

SELLER'S PROPERTY DISCLOSURE STATEMENT

Property Address _____

INSTRUCTIONS TO THE SELLER

- 1 Please complete the following form. Do not leave any spaces blank. Please refer to the line number(s) of the question(s) when you provide your
- 2 explanation(s). If you are not claiming an exclusion or refusing to provide the form under ORS 105.475 (4), you should date and sign each page of
- 3 this disclosure statement and each attachment.

- 4 Each seller of residential property described in ORS 105.465 must deliver this form to each buyer who makes a written offer to purchase. Under
- 5 ORS 105.475 (4), refusal to provide this form gives the buyer the right to revoke their offer at any time prior to closing the transaction. Use only the
- 6 section(s) of the form that apply to the transaction for which the form is used. If you are claiming an exclusion under ORS 105.470, fill out only
- 7 Section 1.

- 8 An exclusion may be claimed only if the seller qualifies for the exclusion under the law. If not excluded, the seller must disclose the condition of the
- 9 property or the buyer may revoke their offer to purchase any time prior to closing the transaction. Questions regarding the legal consequences of
- 10 the seller's choice should be directed to a qualified attorney.

DO NOT FILL OUT THIS SECTION UNLESS YOU ARE CLAIMING AN EXCLUSION UNDER ORS 105.470

- 12 Section 1. EXCLUSION FROM ORS 105.465 TO 105.490:
- 13 You may claim an exclusion under ORS 105.470 only if you qualify under the statute. If you are not claiming an exclusion, you must fill out
- 14 Section 2 of this form completely.
- 15 Initial only the exclusion you wish to claim.
- 16 _____ This is the first sale of a dwelling never occupied. The dwelling is constructed or installed under building or installation permit(s) #
- 17 _____ issued by _____.
- 18 _____ This sale is by a financial institution that acquired the property as custodian, agent or trustee, or by foreclosure or deed in lieu of
- 19 foreclosure.
- 20 _____ The seller is a court appointed (Check only one): receiver personal representative trustee conservator guardian
- 21 _____ This sale or transfer is by a governmental agency.

22 Signature(s) of Seller(s) Claiming Exclusion

23 Seller _____ Date _____ ← Seller _____ Date _____ ←

24 Signature(s) of Buyer(s) Acknowledging Seller's Claim

25 Buyer _____ Date _____ ← Buyer _____ Date _____ ←

IF YOU DID NOT CLAIM AN EXCLUSION IN SECTION 1, YOU MUST FILL OUT THIS SECTION.

- 27 Section 2. SELLER'S PROPERTY DISCLOSURE STATEMENT
- 28 **(NOT A WARRANTY)** (ORS 105.465)
- 29 NOTICE TO THE BUYER: THE FOLLOWING REPRESENTATIONS ARE MADE BY THE SELLER(S) CONCERNING THE CONDITION OF
- 30 THE PROPERTY LOCATED AT _____ "THE PROPERTY."

- 31 DISCLOSURES CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL KNOWLEDGE OF
- 32 THE PROPERTY AT THE TIME OF DISCLOSURE. BUYER HAS FIVE BUSINESS DAYS FROM THE SELLER'S DELIVERY OF THIS
- 33 SELLER'S DISCLOSURE STATEMENT TO REVOKE BUYER'S OFFER BY DELIVERING BUYER'S SEPARATE SIGNED WRITTEN
- 34 STATEMENT OF REVOCATION TO THE SELLER DISAPPROVING THE SELLER'S DISCLOSURE STATEMENT, UNLESS BUYER WAIVES
- 35 THIS RIGHT AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT.

- 36 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

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37 FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS PROPERTY, BUYER IS ADVISED TO OBTAIN
38 AND PAY FOR THE SERVICES OF A QUALIFIED SPECIALIST TO INSPECT THE PROPERTY ON BUYER'S BEHALF INCLUDING, FOR
39 EXAMPLE, ONE OR MORE OF THE FOLLOWING: ARCHITECTS, ENGINEERS, PLUMBERS, ELECTRICIANS, ROOFERS,
40 ENVIRONMENTAL INSPECTORS, BUILDING INSPECTORS, CERTIFIED HOME INSPECTORS, OR PEST AND DRY ROT INSPECTORS.
41 Seller is is not occupying the property.

I. SELLER'S REPRESENTATIONS :

42 The following are representations made by the seller and are not the representations of any financial institution having made, or may make a loan
43 pertaining to the property, or that may have or take a security interest in the property, or any real estate licensee engaged by the seller or the buyer.

