



## 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:	10/17/2024
Name/s of seller/s:	WLE, LLP Managing Partners Neil Emmi Janet Privatsky

 Initials of seller WLE, LLP

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

Address of property being sold:	<u>5109 117th Ave. S.W.</u> <u>New England, ND 58647</u>	
How long have you owned the property? State in number of years and months.	<u>66</u> # of years	# of months
How long have you occupied the property? Provide dates of occupancy.	<u>Ø renting since 4/15, WLE took ownership 2/14</u>	

A. Structure		YES	NO	UNK
1	What is the age of the structure? <u>66</u> # of years <u>Ø</u> # 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.			
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>Nail '17, roof replaced in '18</u>			
5	Does the roof leak or has it leaked in the past?		X	
	If "Yes," explain:			
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	<del>X</del>	
	If "Yes," explain: <u>Living room picture window trim</u>			
8	Has the siding been damaged?	X		
	If "Yes," explain: <u>Nail '17</u>			
9	Has the flooring or floors been damaged?		X	
	If "Yes," explain:			
10	Has there been damage to windows?	X		
	If "Yes," explain: <u>Replaced maybe in '10</u>			

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11	Has there been damage to doors?	<input checked="" type="checkbox"/>		
	If "Yes," explain: Front storm door caught in wind, some interior doors have holes/patches			
12	Are the rain gutters and downspouts functional?	<input checked="" type="checkbox"/>		
	If "No," explain:			

A. Structure, continued		YES	NO	UNK
13	Has there been damage to the roof or shingles?	<input checked="" type="checkbox"/>		
	If "Yes," explain: Roof replaced in '18			
14	Have you been paid for damage claims by insurance coverage?	<input checked="" type="checkbox"/>		
	If "Yes," explain: Nail storm in '17			
15	Has there been any water damage to the structure?	<input checked="" type="checkbox"/>		
	If "Yes," explain: Ceiling above living room door in '17			
16	Are there cracks in the floor or walls of the basement?	<input checked="" type="checkbox"/>		
	If "Yes," explain: Minor floor cracks			
17	Is a drain or sump pump installed and working properly?	<input checked="" type="checkbox"/>		
	If "No," explain: Drain, no sump pump			
18	Are there cracks in the driveway, garage floor, sidewalks, patio, or other outside hard surface areas?	<input checked="" type="checkbox"/>		
	If "Yes," explain: Living room steps, have been sealed			
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 <u>foundation</u> , floors, or walls)?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	If "Yes," explain: SW wall in bathroom had blocks cracked, fixed around '10			
20	Has there been any other damage to the interior or exterior of the structure from any cause?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			

Initials of seller WELP

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UNK=unknown

B. Water and Sewer		YES	NO	UNK
1	What is the source of household water? Circle one: <u>city</u> well rural <u>SW water</u>			
2	What is the type of sewer system? Circle one: city <u>septic tank with drain field</u>			
3	Is the sewer system in working order?	<input checked="" type="checkbox"/>		
	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?	<input checked="" type="checkbox"/>		
	If "Yes," explain: <u>Pumped out septic tank 4/24, due to clog in main sewer line</u>			
5	Have there been any plumbing leaks?	<input checked="" type="checkbox"/>		
	If "Yes," explain: <u>Mudroom behind washing machine, repaired</u>			
6	Are the toilets functioning properly?	<input checked="" type="checkbox"/>		
	If "No," explain:			
7	Have you had clogged drains?	<input checked="" type="checkbox"/>		
	If "Yes," explain: <u>Main line in basement, snaked out, concrete removed &amp; repaired to remove old snake tip.</u>			
8	Is there a water well/s on the property? <u>2 - unused</u>	<input checked="" type="checkbox"/>		
9	Are there any shut off, disconnected, or abandoned wells, underground water, or sewer tanks on the property?	<input checked="" type="checkbox"/>		

UNK=unknown

C. Electrical and Mechanical		YES	NO	UNK
1	Are there any electrical outlets, switches, utilities not in proper working order?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
2	Have you had any problems with the electrical system?		<input checked="" type="checkbox"/>	
	If "Yes," explain: <u>Magnum Electric checked panel 11/16, did not recommend to change out.</u>			
3	Have you had any problem with the heating system?	<input checked="" type="checkbox"/>		
	If "Yes," explain: <u>Pressure switch 1/24, clogged vent 10/23, combustion blower 1/23</u>			
4	Have you had any problem with the water heater?	<input checked="" type="checkbox"/>		
	If "Yes," explain: <u>Replaced 11/15</u>			

Initials of seller WE, UP

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

5	Have you had any problem with the air conditioning?	X		
	If "Yes," explain: <i>Serviced 8/16, Capacitor and fuses replaced.</i>			
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:			

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: <i>Based on age, assumed asbestos in insulation &amp; under laminate flooring</i>			
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. <i>Based on age, assumed paint which has been painted over &amp; pipes</i>			
4	Has the property been tested for radon?	X		
	If "Yes," when and what were the results? <i>'15 negative test</i>			
5	Are there or have there been any rodent, animal, or insect infestations?	X		
	If "Yes," explain: <i>Mice, found &amp; sealed hole by living room door, renter installed satellite tv cable</i>			
6	Are there or have there been pets on the property?	X		
	If "Yes," explain: <i>Dogs &amp; cats, mostly outdoors. Living room carpet replaced in '18 &amp; the rest in '21.</i>			
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:			

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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: Basement bath w wall, cabinets removed & mitigated, due to foundation crack.			

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: Expires 5/14/2025 @ noon			
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 WLE, UP

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

*28. Microwave is repairs*

Initials of seller WLE, LP

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



### ADDITIONAL DISCLOSURES:

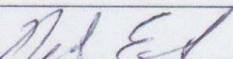
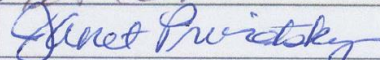
This space is provided for any additional disclosures not included above and for further explanation. Attach additional pages and documents as necessary.

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:	10/17/2024
Seller:		Date:	10/17/2024

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



Initials of buyer