



# SELLER DISCLOSURE OF PROPERTY CONDITION (BASIC)

(To be delivered prior to buyer making Offer to Buy Real Estate)



Property Address: 1701 West Avenue, Burlington, IA 52601

Property Owner (Seller – please print per title): Esther E. Abrisz Estate

**Purpose of Disclosure:** Completion of this form is required under Iowa law which mandates Seller disclose condition and information about the property, unless the property is exempt.

**Instructions to the Seller:** (1) Complete this form yourself. (2) Report known conditions materially affecting the property and utilize ordinary care in obtaining the information. (3) Provide information in good faith and make a reasonable effort to ascertain the required information. (4) Additional pages or reports may be attached. (5) If some items do not apply to your property, write "NA" (not applicable). (6) All approximations must be identified "AP". If you do not know the facts, write or check UNKNOWN. (7) Keep a copy of this statement.

**Exempt Properties:** Properties exempted from the Seller's disclosure requirement include (IA Code 558A): Bare ground; property containing 5 or more dwellings units; court ordered transfers; transfers by a power of attorney; foreclosures; lenders selling foreclosed properties; transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust. This exemption shall not apply to a transfer of real estate in which the fiduciary is a living natural person and was an occupant in possession of the real estate at any time within the twelve consecutive months immediately preceding the date of transfer; between joint tenants, or tenants in common; to or from any governmental division; quit claim deeds; intra family transfers; between divorcing spouses; commercial or agricultural property which has no dwellings. Seller(s) certifies that the property is exempt from the requirement(s) of Iowa Code 558A because one of the above exemptions apply.

☒ Property is exempt because one or more of the above exemptions apply. (If exempt -**STOP HERE** – skip to signature line)

**Seller's Disclosure Statement:** Seller discloses the following information regarding the property and certifies this information is true and accurate to the best of my/our knowledge as of the date signed. Seller authorizes Agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. This statement shall not be a warranty of any kind by Seller or Seller's Agent and shall not be intended as a substitute for any inspection or warranty the purchaser may wish to obtain. The following are representations made by Seller and are not the representations of Agent. **The Agent has no independent knowledge of the condition of the property except that which is written on this form. Seller advises Buyer to obtain independent inspections relevant to Buyer.**

## I. Property Conditions, Improvements and Additional Information:

1. **Basement/Foundation:** Has there been known water or other problems? Yes ☐ No ☐ Unknown ☐ If yes, please explain: \_\_\_\_\_
2. **Roof:** Any known problems? Yes ☐ No ☐ Unknown ☐ Type \_\_\_\_\_ Unknown ☐  
Date of repairs/replacement \_\_\_\_\_ Unknown ☐ Describe: \_\_\_\_\_
3. **Well and pump:** Any known problems? Yes ☐ No ☐ Unknown ☐ Type of well (depth/diameter), age and date of repair: \_\_\_\_\_ Has the water been tested? Yes ☐ No ☐  
Unknown ☐ If yes, date of last report/results: \_\_\_\_\_
4. **Septic tanks/drain fields:** Any known problems? Yes ☐ no ☐ Unknown ☐ / Location of tank \_\_\_\_\_  
Unknown ☐ Age \_\_\_\_\_ Unknown ☐ / Date tank last inspected \_\_\_\_\_ Unknown ☐
5. **Sewer:** Any known problems? Yes ☐ No ☐ Any known repairs/replacement? Yes ☐ No ☐ Date of repairs \_\_\_\_\_
6. **Heating system(s):** Any known problems? Yes ☐ No ☐ Any known repairs/replacement? Yes ☐ No ☐ Date of repairs \_\_\_\_\_
7. **Central Cooling system(s):** Any known problems? Yes ☐ No ☐ Any known repairs/replacement? Yes ☐ No ☐  
Date of repairs \_\_\_\_\_
8. **Plumbing system(s):** Any known problems? Yes ☐ No ☐ Any known repairs/replacement? Yes ☐ No ☐ Date of repairs \_\_\_\_\_
9. **Electrical system(s):** Any known problems? Yes ☐ No ☐ Any known repairs/replacement? Yes ☐ No ☐ Date of repairs \_\_\_\_\_