44 ***If you mark yes on items with *, attach a copy or explain on an attached sheet.**

45 1. TITLE

- 46 A. Do you have legal authority to sell the property? Yes No Unknown
- 47 *B. *Is title to the property subject to any of the following:* Yes* No Unknown
- 48 First right of refusal Option Lease or rental agreement Other listing Life estate
- 49 *C. *Is the property being transferred an unlawfully established unit of land?*..... Yes* No Unknown
- 50 *D. *Are there any encroachments, boundary agreements, boundary disputes or*
- 51 *recent boundary changes?* Yes* No Unknown
- 52 *E. *Are there any rights of way, easements, licenses, access limitations or*
- 53 *claims that may affect your interest in the property?* Yes* No Unknown
- 54 *F. *Are there any agreements for joint maintenance of an easement or right of way?* Yes* No Unknown
- 55 *G. *Are there any governmental studies, designations, zoning overlays, surveys*
- 56 *or notices that would affect the property?* Yes* No Unknown
- 57 *H. *Are there any pending or existing governmental assessments against the property?* Yes* No Unknown
- 58 *I. *Are there any zoning violations or nonconforming uses?* Yes* No Unknown
- 59 *J. *Is there a boundary survey for the property?* Yes* No Unknown
- 60 *K. *Are there any covenants, conditions, restrictions or private assessments that affect the property?* Yes* No Unknown
- 61 *L. *Is the property subject to any special tax assessment or tax treatment that may*
- 62 *result in levy of additional taxes if the property is sold?*..... Yes* No Unknown

63 2. WATER

- 64 A. Household water
- 65 (1) The source of the water is (check ALL that apply): Public Community Private Other
- 66 (2) Water source information:
- 67 *a) *Does the water source require a water permit?*..... Yes* No Unknown
- 68 *If yes, do you have a permit?* Yes No Unknown NA
- 69 *b) *Is the water source located on the property?* Yes* No Unknown NA
- 70 *If not, are there any written agreements for a shared water source?* Yes* No Unknown NA

71 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

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- 72 *c) *Is there an easement (recorded or unrecorded) for your access to or*
- 73 *maintenance of the water source?* Yes* No Unknown
- 74 d) *If the source of water is from a well or spring, have you had any of*
- 75 *the following in the past 12 months?* Yes No Unknown NA
- 76 Flow test Bacteria test Chemical contents test
- 77 *e) *Are there any water source plumbing problems or needed repairs?.....* Yes* No Unknown
- 78 (3) *Are there any water treatment systems for the property?* Yes No Unknown
- 79 Leased Owned

- 80 B. Irrigation
- 81 (1) *Are there any water rights or other rights for the property?.....* Yes No Unknown
- 82 * (2) *If any exist, has the irrigation water been used during the last five-year period?.....* Yes* No Unknown NA
- 83 * (3) *Is there a water rights certificate or other written evidence available?* Yes* No Unknown NA

- 84 C. Outdoor sprinkler system
- 85 (1) *Is there an outdoor sprinkler system for the property?* Yes No Unknown
- 86 (2) *Has a back flow valve been installed?* Yes No Unknown NA
- 87 (3) *Is the outdoor sprinkler system operable?* Yes No Unknown NA

3. SEWAGE SYSTEM

- 89 A. *Is the property connected to a public or community sewage system?.....* Yes No Unknown
- 90 B. *Are there any new public or community sewage systems proposed for the property?* Yes No Unknown
- 91 C. *Is the property connected to an on-site septic system?.....* Yes No Unknown
- 92 (1) *If yes, when was the system installed?* _____ Unknown NA
- 93 (2) **If yes, was the system installed by permit?* Yes* No Unknown NA
- 94 (3) **Has the system been repaired or altered?* Yes* No Unknown NA
- 95 (4) **Has the condition of the system been evaluated and a report issued?.....* Yes* No Unknown NA
- 96 (5) *Has the septic tank ever been pumped?* Yes No Unknown NA
- 97 *If yes, when?* _____ NA
- 98 (6) *Does the system have a pump?* Yes No Unknown NA
- 99 (7) *Does the system have a treatment unit such as a sand filter or an aerobic unit?* Yes No Unknown NA
- 100 (8) **Is a service contract for routine maintenance required for the system?* Yes No Unknown NA
- 101 (9) *Are all components of the system located on the property?* Yes No Unknown NA
- 102 *D. *Are there any sewage system problems or needed repairs?* Yes* No Unknown
- 103 E. *Does your sewage system require on-site pumping to another level?* Yes No Unknown

