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## Lead Warning Statement

*Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.*

(a) Presence of lead-based paint and/or lead-based paint hazards (check one):

☒ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check one):

☐ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

☐ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Purchaser's Acknowledgment (initial)**

(c) \_\_\_\_\_ Purchaser has received copies of all information listed above.

(d) \_\_\_\_\_ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

(e) Purchaser has (check one):

☐ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

☐ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

**Agent's Acknowledgment (initial)**

(f) \_\_\_\_\_ Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

### Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

\_\_\_\_\_  
Buyer Signature Date

Buyer Signature \_\_\_\_\_ Date \_\_\_\_\_

Agent \_\_\_\_\_ Date \_\_\_\_\_



North Dakota Real Estate Commission

# Seller's Property Disclosure Form

[www.realestatend.org](http://www.realestatend.org)

2021.06.10

## North Dakota law requires a written property disclosure for the sale, exchange, or purchase of real property if:

The real property is a residential dwelling with no more than 4 units located in North Dakota being sold or exchanged by the owner.

Except as otherwise provided in an offer to purchase agreement, before the parties sign the final agreement for the sale, exchange, or purchase of real property, the seller shall make a written disclosure to the prospective buyer.

The written disclosure must include all material facts the seller is aware could adversely and significantly affect an ordinary buyer's use and enjoyment of the property or any intended use of the property of which the seller is aware.

If any party to the transaction is represented by a real estate salesperson or broker, the disclosure must use this written disclosure form or substantially similar form and must include latent defects, general condition, environmental issues, structural systems, and mechanical issues regarding the property. If the parties are not represented by real estate salesperson or broker, the seller may use this form.

This law does not apply to transactions for the sale, exchange, or purchase of real property made: (1) pursuant to a court order; (2) between government agencies; (3) by a mortgagor in default for a mortgagee; (4) pursuant to a foreclosure sale; (5) by a mortgagee or a beneficiary of a deed of trust acquired the real property by a foreclosure, deed in lieu of foreclosure, or collateral assignment of beneficial interest; (6) by a fiduciary administering a decedent's estate, guardianship, conservatorship, or trust; (7) between co-owners of the real property; (8) to a spouse, child, parent, sibling, grandchild, or grandparent; or (9) if the real property is newly constructed residential real property with no previous occupancy.

This form is designed to guide you, the seller, in making the legally required disclosures and to assist you to avoid inadvertent nondisclosures of material facts as required by statute. You must disclose all material facts that are required by law, even if not specifically asked in this form. Additional space for disclosure is provided on the last page of this form, and you may attach any additional information as necessary.

Refer to North Dakota Century Code 47-10-02.1 for more detail on requirements of the statute.

Today's date:	<u>8/16/2024</u>
Name/s of seller/s:	<u>Darren &amp; Elizabeth Mayers</u>

 Initials of seller DM EM

Initials of buyer \_\_\_\_\_

Address of property being sold:	<u>205 + 207 Main St. Zap VA</u>	
How long have you owned the property? State in number of years and months.	<u>11</u> # of years	<u>8</u> # of months
How long have you occupied the property? Provide dates of occupancy.		

A. Structure		UNK=unknown		
		YES	NO	UNK
1	What is the age of the structure? <u>84</u> # of years _____ # of months			
2	Has the structure been altered? (for example, additions, altered roof lines, changes to load-bearing walls)	X		
	If "Yes," please specify what was done, when and by whom. <u>Addition of 205 + 207 in 1970</u>			
3	During your ownership, has there been work on the property which required building permits?		X	
	If "Yes," was a permit obtained?			
4	Has the property been damaged by fire, smoke, wind, floods, hail, snow, frozen pipes, or broken water line?	X		
	If "Yes," explain: <u>Frozen Pipes in 2020. All copper removed + PEX installed</u>			
5	Does the roof leak or has it leaked in the past?	X		
	If "Yes," explain: <u>Minor leak in 207, repaired Summer of 2022</u>			
6	Has there been any damage from condensation or ice buildup?		X	
	If "Yes," explain:			
7	Is there any dry rot in the structure?		X	
	If "Yes," explain:			
8	Has the siding been damaged?		X	
	If "Yes," explain:			
9	Has the flooring or floors been damaged?	X		
	If "Yes," explain: <u>Repair to floor around back door.</u>			
10	Has there been damage to windows?	X		
	If "Yes," explain: <u>Broken Kitchen window pane</u>			

