

SELLER'S PROPERTY DISCLOSURE STATEMENT

SPD

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

1 PROPERTY _____

2 SELLER _____

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 material defects about the property being sold that are not readily observable. While the Law requires certain disclosures, this disclosure statement covers common topics beyond the basic requirements of the Law in an effort to assist sellers in complying with disclosure requirements and to assist buyers in evaluating the property being considered. Sellers who wish to see or use the basic disclosure form can find the form on the Web site of the Pennsylvania State Real Estate Commission.

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 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 representation by any listing real estate broker, any selling real estate broker, or their licensees. Buyer is encouraged to address concerns about the conditions of the property that may not be included in this Statement. This Statement does not relieve Seller of the obligation to disclose a material defect that may not be addressed on this form.

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 value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, 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 itself a material defect.

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

2. OWNERSHIP/OCCUPANCY

(a) Is the property currently occupied? Yes No If "yes," by whom? Seller Other occupants (tenants)

If property is not occupied, when was it last occupied? _____

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

(c) Are you aware of any pets having lived in the house or other structures during your ownership? Yes No

If "yes," describe: _____

3. ROOF

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

(b) Has the roof been replaced or repaired during your ownership? Yes No

If "yes," was the existing roofing material removed? Yes No Unknown

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6. STRUCTURAL ITEMS

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

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

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

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

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

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

Buyer Initials: _____ Date _____

SPD Page 1 of 5

Seller Initials: _____ Date _____



59 7. **ADDITIONS/ALTERATIONS** Have any additions, structural changes, or other alterations been made to the property 59
60 during your ownership? Yes No 60

61 If yes, list additions, structural changes, or alterations 62 (use additional sheets if necessary).	63 Approximate 64 date of work	65 Were permits obtained? 66 (Yes/No/Unknown)	67 Were final inspections/approvals 68 obtained? (Yes/No/Unknown)
63			
64			
65			
66			
67			

68 **Note to Buyer:** The PA Construction Code Act, 35 P.S. §7210.101 et seq. (effective 2004), and local codes establish standards for building and 68
69 altering properties. Buyers should check with the municipality to determine if permits and/or approvals were necessary for disclosed work and if 69
70 so, whether they were obtained. Where required permits were not obtained, the municipality might require the current owner to upgrade or remove 70
71 changes made by prior owners. Buyers can have the property inspected by an expert in codes compliance to determine if issues exist. Expanded 71
72 title insurance policies may be available for Buyers to cover the risk of work done to the property by previous owners without a permit or approval. 72

73 8. **WATER SUPPLY** 73

- 74 (a) What is the source of your drinking water? Public Water Well on Property Community Water 74
75 None Other (explain): _____ 75
76 _____ 76
- 77 (b) When was your water last tested? _____ Test results: _____ 77
78 _____ 78
79 If your drinking water source is not public, is the pumping system in working order? Yes No 79
80 If "no," explain: _____ 80
81 _____ 81
- 82 (c) Do you have a softener, filter, or other treatment system? Yes No 82
83 If you do not own the system, explain: _____ 83
84 _____ 84
- 85 (d) Have you ever had a problem with your water supply? Yes No 85
86 (e) Has your well ever run dry? Yes No Not Applicable 86
87 (f) Is there a well on the property not used as the primary source of drinking water? Yes No 87
88 If yes, is the well capped? Yes No 88
89 (g) Is the water system shared? Yes No 89
90 (h) Are you aware of any leaks or other problems, past or present, relating to the water supply, pumping system, and related items? 90
91 Yes No 91

92 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:** 92
93 _____ 93
94 _____ 94
95 _____ 95

