

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 Address:

2 \_\_\_\_\_

3 Seller:

4 \_\_\_\_\_

5 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.

6 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.

7 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.

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

9 \_\_\_\_\_

10 2. OCCUPANCY/OWNERSHIP

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

12 If property is not occupied, when was it last occupied? \_\_\_\_\_

13 (b) How long have you owned the property? \_\_\_\_\_

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

15 If "yes," describe: \_\_\_\_\_

16 3. ROOF

17 (a) Date roof installed: \_\_\_\_\_ Documented?  Yes  No  Unknown

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

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

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

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

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

23 \_\_\_\_\_

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

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

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

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

28 (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

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

30 \_\_\_\_\_

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

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

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

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

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

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

37 \_\_\_\_\_

38 6. STRUCTURAL ITEMS

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

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

PREPARED BY: Louise D'Alessandro, CRB

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Buyer(s) \_\_\_\_\_

- 53 (c) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls on the property?  Yes  No  
 54 (d) Is your property constructed with an Exterior Insulating Finishing System (EIFS), such as Dryvit or synthetic stucco?  
 55  Yes  No  Unknown If yes, date installed, if known \_\_\_\_\_  
 56 (e) Are there any defects (including stains) in flooring or floor coverings?  Yes  No  Unknown  
 57 (f) Are you aware of any fire, storm, water or ice damage to the property?  Yes  No  Unknown

58 **Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:**  
 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  
 65  Community Water  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 **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 (b) If Individual On-lot sewage system, what type?  Cesspool  Drainfield  Unknown  
 86  Other (specify): \_\_\_\_\_  
 87 (c) Are there any septic tanks on the Property?  Yes  No  Unknown  
 88 If "yes," what type of tank(s)?  Metal/steel  Cement/concrete  Fiberglass  Unknown  
 89  Other (specify): \_\_\_\_\_  
 90 (d) When was the on-site sewage disposal system last serviced? \_\_\_\_\_  
 91 (e) Are there any sewage pumps located on the property?  Yes  No  
 92 If yes, type(s) of pump(s) \_\_\_\_\_ Are pump(s) in working order?  Yes  No  
 93 Who is responsible for maintenance of sewage pumps? \_\_\_\_\_  
 94 (f) Is the sewage system shared?  Yes  No  
 95 (g) Are you aware of any past or present leaks, backups or other problems relating to the sewage system and related items?  
 96  Yes  No

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

99 **10. PLUMBING SYSTEM**

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

105 **11. DOMESTIC WATER HEATING**

- 106 (a) Type of water heating:  Electric  Natural Gas  Fuel Oil  Propane  Solar  Summer/Winter Hook-Up  
 107 Other (explain): \_\_\_\_\_

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108 (b) Are you aware of any problems with any water heater or related equipment?  Yes  No  
109 If "yes," explain: \_\_\_\_\_

110 **12. AIR CONDITIONING SYSTEM**

111 (a) Type of air conditioning:  Central Electric  Wall Units  Window Units  None  
112 Other (explain): \_\_\_\_\_

113 Number of window units included in sale \_\_\_\_\_ Location(s) \_\_\_\_\_

114 (b) Age of Central Air Conditioning System: \_\_\_\_\_ Unknown Date last serviced, if known \_\_\_\_\_

115 (c) List any areas of the house that are not air conditioned: \_\_\_\_\_  
116 \_\_\_\_\_

117 (d) Are you aware of any problems with any item in this section?  Yes  No  
118 If "yes," explain: \_\_\_\_\_

119 **13. HEATING SYSTEM**

120 (a) Type(s) of heating fuel(s) (check all that apply):  Electric  Fuel Oil  Natural Gas  Propane  
121  Coal  Wood  Other: \_\_\_\_\_

122 (b) Type(s) of heating system(s) (check all that apply):  Forced Hot Air  Hot Water  Heat Pump  
123  Electric Baseboard  Steam  Wood Stove (How many? \_\_\_\_\_ )  Coal Stove (How many? \_\_\_\_\_ )  
124  Other: \_\_\_\_\_

125 (c) Age of Heating System: \_\_\_\_\_  Unknown Date last serviced, if known \_\_\_\_\_

126 (d) Are there any fireplaces?  Yes  No If "yes," how many? \_\_\_\_\_ Are they working?  Yes  No

127 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)?  Yes  No  
128 If "yes," how many? \_\_\_\_\_ When were they last cleaned? \_\_\_\_\_  Unknown  
129 Are they working?  Yes  No If "no," explain: \_\_\_\_\_

130 (f) List any areas of the house that are not heated: \_\_\_\_\_

131 (g) Are you aware of any heating fuel tanks on the property?  Yes  No  
132 Location(s), including underground tank(s): \_\_\_\_\_

133 If you do not own the tanks, explain: \_\_\_\_\_

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

135 **If "yes," explain:** \_\_\_\_\_  
136 \_\_\_\_\_

137 **14. ELECTRICAL SYSTEM**

138 (a) Type of Electrical System:  Fuses  Circuit Breakers How Many Amps? \_\_\_\_\_  Unknown