Initials of seller DUP ERM

Initials of buyer \_\_\_\_\_

11	Has there been damage to doors?		X	
	If "Yes," explain:			
12	Are the rain gutters and downspouts functional?		X	
	If "No," explain: N/A			

A. Structure, continued		UNK=unknown		
		YES	NO	UNK
13	Has there been damage to the roof or shingles?	X		
	If "Yes," explain: Wind damage to roof, shingles repaired			
14	Have you been paid for damage claims by insurance coverage?		X	
	If "Yes," explain:			
15	Has there been any water damage to the structure?		X	
	If "Yes," explain:			
16	Are there cracks in the floor or walls of the basement?		X	
	If "Yes," explain:			
17	Is a drain or sump pump installed and working properly?		X	
	If "No," explain: N/A			
18	Are there cracks in the driveway, garage floor, sidewalks, patio, or other outside hard surface areas?		X	
	If "Yes," explain:			
19	Are there additional property conditions that have not been described above (for example, uneven floors, material cracks or settling, shifting, deterioration, or other problems with the foundation, floors, or walls)?		X	
	If "Yes," explain:			
20	Has there been any other damage to the interior or exterior of the structure from any cause?		X	
	If "Yes," explain:			

Initials of seller DMM EPM

Initials of buyer \_\_\_\_\_

UNK=unknown

B. Water and Sewer		YES	NO	UNK
1	What is the source of household water? Circle one: <u>city</u> well rural			
2	What is the type of sewer system? Circle one: <u>city</u> septic tank with drain field			
3	Is the sewer system in working order?	X		
	If "No," explain:			

UNK=unknown

B. Water and Sewer, continued		YES	NO	UNK
4	Have you had problems such as back up, leakage, or other problems with sewer or septic systems?		X	
	If "Yes," explain:			
5	Have there been any plumbing leaks?		X	
	If "Yes," explain:			
6	Are the toilets functioning properly?	X		
	If "No," explain:			
7	Have you had clogged drains?		X	
	If "Yes," explain:			
8	Is there a water well/s on the property?		X	
9	Are there any shut off, disconnected, or abandoned wells, underground water, or sewer tanks on the property?		X	

UNK=unknown

C. Electrical and Mechanical		YES	NO	UNK
1	Are there any electrical outlets, switches, utilities not in proper working order?		X	
	If "Yes," explain:			
2	Have you had any problems with the electrical system?	X		
	If "Yes," explain: <i>New Panel, all new Breaker fuses, New Outside Connect add 2023.</i>			
3	Have you had any problem with the heating system?		X	
	If "Yes," explain:			
4	Have you had any problem with the water heater?		X	
	If "Yes," explain:			

Initials of seller DWM ERM

Initials of buyer \_\_\_\_\_

5	Have you had any problem with the air conditioning?		X	
	If "Yes," explain:			
6	Have you had any problem with the fireplace? (Mark NA in "NO" if the property does not include a fireplace.)		N/A	
	If "Yes," explain:			

UNK=unknown

D. Environmental Conditions		YES	NO	UNK
1	Are there underground storage tanks?		X	
2	Are there asbestos-containing materials in the property?		X	
	If "Yes," explain:			
3	Are there any lead hazards (such as lead paint, lead pipes, lead in soil)?		X	
	If "Yes," attach all available records and reports about lead-based hazards.			
4	Has the property been tested for radon?		X	
	If "Yes," when and what were the results?			
5	Are there or have there been any rodent, animal, or insect infestations?		X	
	If "Yes," explain:			
6	Are there or have there been pets on the property?		X	
	If "Yes," explain:			
7	Are there drainage or flood issues?		X	
	If "Yes," explain:			
8	Has there been flooding on the property?		X	
	If "Yes," explain:			
9	Is the property in a flood zone?		X	
	If "Yes," explain:			
10	Are you aware of any manufacture, storage, or use of methamphetamines on the property?			X
	If "Yes," explain:			

