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will** 146

147 **determine which items, if any, are included in the purchase of the Property.** 147

148 (a) Electric Garage Door Opener Number of Transmitters _____ Keyless Entry _____ 148

149 (b) Smoke Detectors How many? _____ Location(s) _____ 149

150 (c) Security Alarm System Owned Leased (Lease Information _____) 150

151 (d) Lawn Sprinkler(s) How many? _____ Automatic Timer _____ 151

152 (e) Swimming Pool Hot Tub/Spa Pool/Spa Heater Pool/Spa Cover Whirlpool/Tub 152

153 Pool/Spa Equipment and Accessories (list): _____ 153

154 (f) Refrigerator(s) Range/Oven Microwave Oven Dishwasher Trash Compactor 154

155 Garbage Disposal Chest Freezer Washer Dryer Intercom 155

156 (g) Ceiling Fan(s) How many? _____ Location(s) _____ 156

157 (h) Awnings Attic Fan(s) Satellite Dish Storage Shed Deck(s) Electric Animal Fence 157

158 (i) Other: _____ 158

159 **Are you aware of any problems or repairs needed regarding any item in this section?** Yes No 159

160 **If "yes," explain:** _____ 160

161 **16. LAND (SOILS, DRAINAGE, FLOODING AND BOUNDARIES)** 161

162 (a) **Land/Soils** 162

163 1) Are you aware of any fill or expansive soil on the property? Yes No 163

164 2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have 164

165 occurred on or affect the property? Yes No 165

166 3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this 166

167 property? Yes No 167

168 **Note to Buyer:** The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence 168

169 damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidi- 169

170 dence Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within 170

171 Pennsylvania) or (724) 769-1100 (outside Pennsylvania). 171

172 4) Is the property, or a portion of it, preferentially assessed for tax purposes, or subject to limited development rights? 172

173 Yes No If "yes", check all that apply below: 173

174 **Farmland and Forest Land Assessment Act - 72 P.S. §5490.1 et seq. (Clean and Green Program)** 174

175 **Open Space Act - 16 P.S. §11941 et seq.** 175

176 **Agricultural Area Security Law - 3 P.S. §901 et seq. (Development Rights)** 176

177 Other _____ 177

178 **Note to Buyer:** Pennsylvania has enacted the Right to Farm Act (3 P.S. § 951-957) in an effort to limit the circumstances under 178

179 which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any 179

180 agricultural operations covered by the Act operate in the vicinity of the property. 180

181 **Explain any "yes" answers in this section:** _____ 181

182 _____ 182

184 (b) **Flooding/Drainage** 184
185 1) Is any part of this property located in a wetlands area or a FEMA flood zone? ___ Yes ___ No ___ Unknown 185
186 2) Do you know of any past or present drainage or flooding problems affecting the property? ___ Yes ___ No 186
187 **Explain any "yes" answers in this section, including dates and extent of flooding:** _____ 187
188 _____ 188

189 (c) **Boundaries** 189
190 1) Do you know of any encroachments, boundary line disputes, or easements affecting the property? ___ Yes ___ No 190
191 *Note to Buyer: Most properties have easements running across them for utility services and other reasons. In many cases, the* 191
192 *easements do not restrict the ordinary use of the property, and Seller may not be readily aware of them. Buyers may wish to* 192
193 *determine the existence of easements and restrictions by examining the property and ordering an Abstract of Title or searching* 193
194 *the records in the Office of the Recorder of Deeds for the county before entering into an agreement of sale.* 194
195 2) Do you access the property from a private road or lane? ___ Yes ___ No 195
196 If yes, do you have a recorded right of way or maintenance agreement? ___ Yes ___ No 196
197 3) Are you aware of any shared or common areas (e.g., driveways, bridges, docks, walls, etc.) or maintenance agreements? 197
198 ___ Yes ___ No 198
199 **Explain any "yes" answers in this section:** _____ 199
200 _____ 200