Buyer initials \_\_\_\_\_ Seller initials \_\_\_\_\_



- 10. Pest Infestation:** (wood-destroying insects, bats, snakes, rodents, destructive/troublesome animals, etc.) Any known problems? Yes ☐ No ☐ Unknown ☐ Date of treatment \_\_\_\_\_ Previous Infestation/Structural Damage? Yes ☐ No ☐ Date of repairs \_\_\_\_\_
- 11. Asbestos:** Is asbestos present in any form in the property? Yes ☐ No ☐ Unknown ☐ If yes, explain: \_\_\_\_\_
- 12. Radon:** Any known tests for the presence of radon gas? Yes ☐ No ☐ If yes, who tested? \_\_\_\_\_ Test results? \_\_\_\_\_ Date of last report \_\_\_\_\_ Seller Agrees to release any testing results. **If not, Check here** ☐
- 13. Lead Based Paint:** Known to be present or has the property been tested for the presence of lead based paint? Yes ☐ No ☐ Unknown ☐ If yes, what were the test results? \_\_\_\_\_
- 14. Any known encroachments, easements, "common areas"** (facilities like pools, tennis courts, walkways or other areas co-owned with others), zoning matters, nonconforming uses, or a Homeowners Association which has any authority over the property? Yes ☐ No ☐ Unknown ☐
- 15. Features** of the property known to be shared in common with adjoining landowners, such as walls, fences, roads and driveways whose use or maintenance responsibility may have an effect on the property? Yes ☐ No ☐ Unknown ☐
- 16. Structural Damage:** Any known structural damage? Yes ☐ No ☐ Unknown ☐
- 17. Physical Problems:** Any known settling, flooding, drainage or grading problems? Yes ☐ No ☐ Unknown ☐
- 18. Is the property located in a flood plain?** Yes ☐ No ☐ Unknown ☐ If yes, flood plain designation \_\_\_\_\_
- 19. Do you know the zoning classification of this property?** Yes ☐ No ☐ Unknown ☐ What is the zoning? \_\_\_\_\_
- 20. Covenants:** Is the property subject to restrictive covenants? Yes ☐ No ☐ Unknown ☐ If yes attach a copy **OR** state where a true, current copy of the covenants can be obtained: \_\_\_\_\_
- 21. Has there been "major" structural remodeling?** ☐ Yes ☐ No ☐ If yes, please explain: \_\_\_\_\_
- You MUST explain any "Yes" responses above (Attach additional sheets if Necessary):**
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Seller has owned the property since \_\_\_\_\_ (date). Seller has indicated above the history and condition of all the items based solely on the information known or reasonably available to the Seller(s). If any changes occur in the structural/mechanical/appliance systems of this property from the date of this form to the date of closing, Seller will immediately disclose the changes to Buyer. In no event shall the parties hold Broker liable for any representations not directly made by Broker or Broker's affiliated licensees (brokers and salespersons). **Seller hereby acknowledges Seller has retained a copy of this statement.**

**Seller acknowledges requirement that Buyer be provided with the "Iowa Radon Home-Buyers and Sellers Fact Sheet", prepared by the Iowa Department of Public Health.**

Seller Cynthia L. McCroskey Seller Executors Date 1/22/22

**Buyer hereby acknowledges receipt of a copy of this statement. This statement is not intended to be a warranty or to substitute for any inspection the buyer(s) may wish to obtain.**

**Buyer acknowledges receipt of the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Public Health.**

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



**DISCLOSURE OF INFORMATION AND ACKNOWLEDGMENT:  
LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS**

Address: 1701 West Ave, Burlington, IA 52601

**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.

**SELLER'S DISCLOSURE (initial)**

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

☐ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

CME ☒ 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 below):

☐ 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 ACKNOWLEDGEMENT (initial)**

\_\_\_\_ (c) ☐ Purchaser has received copies of all information listed above.  
or, ☐ No Records or Reports were available (see (b) above).

\_\_\_\_ (d) Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home, Lead Poisoning: How to Protect Iowa Families*.

\_\_\_\_ (e) Purchaser has (check one below):

- ☐ 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 ACKNOWLEDGEMENT (initial)**

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

**CERTIFICATE OF ACCURACY**

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

<u>Cynthia S. McCrory, Executor</u>	<u>1/22/22</u>		
Seller	Date	Purchaser	Date
____	____	____	____
Seller	Date	Purchaser	Date
<u>Corey D.F.</u>	<u>1/22/2022</u>		
Seller's Agent	Date	Purchaser's Agent	Date