



SELLER'S PROPERTY DISCLOSURE STATEMENT

Property Address _____

INSTRUCTIONS TO THE SELLER

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 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 this disclosure statement and each attachment.

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 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 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 Section 1.

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 property or the buyer may revoke their offer to purchase anytime prior to closing the transaction. Questions regarding the legal consequences of 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

Section 1. EXCLUSION FROM ORS 105.465 TO 105.490:

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 Section 2 of this form completely.

Initial only the exclusion you wish to claim.

_____ This is the first sale of a dwelling never occupied. The dwelling is constructed or installed under building or installation permit(s) # _____ issued by _____.

_____ This sale is by a financial institution that acquired the property as custodian, agent or trustee, or by foreclosure or deed in lieu of foreclosure.

_____ The seller is a court appointed receiver, personal representative, trustee, conservator or guardian.

_____ This sale or transfer is by a governmental agency.

Signature(s) of Seller(s) Claiming Exclusion

Seller _____ Date _____ ← Seller _____ Date _____ ←

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

Buyer _____ Date _____ ← Buyer _____ Date _____ ←

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

Section 2. SELLER'S PROPERTY DISCLOSURE STATEMENT

(NOT A WARRANTY) (ORS 105.465)

NOTICE TO THE BUYER: THE FOLLOWING REPRESENTATIONS ARE MADE BY THE SELLER(S) CONCERNING THE CONDITION OF THE PROPERTY LOCATED AT _____ "THE PROPERTY."

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

FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS PROPERTY, BUYER IS ADVISED TO OBTAIN AND PAY FOR THE SERVICES OF A QUALIFIED SPECIALIST TO INSPECT THE PROPERTY ON BUYER'S BEHALF INCLUDING, FOR EXAMPLE, ONE OR MORE OF THE FOLLOWING: ARCHITECTS, ENGINEERS, PLUMBERS, ELECTRICIANS, ROOFERS, ENVIRONMENTAL INSPECTORS, BUILDING INSPECTORS, CERTIFIED HOME INSPECTORS, OR PEST AND DRY ROT INSPECTORS.

Seller is is not occupying the property.

SELLER _____ Date _____ ← SELLER _____ Date _____ ←



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I. SELLER'S REPRESENTATIONS:

The following are representations made by the seller and are not the representations of any financial institution that may have made or may make a loan 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.

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

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

- 2. WATER**
- A. Household water
 - (1) The source of the water is (check ALL that apply): Public Community Private Other
 - (2) Water source information:
 - *a) Does the water source require a water permit? Yes No Unknown
 If yes, do you have a permit? Yes No Unknown
 - *b) Is the water source located on the property? Yes No Unknown NA
 *If not, are there any written agreements for a shared water source? Yes No
 - *c) Is there an easement (recorded or unrecorded) for your access to or maintenance of the water source? Yes No Unknown
 - d) If the source of water is from a well or spring, have you had any of the following in the past 12 months? Yes No Unknown NA
 Flow test Bacteria test Chemical contents test
 - *e) Are there any water source plumbing problems or needed repairs? Yes No Unknown
 - (3) Are there any water treatment systems for the property? Yes No Unknown
 Leased Owned
 - B. Irrigation
 - (1) Are there any water rights or other rights for the property? Yes No Unknown
 - * (2) If any exist, has the irrigation water been used during the last five-year period? Yes No Unknown NA
 - * (3) Is there a water rights certificate or other written evidence available? Yes No Unknown NA
 - C. Outdoor sprinkler system
 - (1) Is there an outdoor sprinkler system for the property? Yes No Unknown
 - (2) Has a back flow valve been installed? Yes No Unknown NA
 - (3) Is the outdoor sprinkler system operable? Yes No Unknown NA

