

# PROPERTY CONDITION DISCLOSURE STATEMENT

The following is a Property Condition Disclosure required by Sections 89-1-507 through 89-1-527 of the Mississippi Real Estate Brokers Act of 1954, as Amended, and made by the **SELLER(S)** concerning the condition of the **RESIDENTIAL PROPERTY** located at: \_\_\_\_\_

**SELLER(S):** \_\_\_\_\_ Approximate Age of the Residence \_\_\_\_\_

This Disclosure is not a warranty of any kind by the Seller or any Real Estate Agent of the Seller in this transaction and is not a substitute for any inspections or warranties the Purchaser may wish to obtain. This statement may be made available to other parties and **is to be attached to the Listing Agreement and signed by the SELLER(S).**

**TO THE SELLER(S):** Please complete the following form, including any past history of problems, if known. If the condition or question does not apply to your property, mark with "N/A".

**IF THE RESIDENCE IS NEW/PROPOSED RESIDENTIAL CONSTRUCTION,** the **BUILDER** should complete the Property Condition Disclosure Statement and reference specific plans/specifications, materials lists and/or change orders.

**DO NOT LEAVE ANY BLANK SPACES. ATTACH ADDITIONAL PAGES IF NECESSARY. THIS FORM MAY BE DUPLICATED BUT NOT ALTERED**

## STRUCTURAL ITEMS:

### A. BUILDING CODE:

Was the residence built in conformity with an approved building code? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_  
If yes, was it inspected by a City/County Code Enforcement Inspector? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_  
Has a Mississippi Licensed Home Inspector completed a Home Inspection Report? Yes \_\_\_\_\_ No \_\_\_\_\_

### B. STRUCTURAL ITEMS:

Are you aware of any foundation repairs made in the past? Yes \_\_\_\_\_ No \_\_\_\_\_ Explain \_\_\_\_\_  
Are any foundation repairs currently needed? Yes \_\_\_\_\_ No \_\_\_\_\_ Explain \_\_\_\_\_

### C. HISTORY OF INFESTATION, IF ANY: TERMITES, CARPENTER ANTS, ETC:

Any evidence of rot, mildew, vermin, rodents, termites, carpenter ants, or other infestation? Yes \_\_\_\_\_ No \_\_\_\_\_  
Have you requested treatments for any type of infestations? Yes \_\_\_\_\_ No \_\_\_\_\_ Explain \_\_\_\_\_  
Are you aware of any Repaired Damage? Yes \_\_\_\_\_ No \_\_\_\_\_; If yes, please describe \_\_\_\_\_  
Is there currently an outstanding termite contract? Yes \_\_\_\_\_ No \_\_\_\_\_ Who is the contractor? \_\_\_\_\_

### D. ROOF:

Has the roof been replaced or repaired during your ownership? Yes \_\_\_\_\_ No \_\_\_\_\_; If yes, when? \_\_\_\_\_  
During your ownership have there been any leaks, water back ups, or problems with the roof? Yes \_\_\_\_\_ No \_\_\_\_\_  
The roof is \_\_\_\_\_ years old.

### E. LAND AND SITE DATA:

Is there an engineer's survey available? Yes \_\_\_\_\_ No \_\_\_\_\_ Date the survey was completed \_\_\_\_\_  
Are you aware of the existence of any of the following, to wit:  
Encroachments: Yes \_\_\_ No \_\_\_ Unknown \_\_\_ Flood Zone: Yes \_\_\_ No \_\_\_ Unknown \_\_\_  
Easements: Yes \_\_\_ No \_\_\_ Unknown \_\_\_ Soil/Erosion: Yes \_\_\_ No \_\_\_ Unknown \_\_\_  
Soil Problems: Yes \_\_\_ No \_\_\_ Unknown \_\_\_ Subsoil Problem: Yes \_\_\_ No \_\_\_ Unknown \_\_\_  
Standing Water: Yes \_\_\_ No \_\_\_ Unknown \_\_\_ Land Fill: Yes \_\_\_ No \_\_\_ Unknown \_\_\_