104 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

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105 4. DWELLING INSULATION

- 106 *A. Is there insulation in the:
- 107 (1) Ceiling? Yes No Unknown
- 108 (2) Exterior Walls?..... Yes No Unknown
- 109 (3) Floors? Yes No Unknown
- 110 B. Are there any defective insulated doors or windows? Yes No Unknown

111 5. DWELLING STRUCTURE

- 112 *A. *Has the roof leaked?*..... Yes* No Unknown
- 113 If yes, has it been repaired?..... Yes No Unknown NA
- 114 B. Are there any additions, conversions or remodeling? Yes No Unknown
- 115 If yes, was a building permit required?..... Yes No Unknown NA
- 116 If yes, was a building permit obtained?..... Yes No Unknown NA
- 117 If yes, was final inspection obtained?..... Yes No Unknown NA
- 118 C. Are there smoke alarms or detectors?..... Yes No Unknown
- 119 D. Are there carbon monoxide alarms?..... Yes No Unknown
- 120 E. Is there a woodstove or fireplace insert included in the sale?..... Yes No Unknown
- 121 **If yes, what is the make?* _____
- 122 **If yes, was it installed with a permit?*..... Yes* No Unknown NA
- 123 **If yes, is a certification label issued by the United States Environmental Protection Agency*
- 124 *(EPA) or the Department of Environmental Quality (DEQ) affixed to it?*..... Yes* No Unknown NA
- 125 *F. *Has pest and dry rot, structural or "whole house" inspection been done within the last three years?* Yes* No Unknown
- 126 *G. *Are there any moisture problems, areas of water penetration, mildew odors*
- 127 *or other moisture conditions (especially in the basement)?*..... Yes* No Unknown
- 128 **If yes, explain on attached sheet the frequency and extent of problem and any insurance claims, repairs or remediation done.*
- 129 H. Is there a sump pump on the property?..... Yes No Unknown
- 130 I. Are there any materials used in the construction of the structure that are or
- 131 have been the subject of a recall, class action suit, settlement or litigation? Yes No Unknown
- 132 If yes, what are the materials? _____
- 133 (1) Are there problems with the materials? Yes No Unknown NA
- 134 (2) Are the materials covered by a warranty? Yes No Unknown NA
- 135 (3) Have the materials been inspected? Yes No Unknown NA
- 136 (4) Have there ever been claims filed for these materials by you or by previous owners?.. Yes No Unknown NA
- 137 If yes, when? _____ NA
- 138 (5) Was money received? Yes No Unknown NA

139 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

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140 (6) Were any of the materials repaired or replaced? Yes No Unknown NA

141 6. DWELLING SYSTEMS AND FIXTURES

142 If the following systems or fixtures are included in the purchase price, are they in good working order on the date this form is signed by Seller?

143 A. Electrical system, including wiring, switches, outlets and service..... Yes No Unknown

144 B. Plumbing system, including pipes, faucets, fixtures and toilets..... Yes No Unknown

145 C. Water heater tank Yes No Unknown

146 D. Garbage disposal..... Yes No Unknown NA

147 E. Built-in range and oven..... Yes No Unknown NA

148 F. Built-in dishwasher..... Yes No Unknown NA

149 G. Sump pump Yes No Unknown NA

150 H. Heating and cooling systems

151 (1) Heating systems..... Yes No Unknown NA

152 (2) Cooling systems Yes No Unknown NA

153 I. Security system Owned Leased..... Yes No Unknown NA

154 J. Are there any materials or products used in the systems and fixtures

155 that are or have been the subject of a recall, class action suit settlement or other litigations? Yes No Unknown

156 If yes, what product? _____

157 (1) Are there problems with the product?..... Yes No Unknown NA

158 (2) Is the product covered by a warranty?..... Yes No Unknown NA

159 (3) Has the product been inspected?..... Yes No Unknown NA

160 (4) Have claims been filed for this product by you or by previous owners?..... Yes No Unknown NA

161 If yes, when? _____

162 (5) Was money received? Yes No Unknown NA

163 (6) Were any of the materials or products repaired or replaced? Yes No Unknown NA

164 7. COMMON INTEREST

165 A. Is there a Home Owners' Association or other governing entity?..... Yes No Unknown

166 Name of Association or Other Governing Entity _____

167 Contact Person _____

168 Address _____ Phone Number _____

169 B. Regular periodic assessments: \$ _____ per Month Year Other

170 *C. Are there any pending or proposed special assessments? Yes* No Unknown

171 D. Are there shared "common areas" or joint maintenance agreement for facilities like walls, fences, pools, tennis courts, walkways or other areas co-owned in undivided interest with others? ... Yes No Unknown