- 3. SEWAGE SYSTEM**
- A. Is the property connected to a public or community sewage system? Yes No Unknown
 - B. Are there any new public or community sewage systems proposed for the property? Yes No Unknown
 - C. Is the property connected to an on-site septic system? Yes No Unknown
 If yes, was it installed by permit? Yes No Unknown
 *Has the system been repaired or altered? Yes No Unknown NA
 Has the condition of the system been evaluated and a report issued? Yes No Unknown
 Has it ever been pumped? Yes No Unknown NA
 If yes, when? _____
 - *D. Are there any sewage system problems or needed repairs? Yes No Unknown
 - E. Does your sewage system require on-site pumping to another level? Yes No Unknown

- 4. DWELLING INSULATION**
- A. Is there insulation in the:
 - (1) Ceiling? Yes No Unknown
 - (2) Exterior walls? Yes No Unknown
 - (3) Floors? Yes No Unknown
 - B. Are there any defective insulated doors or windows? Yes No Unknown

SELLER _____ Date _____ ← SELLER _____ Date _____ ←

Buyer Initials _____ / _____ Date _____



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5. DWELLING STRUCTURE

- *A. Has the roof leaked? Yes No Unknown 101
- If yes, has it been repaired? Yes No Unknown NA 102
- B. Are there any additions, conversions or remodeling? Yes No Unknown 103
- If yes, was a building permit required? Yes No Unknown NA 104
- If yes, was a building permit obtained? Yes No Unknown NA 105
- If yes, was final inspection obtained? Yes No Unknown NA 106
- C. Are there smoke alarms or detectors? Yes No Unknown 107
- D. Is there a woodstove included in the sale? Make _____ Yes No Unknown 108
- Was it installed with a permit? Yes No Unknown 109
- *E. Has pest and dry rot, structural or "whole house" inspection been done within the last three years? Yes No Unknown 110
- *F. Are there any moisture problems, areas of water penetration, mildew odors
 or other moisture conditions (especially in the basement)? Yes No Unknown 111
- *If yes, explain on attached sheet the frequency and extent of problem and any insurance claims, repairs or remediation done. 112
- G. Is there a sump pump on the property? Yes No Unknown 113
- H. Are there any materials used in the construction of the structure that are or
 have been the subject of a recall, class action suit, settlement or litigation? Yes No Unknown 114
- If yes, what are the materials? _____ 115
- (1) Are there problems with the materials? Yes No Unknown NA 116
- (2) Are the materials covered by a warranty? Yes No Unknown NA 117
- (3) Have the materials been inspected? Yes No Unknown NA 118
- (4) Have there ever been claims filed for these materials by you or by previous owners? Yes No Unknown NA 119
- If yes, when? _____ 120
- (5) Was money received? Yes No Unknown NA 121
- (6) Were any of the materials repaired or replaced? Yes No Unknown NA 122

6. DWELLING SYSTEMS AND FIXTURES

- 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? 123
- A. Electrical system, including wiring, switches, outlets and service Yes No Unknown 124
 - B. Plumbing system, including pipes, faucets, fixtures and toilets Yes No Unknown 125
 - C. Water heater tank Yes No Unknown 126
 - D. Garbage disposal Yes No Unknown NA 127
 - E. Built-in range and oven Yes No Unknown NA 128
 - F. Built-in dishwasher Yes No Unknown NA 129
 - G. Sump pump Yes No Unknown NA 130
 - H. Heating and cooling systems Yes No Unknown NA 131
 - I. Security system Owned Leased Yes No Unknown 132
 - J. Are there any materials or products used in the systems and fixtures
 that are or have been the subject of a recall, class action settlement or other litigations? Yes No Unknown 133
 - If yes, what product? _____ 134
 - (1) Are there problems with the product? Yes No Unknown 135
 - (2) Is the product covered by a warranty? Yes No Unknown 136
 - (3) Has the product been inspected? Yes No Unknown 137
 - (4) Have claims been filed for this product by you or by previous owners? Yes No Unknown 138
 - If yes, when? _____ 139
 - (5) Was money received? Yes No Unknown 140
 - (6) Were any of the materials or products repaired or replaced? Yes No Unknown 141

