



**RESIDENTIAL
SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS)
(TO BE COMPLETED BY SELLER)**



THE PRINTED PORTION OF THIS FORM HAS BEEN APPROVED BY THE ARIZONA ASSOCIATION OF REALTORS®. THIS IS NOT INTENDED TO BE A BINDING CONTRACT.

MESSAGE TO THE SELLER:

Sellers are obligated by law to disclose all known material (important) facts about the Property to the Buyer. The SPDS is designed to assist you in making these disclosures. If you know something important about the Property that is not addressed on the SPDS, add that information to the form. Prospective Buyers may rely on the information you provide.

INSTRUCTIONS: (1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a question, use the explanation lines to explain. By signing below you acknowledge that the failure to disclose known material information about the Property may result in liability.

MESSAGE TO THE BUYER:

Although Sellers are obligated to disclose all known material (important) facts about the Property, there are likely facts about the Property that the Sellers do not know. Therefore, it is important that you take an active role in obtaining information about the Property.

INSTRUCTIONS: (1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the SPDS. (5) Review all other applicable documents, such as CC&R's, association bylaws, rules, and the title report or commitment. (6) Obtain professional inspections of the Property. (7) Investigate the surrounding area.

THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT VERIFIED BY THE BROKER(S) OR AGENT(S).

OWNERSHIP AND PROPERTY

1. As used herein, "Property" shall mean the real property and all fixtures and improvements thereon and appurtenances incidental thereto, plus fixtures and personal property described in the Contract.

3. **PROPERTY ADDRESS:** _____
(STREET ADDRESS) (CITY) (STATE) (ZIP)

4. Is the Property located in an unincorporated area of the county? Yes No If yes, and five or fewer parcels of land other than subdivided land are being transferred, the Seller must furnish the Buyer with a written Affidavit of Disclosure in the form required bylaw.

6. **LEGAL OWNER(S) OF PROPERTY:** _____ Date Purchased: _____

7. Is the legal owner(s) of the Property a foreign person or a non-resident alien pursuant to the Foreign Investment in Real Property

8. Tax Act (FIRPTA)? Yes No If yes, consult a tax advisor; mandatory withholding may apply.

9. Is the property located in a community defined by the fair housing laws as housing for older persons? Yes No

10. Explain: _____

11. Approximate year built: ____ If Property was built prior to 1978, Seller must furnish the Buyer with a lead-based paint disclosure form.

12. The Property is currently: Owner-occupied Leased Estate Foreclosure Vacant If vacant, how long? _____

13. If a rental property, how long? _____ Expiration date of current lease: _____ (Attach a copy of the lease if available.)

14. If any refundable deposits or prepaid rents are being held, by whom and how much? Explain: _____

15. _____

YES NO

16. Have you entered into any agreement to transfer your interest in the Property in any way, including rental renewals or options to purchase? Explain: _____

18. Are you aware if there are any association(s) governing this Property?

19. If yes, provide contact(s) information: Name: _____ Phone #: _____

20. If yes, are there any fees? How much? \$ _____ How often? _____

21. Are you aware of any proposed or existing association assessment(s)? Explain: _____

22. _____

23. Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)?

24. Explain: _____

25. Are you aware of any of the following recorded against the Property? (Check all that apply):

26. Judgment liens Tax liens Other non-consensual liens

27. Explain: _____

- YES NO
28. Are you aware of any assessments affecting this Property? (Check all that apply):
 29. Paving Sewer Water Electric Other _____
 30. Explain: _____
31. Are you aware of any title issues affecting this Property? (Check all that apply):
 32. Recorded easements Use restrictions Lot line disputes Encroachments
 33. Unrecorded easements Use permits Other _____
 34. Explain: _____
35. Are you aware of any public or private use paths or roadways on or across this Property?
 36. Explain: _____
37. Are you aware of any problems with legal or physical access to the Property? Explain: _____
38. The road/street access to the Property is maintained by the County City Homeowners' Association Privately
39. If privately maintained, is there a recorded road maintenance agreement? Explain: _____
40. Are you aware of any violation(s) of any of the following? (Check all that apply):
 41. Zoning Building Codes Utility Service Sanitary health regulations
 42. Covenants, Conditions, Restrictions (CC&R's) Other _____ (Attach a copy of notice(s) of violation if available.)
 43. Explain: _____
 44. _____