201 **17. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES** 201

202 (a) Are you aware of any underground tanks (other than home heating fuel or septic tanks disclosed above)? ___ Yes ___ No 202
203 (b) Are you aware of any past or present hazardous substances present on the property (structure or soil) such as, but not limited 203
204 to, asbestos or polychlorinated biphenyls (PCBs), etc.? ___ Yes ___ No 204
205 (c) Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or have you 205
206 received written notice of sewage sludge being spread on an adjacent property? ___ Yes ___ No 206
207 (d) Are you aware of any tests for mold, fungi, or indoor air quality in the property? ___ Yes ___ No 207
208 (e) Other than general household cleaning, have you taken any efforts to control or remediate mold or mold-like substances in the 208
209 property? ___ Yes ___ No 209
210 *Note to Buyer: Individuals may be affected differently, or not at all, by mold contamination. If mold contamination or indoor air qual-* 210
211 *ity is a concern, buyers are encouraged to engage the services of a qualified professional to do testing. Information on this issue is* 211
212 *available from the United States Environmental Protection Agency and may be obtained by contacting IAQ INFO, P.O. Box 37133,* 212
213 *Washington, D.C. 20013-7133, 1-800-438-4318.* 213

214 (f) Are you aware of any dumping on the property? ___ Yes ___ No 214
215 (g) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any 215
216 adjacent property? ___ Yes ___ No 216
217 (h) Are you aware of any tests for radon gas that have been performed in any buildings on the property? ___ Yes ___ No 217
218 If "yes," list date, type, and results of all tests below: 218

DATE	TYPE OF TEST	RESULTS (picocuries/liter or working levels)	NAME OF TESTING SERVICE
_____	_____	_____	_____
_____	_____	_____	_____

222 (i) Are you aware of any radon removal system on the property? ___ Yes ___ No 222
223 If "yes," list date installed and type of system, and whether it is in working order below: 223
224 DATE INSTALLED TYPE OF SYSTEM PROVIDER WORKING ORDER? 224
225 _____ Yes ___ No 225
226 _____ Yes ___ No 226

227 (j) If property was constructed, or if construction began, before 1978, you must disclose any knowledge of lead-based paint on the 227
228 property. Are you aware of any lead-based paint or lead-based paint hazards on the property? ___ Yes ___ No 228
229 If "yes," explain how you know of it, where it is, and the condition of those lead-based paint surfaces: _____ 229
230 _____ 230

231 (k) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint 231
232 or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based 232
233 paint hazards on the property? ___ Yes ___ No 233
234 If "yes," list all available reports and records: _____ 234

235 (l) Are you aware of testing on the property for any other hazardous substances or environmental concerns? ___ Yes ___ No 235
236 (m) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property? 236
237 ___ Yes ___ No 237

238 **Explain any "yes" answers in this section:** _____ 238
239 _____ 239
240 _____ 240
241 _____ 241

243 18. **CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable)** 243
 244 Type: Condominium Cooperative Homeowner Association or Planned Community 244
 245 Other: _____ 245
 246 *Notice regarding Condominiums, Cooperatives, and Planned Communities: A buyer of a resale unit in a condominium, coopera-* 246
 247 *tive, or planned community must receive a copy of the declaration (other than the plats and plans), the by-laws, the rules or regula-* 247
 248 *tions, and a certificate of resale issued by the association in the condominium, cooperative, or planned com-* 248
 249 *munity. Buyers may be responsible for capital contributions, initiation fees or similar one-time fees in addition to regular monthly* 249
 250 *maintenance fees. The buyer will have the option of canceling the agreement with the return of all deposit monies until the certificate* 250
 251 *has been provided to the buyer and for five days thereafter or until conveyance, whichever occurs first.* 251