7. COMMON INTEREST

- A. Is there a Home Owners' Association or other governing entity? Yes No Unknown 142
- Name of Association or Other Governing Entity _____ 143
- Contact Person _____ 144
- Address _____ Phone Number _____ 145
- B. Regular periodic assessments: \$ _____ per Month Year Other 146
- *C. Are there any pending or proposed special assessments? Yes No Unknown 147
- 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 148
- E. Is the Home Owners' Association or other governing entity a party to
 pending litigation or subject to an unsatisfied judgment? Yes No Unknown NA 149
- F. Is the property in violation of recorded covenants, conditions and
 restrictions or in violation of other bylaws or governing rules, whether recorded or not? Yes No Unknown NA 150

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8. GENERAL

- A. Are there problems with settling, soil, standing water or drainage on the property or in the immediate area? Yes No Unknown 160-162
- B. Does the property contain fill? Yes No Unknown 163
- C. Is there any material damage to the property or any of the structure(s) from fire, wind, floods, beach movements, earthquake, expansive soils or landslides? Yes No Unknown 164-165
- D. Is the property in a designated floodplain? Yes No Unknown 166
- E. Is the property in a designated slide or other geologic hazard zone? Yes No Unknown 167
- *F. Has any portion of the property been tested or treated for asbestos, formaldehyde, radon, gas, lead-based paint, mold, fuel or chemical storage tanks or contaminated soil or water? Yes No Unknown 168-169
- G. Are there any tanks or underground storage tanks (e.g., septic, chemical, fuel, etc.) on the property? . Yes No Unknown 170
- H. Has the property ever been used as an illegal drug manufacturing or distribution site? Yes No Unknown 171
*If yes, was a Certificate of Fitness issued? Yes No Unknown 172
- I. Has the property been classified as forestland-urban interface? Yes No Unknown 173

9. FULL DISCLOSURE BY SELLER(S)

- *A. Are there any other material defects affecting this property or its value that a prospective buyer should know about? Yes No 174-176
If yes, describe the defect on attached sheet and explain the frequency and extent of the problem and any insurance claims, repairs or remediation? 177

VERIFICATION

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 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. 178-179

Seller _____ Date _____ ← Seller _____ Date _____ ← 180

II. BUYER'S ACKNOWLEDGMENT:

- 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 by utilizing diligent attention and observation. 181-182
- B. Each buyer acknowledges and understands that the disclosures set forth in this statement and in any amendments to this statement are 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 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 institution or real estate licensee is not bound by and has no liability with respect to any representation, misrepresentation, omission, error or inaccuracy contained in another party's disclosure statement required by this section or any amendment to the disclosure statement. 183-187
- C. Buyer (which term includes all persons signing the "Buyer's Acknowledgment" portion of this disclosure statement below) hereby acknowledges receipt of a copy of this disclosure statement (including attachments, if any) bearing seller's signature(s). 188-189

DISCLOSURES, IF ANY, CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME OF DISCLOSURE. IF THE SELLER HAS FILLED OUT SECTION 2 OF THIS FORM, YOU, THE BUYER, HAVE FIVE BUSINESS DAYS FROM THE SELLER'S DELIVERY OF THIS DISCLOSURE STATEMENT TO REVOKE YOUR OFFER BY DELIVERING YOUR SEPARATE SIGNED WRITTEN STATEMENT OF REVOCATION TO THE SELLER DISAPPROVING THE SELLER'S DISCLOSURE UNLESS YOU WAIVE THIS RIGHT AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT. 190-194

BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS SELLER'S PROPERTY DISCLOSURE STATEMENT. 195

Buyer _____ Date _____ ← Buyer _____ Date _____ ← 196

Agent receiving disclosure statement on buyer's behalf to sign and date: 197

_____ Real Estate Licensee Date received by agent: _____ 198

_____ Real Estate Firm 199

Buyer Initials ____ / ____ Date ____