Are you aware of any current zoning regulations which will cause the residence to be considered a nonconforming usage (lot size, set backs, etc) Yes \_\_\_\_\_ No \_\_\_\_\_ If Yes, please explain \_\_\_\_\_

Are there any rights-of-way, easements, eminent domain proceedings or similar matters which may negatively impact your ownership interest in the residence? Yes \_\_\_\_\_ No \_\_\_\_\_ If YES, please explain \_\_\_\_\_

**FOR ANY REASON,** has any portion of the residence ever suffered water damage? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please explain in detail \_\_\_\_\_. Is the residence currently located in a FEMA Designated Flood Hazard Zone? Yes \_\_\_ No \_\_\_ Unknown \_\_\_; Is Flood Insurance required? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_  
Is any portion of the property designated as a **WETLANDS AREA**? Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown \_\_\_\_\_

### F. ADDITIONS/REMODELS:

During your period of ownership, have there been any additions, remodeling, structural changes or alterations to the residence? Yes \_\_\_\_\_ No \_\_\_\_\_ If YES, please explain \_\_\_\_\_  
Name of the Licensed Contractor \_\_\_\_\_. Were all work permits and approvals in compliance with the local building codes? Yes \_\_\_\_\_ No \_\_\_\_\_ Please Explain \_\_\_\_\_

### G. STRUCTURE/WALLS/ WINDOWS:

Has there been any damage to the structure as a result of fire, windstorm, tornados, hurricane or any other natural disaster? Yes \_\_\_ No \_\_\_ If YES, please explain \_\_\_\_\_  
Have you ever experienced ANY problems with walls, siding or windows? Yes \_\_\_ No \_\_\_ Explain \_\_\_\_\_

### H. OTHER:

Are you aware of any problems which may exist with the property by virtue of prior usages such as, but not limited to, **Methamphetamine Labs**, Hazardous/Toxic waste disposal, the presence of asbestos components, Lead-Based Paint, Urea-Formaldehyde Insulation, Mold, Radon Gas, Underground Tanks or any past industrial uses of the premises? Yes \_\_\_ No \_\_\_ If "YES, please explain \_\_\_\_\_

SELLER'S INITIALS \_\_\_\_\_

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PURCHASER'S INITIALS \_\_\_\_\_

**MECHANICAL ITEMS:**

**ELECTRICAL SYSTEM/PLUMBING SYSTEM:**

Are you aware of any problems or conditions that affect the desirability or functionality of the Heating, Cooling, Electrical, Plumbing, or Mechanical Systems? Yes \_\_\_ No \_\_\_ If yes, please explain all known problems in complete detail \_\_\_\_\_

**WATER, SEWER, & SEPTIC ITEMS:**

**WATER:**

The water supply is: Public \_\_\_ Private \_\_\_ On-site Well \_\_\_ Neighbor's Well \_\_\_ Community \_\_\_  
 If your drinking water is from a well, when was the water quality last checked for safety, what were the results of the test and who conducted the test? \_\_\_\_\_  
 Is the water supply equipped with a water softener? Yes \_\_\_ No \_\_\_ Unknown \_\_\_  
 The Sewage System is: Public \_\_\_ Private \_\_\_ Septic \_\_\_ Cesspool \_\_\_ Treatment Plant \_\_\_ Other \_\_\_  
 Is there a sewage pump installed? Yes \_\_\_ No \_\_\_ Date of the last Septic Inspection \_\_\_\_\_  
 Are you aware of any leaks, back-ups, or other problems relating to any of the plumbing, water, sewage, or related items during your ownership? Yes \_\_\_ No \_\_\_ If yes, please explain \_\_\_\_\_