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

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

141 **If "yes," explain:** \_\_\_\_\_  
142 \_\_\_\_\_

143 **15. OTHER EQUIPMENT AND APPLIANCES**

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

147 (a)  Electric Garage Door Opener Number of Transmitters \_\_\_\_\_ Keyless Entry

148 (b)  Smoke Detectors How many? \_\_\_\_\_ Location(s) \_\_\_\_\_

149 (c)  Security Alarm System  Owned  Leased (Lease Information \_\_\_\_\_ )

150 (d)  Lawn Sprinkler(s) How many? \_\_\_\_\_ Automatic Timer

151 (e)  Swimming Pool  Hot Tub/Spa  Pool/Spa Heater  Pool/Spa Cover  Whirlpool/Tub  
152  Pool/Spa Equipment and Accessories (list): \_\_\_\_\_

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

155 (g)  Ceiling Fan(s) How many? \_\_\_\_\_ Location \_\_\_\_\_

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

157 (j)  Other: \_\_\_\_\_

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

159 **If "yes," explain:** \_\_\_\_\_

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

161 (a) **Land/Soils**  
162 1) Are you aware of any fill or expansive soil on the property?  Yes  No  
163 2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have occurred on or  
164 affect the property?  Yes  No

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- 165 3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this property?  
166  Yes  No

167 **Note to Buyer:** The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence  
168 damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidence  
169 Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within Pennsylvania) or  
170 (724) 769-1100 (outside Pennsylvania).

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

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

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

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

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

176  Other \_\_\_\_\_

177 **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  
178 agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any agricultural  
179 operations covered by the Act operate in the vicinity of the property.

180 **Explain any "yes" answers in this section:** \_\_\_\_\_

181 \_\_\_\_\_  
182 (b) **Flooding/Drainage**

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

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

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

186 \_\_\_\_\_  
187 (c) **Boundaries**

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

189 **Note to Buyer:** Most properties have easements running across them for utility services and other reasons. In many cases, the easements  
190 do not restrict the ordinary use of the property, and Seller may not be readily aware of them. Buyers may wish to determine the existence of  
191 easements and restrictions by examining the property and ordering an Abstract of Title or searching the records in the Office of the  
192 Recorder of Deeds for the county before entering into an agreement of sale.

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

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

195  Yes  No

196 **Explain any "yes" answers in this section:** \_\_\_\_\_

197 \_\_\_\_\_  
198 **17. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES**

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

- 200 (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,  
201 or polychlorinated biphenyls (PCBs), etc.?  Yes  No

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

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

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

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

- 211 (f) Are you aware of any dumping on the property?  Yes  No

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

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

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

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

217 \_\_\_\_\_

- 218 \_\_\_\_\_  
219 (i) Are you aware of any radon removal system on the property?  Yes  No

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

221 DATE INSTALLED TYPE OF SYSTEM PROVIDER WORKING ORDER

222 \_\_\_\_\_  Yes  No

223 \_\_\_\_\_  Yes  No

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

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

227

228 (k) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint or  
229 lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based paint hazards  
230 on the property?  Yes  No

231 If "yes," list all available reports and records: \_\_\_\_\_

232 (l) Are you aware of testing on the property for any hazardous substances or environmental concerns?  Yes  No

233 (m) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property?  Yes  No

234 **Explain any "yes" answers in this section:** \_\_\_\_\_

235

236

237

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

239 Type:  Condominium  Cooperative  Homeowner Association or Planned Community

240 Other: \_\_\_\_\_

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

247 **19. MISCELLANEOUS**

248 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property?  
249  Yes  No

250 (b) Are you aware of any existing or threatened legal action affecting the property?  Yes  No

251 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property?  Yes  No

252 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain unpaid  
253 or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected?  Yes  No

254 (e) Are you aware of any judgment, encumbrance, lien (for example co-maker or equity loan), overdue payment on a support obligation, or  
255 other debt against this property that cannot be satisfied by the proceeds of this sale?  Yes  No

256 (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  
257 property?  Yes  No

258 (g) Are you aware of any insurance claims filed relating to the property?  Yes  No

259 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form?  
260  Yes  No

261 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  
262 value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or  
263 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  
264 defect.

265 **Explain any "yes" answers in this section:** \_\_\_\_\_

266

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

**WITNESS** \_\_\_\_\_ **SELLER** \_\_\_\_\_ **DATE** \_\_\_\_\_

272

273 **EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK**  
274 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required to  
275 fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known material  
276 defect(s) of the property.  
277 \_\_\_\_\_ DATE \_\_\_\_\_

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Buyer(s) \_\_\_\_\_

**RECEIPT AND ACKNOWLEDGEMENT BY BUYER**

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280  
281  
282  
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**The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components.**

**WITNESS** \_\_\_\_\_ **BUYER** \_\_\_\_\_ **DATE** \_\_\_\_\_

**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.

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