173 E. Is the Home Owners' Association or other governing entity a party to
174 pending litigation or subject to an unsatisfied judgment?..... Yes No Unknown NA

175 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

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176 F. Is the property in violation of recorded covenants, conditions and
177 restrictions or in violation of other bylaws or governing rules, whether recorded or not?.... Yes No Unknown NA

178 **8. SEISMIC**

179 A. Was the house constructed before 1974? Yes No Unknown
180 If yes, has the house been bolted to its foundation? Yes No Unknown NA

181 **9. GENERAL**

182 A. Are there problems with settling, soil, standing water or drainage on
183 the property or in the immediate area? Yes No Unknown

184 B. Does the property contain fill? Yes No Unknown

185 C. Is there any material damage to the property or any of the structure(s)
186 from fire, wind, floods, beach movements, earthquake, expansive soils or landslides?..... Yes No Unknown

187 D. Is the property in a designated floodplain? Yes No Unknown

188 **Note: Flood insurance may be required for homes in a floodplain.**

189 E. Is the property in a designated slide or other geologic hazard zone?..... Yes No Unknown

190 *F. Has any portion of the property been tested or treated for asbestos, formaldehyde, radon, gas,
191 lead-based paint, mold, fuel or chemical storage tanks or contaminated soil or water?..... Yes* No Unknown

192 G. Are there any tanks or underground storage tanks (e.g., septic, chemical, fuel, etc.) on the property? Yes No Unknown

193 H. Has the property ever been used as an illegal drug manufacturing or distribution site? Yes No Unknown

194 *If yes, was a Certificate of Fitness issued? Yes* No Unknown NA

195 I. Has the property been classified as forestland-urban interface?..... Yes No Unknown

196 **10. FULL DISCLOSURE BY SELLER(S)**

197 *A. Are there any other material defects affecting this property or its value that
198 a prospective buyer should know about?..... Yes* No

199 If yes, describe the defect on attached sheet and explain the frequency and extent of the problem and any insurance claims, repairs or
200 remediation?

VERIFICATION

201 The foregoing answers and attached explanations (if any) are complete and correct to the best of my/our knowledge and I/we have received a copy of this
202 disclosure statement. I/we authorize my/our agents to deliver a copy of this disclosure statement to all prospective buyers of the property or their agents.

203 _____ (zero [0] if not filled in) Number of pages of explanations are attached.

204 Seller _____ Date _____ ← Seller _____ Date _____ ←

II. BUYER'S ACKNOWLEDGMENT:

205 A. As buyer(s), I/we acknowledge the duty to pay diligent attention to any material defects that are known to me/us or can be known by me/us
206 by utilizing diligent attention and observation.

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207 B. Each buyer acknowledges and understands that the disclosures set forth in this statement and in any amendments to this statement are
208 made only by the seller and are not the representations of any financial institution that may have made or may make a loan pertaining to the
209 property, or that may have or take a security interest in the property, or of any real estate licensee engaged by the seller or buyer. A financial
210 institution or real estate licensee is not bound by and has no liability with respect to any representation, misrepresentation, omission, error or
211 inaccuracy contained in another party's disclosure statement required by this section or any amendment to the disclosure statement.

212 C. Buyer (which term includes all persons signing the "Buyer's Acknowledgment" portion of this disclosure statement below) hereby
213 acknowledges receipt of a copy of this disclosure statement (including attachments, if any) bearing seller's signature(s).

214 DISCLOSURES, IF ANY, CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL KNOWLEDGE
215 OF THE PROPERTY AT THE TIME OF DISCLOSURE. IF THE SELLER HAS FILLED OUT SECTION 2 OF THIS FORM, YOU, THE BUYER,
216 HAVE FIVE BUSINESS DAYS FROM THE SELLER'S DELIVERY OF THIS DISCLOSURE STATEMENT TO REVOKE YOUR OFFER BY
217 DELIVERING YOUR SEPARATE SIGNED WRITTEN STATEMENT OF REVOCATION TO THE SELLER DISAPPROVING THE SELLER'S
218 DISCLOSURE UNLESS YOU WAIVE THIS RIGHT AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT.

219 **BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS SELLER'S PROPERTY DISCLOSURE STATEMENT.**

220 Buyer _____ Date _____ ← Buyer _____ Date _____ ←

221 Agent receiving disclosure statement on buyer's behalf to sign and date:

222 _____ Real Estate Agent Date received by Agent _____
223 _____ Real Estate Firm

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