BUILDING AND SAFETY INFORMATION

- YES NO
45. **STRUCTURAL:**
46. Are you aware of any past or present roof leaks? Explain: _____
 47. _____
48. Are you aware of any other past or present roof problems? Explain: _____
 49. _____
50. Are you aware of any roof repairs? Explain: _____
 51. _____
52. Is there a roof warranty? (Attach a copy of warranty if available.)
 53. If yes, is the roof warranty transferable? Cost to transfer _____
54. **NOTICE TO BUYER: CONTACT A PROFESSIONAL TO VERIFY THE CONDITION OF THE ROOF.**
55. Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: _____
 56. _____
57. Are you aware of any cracks or settling involving the foundation, exterior walls or slab? Explain: _____
 58. _____
59. Are you aware of any chimney or fireplace problems, if applicable? Explain: _____
 60. _____
61. Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):
 62. Flood Fire Wind Expansive soil(s) Water Hail Other _____
 63. Explain: _____
64. **WOOD INFESTATION**
65. Are you aware of any of the following:
66. Past presence of termites or other wood destroying organisms on the Property?
 67. Current presence of termites or other wood destroying organisms on the Property?
 68. Past or present damage to the Property by termites or other wood destroying organisms?
 69. Explain: _____
 70. _____

- 71. YES NO
- 72.
- 73.
- 74. YES NO
- 75. YES NO
- 76.
- 77.

Are you aware of past or present treatment of the Property for termites or other wood destroying organisms?

If yes, date last treatment was performed: _____

Name of treatment provider: _____

Is there a treatment warranty? (Attach a copy of warranty if available.)

If yes, is the treatment warranty transferrable?

NOTICE TO BUYER: CONTACT STATE OF ARIZONA STRUCTURAL PEST CONTROL COMMISSION FOR PAST TERMITE REPORTS OR TREATMENT HISTORY.

HEATING & COOLING:

78. Heating: Type(s) _____

79. Cooling: Type(s) _____

80. Are you aware of any past or present problems with the heating or cooling system(s)?

81. YES NO Explain: _____

PLUMBING:

82. Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC or polybutylene?

83. If yes, identify: _____

84. Are you aware of any past or present plumbing problems? Explain: _____

85. _____

86. Are you aware of any water pressure problems? Explain: _____

87. _____

88. Type of water heater(s): Gas Electric Solar Approx. age(s): _____

89. Are you aware of any past or present water heater problems? Explain: _____

90. _____

91. Is there a landscape watering system? If yes, type: automatic timer manual both

92. If yes, are you aware of any past or present problems with the landscape watering system?

93. Explain: _____

94. Are there any water treatment systems? (Check all that apply):

95. water filtration reverse osmosis water softener Other _____

96. Is water treatment system(s) owned leased (Attach a copy of lease if available.)

97. Are you aware of any past or present problems with the water treatment system(s)?

98. Explain: _____

SWIMMING POOL/SPA/HOT TUB/SAUNA/WATER FEATURE:

99. Does the Property contain any of the following? (Check all that apply):

100. Swimming pool Spa Hot tub Sauna Water feature

101. If yes, are either of the following heated? Swimming pool Spa If yes, type of heat: _____

102. Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?

103. Explain: _____

ELECTRICAL AND OTHER RELATED SYSTEMS:

104. Are you aware of any past or present problems with the electrical system? Explain: _____

105. _____

106. Is there a security system? If yes, is it (Check all that apply):

107. Leased (Attach copy of lease if available) Owned Monitored Other _____

108. Are you aware of any past or present problems with the security system? Explain: _____

109. _____

110. Does the Property contain any of the following systems or detectors?(Check all that apply):

111. Smoke/fire detection Fire suppression (sprinklers) Carbon monoxide detector

112. If yes, are you aware of any past or present problems with the above systems? Explain: _____

113. _____

114. _____

115. _____

116. _____

YES NO

MISCELLANEOUS:

- 117.
- 118. Are you aware of or have you observed any of the following on the Property? (Check all that apply):
- 119. Scorpions Rabid animals Bee swarms Rodents Owls Reptiles Other _____
- 120. Explain: _____
- 121. How often is the Property serviced or treated for pests, reptiles, insects or animals? _____
- 122. Name of service provider: _____ Date of last service: _____
- 123. Are you aware of any work done on the Property, such as building, plumbing, electrical or other improvements?
- 124. (If no, skip to line 133.)
- 125. Explain: _____
- 126. Are you aware of any rooms added to the Property or converted to bedrooms?
- 127. Were permits for the work required? Explain: _____
- 128. If yes, were permits for the work obtained? Explain: _____
- 129. Was the work performed by a person licensed to perform the work? Explain: _____
- 130. Was approval for the work required by any association governing the property? Explain: _____
- 131. If yes, was approval granted by the association? Explain: _____
- 132. Was the work completed? Explain: _____
- 133. Are there any security bars or other obstructions to door or window openings? Explain: _____
- 134. Are you aware of any past or present problems with any built-in appliances? Explain: _____
- 135. _____
- 136. Are there any leased propane tanks, equipment or other systems on the Property? Explain: _____
- 137. _____

UTILITIES

DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES?