96 9. **SEWAGE SYSTEM** 96

- 97 (a) What is the type of sewage system? Public Sewer Individual On-lot Sewage Disposal System 97
98 Individual On-lot Sewage Disposal System in Proximity to Well Community Sewage Disposal System 98
99 Ten-acre Permit Exemption Holding Tank None None Available/Permit Limitations in Effect 99
100 Other type of sewage system (explain): _____ 100
- 101 (b) If Individual On-lot sewage system, what type? Cesspool Drainfield Unknown 101
102 Other (specify): _____ 102
- 103 (c) Are there any septic tanks on the Property? Yes No Unknown 103
104 If "yes," what type of tank(s)? Metal/steel Cement/concrete Fiberglass Unknown 104
105 Other (specify): _____ 105
106 _____ 106
- 107 (d) When was the on-site sewage disposal system last serviced? _____ 107
108 _____ 108
- 109 (e) Are there any sewage pumps located on the property? Yes No 109
110 If yes, type(s) of pump(s) _____ Are pump(s) in working order? Yes No 110
111 Who is responsible for maintenance of sewage pumps? _____ 111
- 112 (f) Is the sewage system shared? Yes No 112
113 (g) Are you aware of any past or present leaks, backups, or other problems relating to the sewage system and related items? Yes No 113

114 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:** 114
115 _____ 115

116 10. **PLUMBING SYSTEM** 116

- 117 (a) Type of plumbing (check all that apply): Copper Galvanized Lead PVC Polybutylene pipe (PB) 117
118 Mixed Unknown Other (explain): _____ 118
119 _____ 119

121 **12. AIR CONDITIONING SYSTEM** 121

122 (a) Type of air conditioning: Central Air Wall Units Window Units None 122
123 Other (explain): _____ 123

124 _____ 124
125 Number of window units included in sale _____ Location(s) _____ 125
126 _____ 126

127 (b) Age of Central Air Conditioning System: _____ Unknown Date last serviced, if known _____ 127
128 _____ 128

129 (c) List any areas of the house that are not air conditioned: _____ 129

130 (d) Are you aware of any problems with any item in this section? Yes No 130
131 If "yes," explain: _____ 131

132 **13. HEATING SYSTEM** 132

133 (a) Type(s) of heating fuel(s) (check all that apply): Electric Fuel Oil Natural Gas Propane 133
134 Coal Wood Other: _____ 134
135 _____ 135

136 (b) Type(s) of heating system(s) (check all that apply): Forced Hot Air Hot Water Heat Pump 136
137 Electric Baseboard Steam Wood Stove (How many?) Coal Stove (How many?) 137
138 Other: _____ 138

139 (c) Age of Heating System: _____ Unknown Date last serviced, if known _____ 139

140 (d) Are there any fireplaces? Yes No If "yes," how many? _____ Are they working? Yes No 140

141 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)? Yes No 141
142 If "yes," how many? _____ When were they last cleaned? _____ Unknown _____ 142

143 Are they working? Yes No If "no," explain: _____ 143
144 (f) List any areas of the house that are not heated: _____ 144
145 _____ 145

146 (g) Are you aware of any heating fuel tanks on the property? Yes No 146
147 Location(s), including underground tank(s): _____ 147
148 _____ 148

149 If you do not own the tanks, explain: _____ 149
150 _____ 150

151 **Are you aware of any problems or repairs needed regarding any item in this section?** Yes No 151
152 **If "yes," explain:** _____ 152
153 _____ 153
154 _____ 154

155 **14. ELECTRICAL SYSTEM** 155

156 (a) Type of Electrical System: Fuses Circuit Breakers How Many Amps? _____ Unknown 156
157 (b) Are you aware of any knob and tube wiring in the home? Yes No 157

158 **Are you aware of any problems or repairs needed in the electrical system?** Yes No 158
159 **If "yes," explain:** _____ 159

160 **15. OTHER EQUIPMENT AND APPLIANCES** 160

161 **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** 161
162 **not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will** 162
163 **determine which items, if any, are included in the purchase of the Property.** 163

164 (a) Electric Garage Door Opener Number of Transmitters _____ Keyless Entry _____ 164
165 (b) Smoke Detectors How many? _____ Location(s) _____ 165
166 _____ 166