Initials of seller DMM & ERM

Initials of buyer \_\_\_\_\_

11	Is there visible evidence, or are you aware of mold growth in basement, closets, bathrooms, or any other areas of the property?		X	
	If "Yes," explain:			

E. Land Use		YES	NO	UNK
1	Is the property subject to any deed restrictions, covenants, or reservations?		X	
	If "Yes," explain:			
2	Is the property subject to any easements, shared driveways, party walls, or encroachments from or on adjacent property?		X	
	If "Yes," explain:			
3	Are there any existing leases?		X	
	If "Yes," explain:			
4	Is there a homeowners' association that has authority over the property?		X	
	If "Yes," explain:			

This form continues on the next 2 pages.

Initials of seller DWM EEM

Initials of buyer \_\_\_\_\_

## F. Systems and Appliances

Mark "Yes" if listed item is in working order, "No" if it does not work, and "NA" if not applicable. \*Use the space at the end of the list to provide explanations for any items that do not work, and to provide any other comments.

		In working order:					In working order:		
		YES	NO*	NA			YES	NO*	NA
1	Air conditioner	X			26	Landscape lighting		X	
2	Air exchanger	X			27	Lawn sprinkler system		X	
3	Attic fan	X			28	Microwave oven		X	
4	Bathroom vent fans	X			29	Oven	X		
5	Built-in vacuum system		X		30	Plumbing systems	X		
6	Carbon monoxide detectors	X			31	Plumbing fixtures & mechanisms	X		
7	Ceiling fans	X			32	Pool		X	
8	Clothes washer		X		33	Range		X	
9	Clothes dryer		X		34	Range exhaust hood		X	
10	Central heating system	X			35	Refrigerator	X		
11	Dehumidifier		X		36	Satellite dish		X	
12	Dishwasher		X		37	Sauna		X	
13	Doorbell		X		38	Security system		X	
14	Drain tile system		X		39	Septic tank		X	
15	Electrical systems	X			40	Smoke detectors	X		
16	Fireplace		X		41	Steam room/shower		X	
17	Freezer		X		42	Sump pump		X	
18	Gas grill		X		43	Television cable	X		
19	Garbage disposal		X		44	Trash compactor		X	
20	Garage door opener		X		45	Washer & dryer hookups	X		
21	Heating stove		X		46	Water heater	X		
22	Hot tub		X		47	Water treatment systems		X	
23	Humidifier		X		48	Window air conditioners	X		
24	Internet cable	X			49	Window treatments		X	
25	In-wall speakers		X		50	Other			

\*Use the space below to explain or comment on items on the list directly above. Identify listed items by number as well as by item name.

Initials of seller DWM BEM Initials of buyer \_\_\_\_\_



## ADDITIONAL DISCLOSURES:


This space is provided for any additional disclosures not included above and for further explanation. Attach additional pages and documents as necessary.

As the seller you are required to disclose all material facts of which you are aware that could adversely and significantly affect an ordinary buyer's use and enjoyment of the property or any intended use of the property you are aware.

This written disclosure must include latent defects, general condition, environmental issues, structural systems, and mechanical issues regarding the property. ***You must make the written disclosure in good faith and based upon the best of your knowledge at the time of the disclosure.***

## ACKNOWLEDGEMENTS:

The Seller acknowledges that this disclosure was made in good faith and based upon the best of the Seller's knowledge at the date listed below.

Seller:		Date:	8/16/2024
Seller:	Elizabeth Mayers	Date:	8/16/2024

The Buyer/Prospective Buyer acknowledges receipt of this Property Condition Statement. The Buyer acknowledges that Buyer has been advised to verify the information listed in this statement independently. THE BUYER ACKNOWLEDGES AND UNDERSTANDS THAT THIS DOCUMENT IS NOT INTENDED TO BE A WARRANTY OF ANY KIND OR A SUBSTITUTE FOR ANY INSPECTION OF THE PROPERTY THE BUYER MAY WISH TO OBTAIN.

Buyer:		Date:	
Buyer:		Date:	

*Brokerage firm/s that represent/s or assist/s a party/parties to the transaction shall retain a copy of the written disclosure completed and signed by the seller and signed by the prospective buyer.*

Initials of seller Dan Egan

Initials of buyer \_\_\_\_\_