**OTHER MATTERS/ITEMS:**

**MISCELLANEOUS:**

Is the residence situated on Leasehold or Sixteenth Section land? Yes \_\_\_ No \_\_\_ Explain \_\_\_\_\_  
 Is there any existing or threatening legal action affecting the property? Yes \_\_\_ No \_\_\_ Explain \_\_\_\_\_  
 Are you aware of any violations of local/state/federal laws/regulations relating to the property? Yes \_\_\_ No \_\_\_  
 Are you aware of any hidden defects or needed repairs about which the purchaser should be informed **PRIOR** to their purchase? Yes \_\_\_ No \_\_\_ If yes, please explain in detail \_\_\_\_\_  
 What is the **APPROXIMATE SQUARE FOOTAGE** of the Heated and Cooled Living Area \_\_\_\_\_  
 How was this approximation of square footage determined? \_\_\_\_\_  
 Are there any finished wood floors beneath the floor coverings? Yes \_\_\_ No \_\_\_ Where \_\_\_\_\_  
 Are there any Homeowner's Association Fees associated with ownership? Yes \_\_\_ No \_\_\_ Amount \_\_\_\_\_  
 If the property is a Condominium, how much is the **YEARLY** Maintenance Fees \$ \_\_\_\_\_  
 What is the **YEARLY** Real Estate Tax Bill? \$ \_\_\_\_\_ Homestead Exemption has been filed for \_\_\_\_\_  
 Is the property subject to **ANY** special real property tax assessments Yes \_\_\_ No \_\_\_ Explain \_\_\_\_\_  
 Is the property located in a **Public Improvement (tax) District (PID)** Yes \_\_\_ No \_\_\_ Unknown \_\_\_  
 What is the average **YEARLY** Electric Bill? \$ \_\_\_\_\_ What is the average **YEARLY** Gas Bill? \$ \_\_\_\_\_  
 If the residence is serviced by Propane (LP) Gas, what is the average **YEARLY** Propane Bill? \$ \_\_\_\_\_  
 The Propane Tank is: Owned \_\_\_ Leased \_\_\_ If Leased, how much is the lease payment? \$ \_\_\_\_\_  
 Is Cable Television Service available at the site? Yes \_\_\_ No \_\_\_ Service Provider \_\_\_\_\_  
 Are any items remaining with the residence financed separately from the mortgages? Yes \_\_\_ No \_\_\_

**APPLIANCES/SYSTEMS REMAINING WITH RESIDENCE:**

ITEM	YES	NO	GAS/ELECTRIC	AGE	LIST REPAIRS COMPLETED IN LAST TWO (2) YEARS
Cook-top					
Dishwasher					
Garbage Disposal					
Ice-maker					
Microwave					
Oven(s)					
Trash Compactor					
Vent-Fan					
Other Items					

**MECHANICAL EQUIPMENT CONSIDERED PERSONAL PROPERTY SHOULD BE NEGOTIATED IN THE CONTRACT OF SALE OR OTHER SUCH INSTRUMENT IF THE ITEMS REMAIN WITH THE RESIDENCE.**

To the extent of the Seller's knowledge as a property owner, the Seller(s) acknowledges that the information contained above is true and accurate for those areas of the property listed. The owner(s) agree to save and hold the Broker harmless from all claims, disputes, litigation and/or judgments arising from any incorrect information supplied by the owner(s) or from any material fact known by the owner(s) which owner(s) fail to disclose except the Broker is not held harmless to the owner(s) in claims, disputes, litigation, or judgments arising from conditions of which the Broker had actual knowledge.

SELLER (UPON LISTING) \_\_\_\_\_ DATE \_\_\_\_\_

SELLER (UPON LISTING) \_\_\_\_\_ DATE \_\_\_\_\_

SELLER (AT CLOSING) \_\_\_\_\_ DATE \_\_\_\_\_

SELLER (AT CLOSING) \_\_\_\_\_ DATE \_\_\_\_\_

PROSPECTIVE PURCHASER'S SIGNATURE \_\_\_\_\_

PURCHASER(S) ACKNOWLEDGE RECEIPT OF REPORT \_\_\_\_\_ DATE \_\_\_\_\_