167 (c) Security Alarm System Owned Leased (Lease Information _____) 167
168 (d) Lawn Sprinkler(s) How many? _____ Automatic Timer _____ 168

169 (e) Swimming Pool Hot Tub/Spa Pool/Spa Heater Pool/Spa Cover Whirlpool/Tub 169
170 Pool/Spa Equipment and Accessories (list): _____ 170
171 _____ 171

172 (f) Refrigerator(s) Range/Oven Microwave Oven Dishwasher Trash Compactor 172
173 Garbage Disposal Chest Freezer Washer Dryer Intercom 173

174 (g) Ceiling Fan(s) How many? _____ Location(s) _____ 174
175 _____ 175

176 (h) Awnings Attic Fan(s) Satellite Dish Storage Shed Deck(s) Electric Animal Fence 176
177 (i) Other: _____ 177

178 **Are you aware of any problems or repairs needed regarding any item in this section?** Yes No 178
179 **If "yes," explain:** _____ 179

180 **Buyer Initials:** _____ **Date** _____ **SPD Page 3 of 5** **Seller Initials:** _____ **Date** _____ 180

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

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

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

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

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

Other

Note to Buyer: Pennsylvania has enacted the Right to Farm Act (3 P.S. § 951-957) in an effort to limit the circumstances under which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any agricultural operations covered by the Act operate in the vicinity of the property.

5) Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or have you received written notice of sewage sludge being spread on an adjacent property? Yes No

6) Are you aware of the transfer, sale and/or lease of any of the following property rights (by you or a previous owner of the property)? Timber Coal Oil Natural Gas Other minerals

Note to Buyer: Before entering into an agreement of sale, Buyer can investigate the status of these rights by, among other means, engaging legal counsel, obtaining a title examination of unlimited years and searching the official records in the county Office of the Recorder of Deeds, and elsewhere. Buyer is also advised to investigate the terms of any existing leases, as Buyer may be subject to terms of those leases.

Explain any "yes" answers in this section:

(b) Flooding/Drainage

1) Is any part of this property located in a wetlands area or a FEMA flood zone? Yes No Unknown

2) Do you know of any past or present drainage or flooding problems affecting the property? Yes No

Explain any "yes" answers in this section, including dates and extent of flooding:

(c) Boundaries

1) Do you know of any encroachments, boundary line disputes, or easements affecting the property? Yes No

Note to Buyer: Most properties have easements for utility services and other reasons. These easements generally do not restrict the ordinary use of the property and Seller may not be aware of them. Before entering into an agreement of sale, Buyers can investigate the existence of easements and similar restrictions by ordering an Abstract of Title or searching the official records in the county Office of the Recorder of Deeds.

2) Do you access the property from a private road or lane? Yes No

If yes, do you have a recorded right of way or maintenance agreement? Yes No

3) Are you aware of any shared or common areas (e.g., driveways, bridges, docks, walls, etc.) or maintenance agreements?

Yes No

Explain any "yes" answers in this section:

17. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES

(a) Are you aware of any underground tanks (other than home heating fuel or septic tanks disclosed above)? Yes No

(b) Are you aware of any past or present hazardous substances present on the property (structure or soil) such as, but not limited to, asbestos or polychlorinated biphenyls (PCBs), etc.? Yes No

(c) Are you aware of any tests for mold, fungi, or indoor air quality in the property? Yes No

(d) Other than general household cleaning, have you taken any efforts to control or remediate mold or mold-like substances in the property? Yes No

Note to Buyer: Individuals may be affected differently, or not at all, by mold contamination. If mold contamination or indoor air quality is a concern, buyers are encouraged to engage the services of a qualified professional to do testing. Information on this issue is available from the United States Environmental Protection Agency and may be obtained by contacting IAQ INFO, P.O. Box 37133, Washington, D.C. 20013-7133, 1-800-438-4318.