- 252 19. **MISCELLANEOUS** 252
- 253 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property? 253
 254 Yes No 254
- 255 (b) Are you aware of any existing or threatened legal action affecting the property? Yes No 255
- 256 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property? Yes No 256
- 257 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain 257
 258 unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected? Yes No 258
- 259 (e) Are you aware of any judgment, encumbrance, lien (for example, co-maker or equity loan), overdue payment on a support obli- 259
 260 gation, or other debt against this property that cannot be satisfied by the proceeds of this sale? Yes No 260
- 261 (f) Are you aware of any reason, including a defect in title, that would prevent you from giving a warranty deed or conveying title to the 261
 262 property? Yes No 262
- 263 (g) Are you aware of any insurance claims filed relating to the property? Yes No 263
- 264 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form? 264
 265 Yes No 265
 266 A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact 266
 267 on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, 267
 268 system or subsystem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by 268
 269 itself a material defect 269

270 Explain any "yes" answers in this section: _____ 270
 271 _____ 271

272 **The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best** 272
 273 **of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the prop-** 273
 274 **erty and to other real estate licensees. SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION** 274
 275 **CONTAINED IN THIS STATEMENT. Seller shall cause Buyer to be notified in writing of any information supplied on this form** 275
 276 **which is rendered inaccurate by a change in the condition of the property following completion of this form.** 276

277 **WITNESS** _____ **SELLER** _____ **DATE** _____ 277
 278 **WITNESS** _____ **SELLER** _____ **DATE** _____ 278
 279 **WITNESS** _____ **SELLER** _____ **DATE** _____ 279

280 **EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK** 280

281 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required 281
 282 to fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known mate- 282
 283 rial defect(s) of the property. 283
 284 _____ **DATE** _____ 284

285 **RECEIPT AND ACKNOWLEDGEMENT BY BUYER** 285

286 **The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a** 286
 287 **warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It** 287
 288 **is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property** 288
 289 **be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components.** 289

290 **WITNESS** _____ **BUYER** _____ **DATE** _____ 290
 291 **WITNESS** _____ **BUYER** _____ **DATE** _____ 291
 292 **WITNESS** _____ **BUYER** _____ **DATE** _____ 292

INFORMATION REGARDING THE REAL ESTATE SELLER DISCLOSURE LAW

Generally speaking, the Real Estate Seller Disclosure Law requires that before an agreement of sale is signed, the seller in a residential real estate transfer must make certain disclosures regarding the property to potential buyers in a form defined by the law. A residential real estate transfer is defined as a sale, exchange, installment sales contract, lease with an option to buy, grant or other transfer of an interest in real property where **NOT LESS THAN ONE AND NOT MORE THAN FOUR RESIDENTIAL DWELLING UNITS** are involved.

The Law defines a number of exceptions where the disclosures do not have to be made:

1. Transfers that are the result of a court order.
2. Transfers to a mortgage lender that result from a buyer's default and subsequent foreclosure sales that result from default.
3. Transfers from a co-owner to one or more other co-owners.
4. Transfers made to a spouse or direct descendant.
5. Transfers between spouses that result from divorce, legal separation, or property settlement.
6. Transfers by a corporation, partnership or other association to its shareholders, partners or other equity owners as part of a plan of liquidation.
7. Transfer of a property to be demolished or converted to non-residential use.
8. Transfer of unimproved real property.
9. Transfers by a fiduciary during the administration of a decedent estate, guardianship, conservatorship or trust.
10. Transfers of new construction that has never been occupied when:
 - a. The buyer has received a one-year warranty covering the construction;
 - b. The building has been inspected for compliance with the applicable building code or, if none, a nationally recognized model building code; and
 - c. A certificate of occupancy or a certificate of code compliance has been issued for the dwelling.

In addition to these exceptions, disclosures for condominiums and cooperatives are limited to the seller's particular unit(s). Disclosures regarding common areas or facilities are not required, as those elements are already addressed in the laws that govern the resale of condominium and cooperative interests.