(e) Are you aware of any dumping on the property? Yes No

(f) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any adjacent property? Yes No

(g) Are you aware of any tests for radon gas that have been performed in any buildings on the property? Yes No

If "yes," list date, type, and results of all tests below:

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

(h) Are you aware of any radon removal system on the property? Yes No

If "yes," list date installed and type of system, and whether it is in working order below:

DATE INSTALLED TYPE OF SYSTEM PROVIDER WORKING ORDER?

Yes No

Yes No

(i) If property was constructed, or if construction began, before 1978, you must disclose any knowledge of lead-based paint on the property. Are you aware of any lead-based paint or lead-based paint hazards on the property? Yes No

If "yes," explain how you know of it, where it is, and the condition of those lead-based paint surfaces:

- 244 (j) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint 244
 245 or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based 245
 246 paint hazards on the property? Yes No 246
 247 If "yes," list all available reports and records: _____ 247
 248 (k) Are you aware of testing on the property for any other hazardous substances or environmental concerns? Yes No 248
 249 (l) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property? 249
 250 Yes No 250

251 Explain any "yes" answers in this section: _____ 251
 252 _____ 252
 253 _____ 253

254 **18. CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable)** 254

255 Type: Condominium Cooperative Homeowner Association or Planned Community 255
 256 Other: _____ 256

257 *Notice regarding Condominiums, Cooperatives, and Planned Communities: A buyer of a resale unit in a condominium, cooperative, or planned 257
 258 community must receive a copy of the declaration (other than the plats and plans), the by-laws, the rules or regulations, and a certificate of resale issued 258
 259 by the association in the condominium, cooperative, or planned community. Buyers may be responsible for capital contributions, initiation fees or similar 259
 260 one-time fees in addition to regular monthly maintenance fees. The buyer will have the option of canceling the agreement with the return of all 260
 261 deposit monies until the certificate has been provided to the buyer and for five days thereafter or until conveyance, whichever occurs first. 261
 262* 262

263 **19. MISCELLANEOUS** 263

- 264 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property? 264
 265 Yes No 265
 266 (b) Are you aware of any existing or threatened legal action affecting the property? Yes No 266
 267 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property? Yes No 267
 268 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain 268
 269 unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected? Yes No 269
 270 (e) Are you aware of any judgment, encumbrance, lien (for example, co-maker or equity loan), overdue payment on a support obli- 270
 271 gation, or other debt against this property that cannot be satisfied by the proceeds of this sale? Yes No 271
 272 (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 272
 273 property? Yes No 273
 274 (g) Are you aware of any insurance claims filed relating to the property? Yes No 274
 275 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form? 275
 276 Yes No 276

277 A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact 277
 278 on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, 278
 279 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 279
 280 itself a material defect. 280

281 Explain any "yes" answers in this section: _____ 281
 282 _____ 282

283 The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best 283
 284 of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the prop- 284
 285 erty and to other real estate licensees. SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION 285
 286 CONTAINED IN THIS STATEMENT. Seller shall cause Buyer to be notified in writing of any information supplied on this form 286
 287 which is rendered inaccurate by a change in the condition of the property following completion of this form. 287

288 WITNESS _____ SELLER _____ DATE _____ 288
 289 WITNESS _____ SELLER _____ DATE _____ 289
 290 WITNESS _____ SELLER _____ DATE _____ 290

291 **EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK** 291

292 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required 292
 293 to fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known mate- 293
 294 rial defect(s) of the property. 294
 295 _____ DATE _____ 295

296 **RECEIPT AND ACKNOWLEDGEMENT BY BUYER** 296

297 The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a 297
 298 warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It 298
 299 is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property 299
 300 be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components. 300

301 WITNESS _____ BUYER _____ DATE _____ 301
 302 WITNESS _____ BUYER _____ DATE _____ 302
 303 WITNESS _____ BUYER _____ DATE _____ 303



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.