YES NO

PROVIDER

- 138. Electricity: _____
- 139. Fuel: Natural gas Propane Oil _____
- 140. Cable: _____
- 141. Telephone: _____
- 142. Garbage Collection: _____
- 143. Fire: _____
- 144. Irrigation: _____
- 145. Water Source: Public Private water co. Private well Shared well Hauled water
- 146. If source is public, a private water company, or hauled water, Provider is: _____
- 147. Are you aware of any past or present drinking water problems? Explain: _____
- 148. _____
- 149. Are there any alternate power systems serving the Property? If yes, indicate type (Check all that apply):
- 150. Solar Wind Generator Other _____
- 151. If yes, are you aware of any past or present problems with the alternate power system(s)? Explain: _____
- 152. _____

ENVIRONMENTAL INFORMATION

YES NO

- 153. Are you aware of any past or present issues or problems with any of the following on the Property?
- 154. (Check all that apply):
- 155. Soil settlement/expansion Drainage/grade Erosion Dampness/moisture Other
- 156. Explain: _____

- YES NO
157. Are you aware of any past or present issues or problems in close proximity to the Property related to any of the following? (Check all that apply):
 Soil settlement/expansion Drainage/grade Erosion Other _____
 Explain: _____
161. Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):
 Airport noise Traffic noise Rail line noise Neighborhood noise Landfill Toxic waste disposal
 Odors Nuisances Sand/gravel operations Other _____
 Explain: _____
165. Are you aware if the Property is located in the vicinity of an airport (military, public, or private)?
 Explain: _____
167. Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):
 Asbestos Radon gas Lead-based paint Pesticides Underground storage tanks Fuel/chemical storage
 Explain: _____
170. Are you aware if the Property is located within any of the following? (Check all that apply):
 Superfund/ WQARF/ CERCLA Wetlands area
172. Are you aware of any open mine shafts/tunnels or abandoned wells on the Property?
 If yes, describe location: _____
174. Are you aware if any portion of the Property is in a flood plain/way? Explain: _____
176. Are you aware of any portion of the Property ever having been flooded? Explain: _____
178. Are you aware of any water damage or water leaks of any kind on the Property? Explain: _____
180. Are you aware of any past or present mold growth on the Property? If yes, explain: _____

SEWER/WASTEWATER TREATMENT

- YES NO
182. Is the entire Property connected to a sewer? Explain: _____
183. If yes, has a professional verified the sewer connection? If yes, how and when: _____
184. **NOTICE TO BUYER: CONTACT A PROFESSIONAL TO CONDUCT A SEWER VERIFICATION TEST.**
185. Type of sewer: Public Private Planned and approved sewer system, but not connected
186. Name of Provider _____
187. Are you aware of any past or present problems with the sewer? Explain: _____
188. Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 202.)
189. If yes, the Facility is: Conventional septic system Alternative system; type: _____
190. If the Facility is an alternative system, is it currently being serviced under a maintenance contract?
 If yes, name of contractor: _____ Phone #: _____
192. Approximate year Facility installed: _____ (Attach copy of permit if available.)
193. Are you aware of any repairs or alterations made to this Facility since original installation?
 Explain: _____
195. _____
196. Approximate date of last Facility inspection and/or pumping of septic tank: _____
197. Are you aware of any past or present problems with the Facility? Explain: _____
199. **NOTICE TO SELLER AND BUYER: THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
 REQUIRES A PRE-TRANSFER INSPECTION OF ON-SITE WASTEWATER TREATMENT FACILITIES ON
 RE-SALE PROPERTIES.**

@AARForm SPDS 12/01

Initials: _____ / _____
 BUYER BUYER

OTHER CONDITIONS AND FACTORS

- 202. What other material (important) information are you aware of concerning the Property that might affect the buyer's decision-making process, the value of the Property, or its use? Explain: _____
- 203. _____
- 204. _____
- 205. _____
- 206. _____
- 207. _____
- 208. _____
- 209. _____
- 210. _____

ADDITIONAL EXPLANATIONS

- 211. _____
- 212. _____
- 213. _____
- 214. _____
- 215. _____
- 216. _____
- 217. _____
- 218. _____
- 219. _____
- 220. _____
- 221. _____
- 222. _____
- 223. _____
- 224. _____
- 225. _____
- 226. _____

227. **SELLER CERTIFICATION:** Seller certifies that the information contained herein is true and complete to the best of Seller's knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by Seller to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections.

230. _____ MO/DAYR SELLER _____ MO/DAYR SELLER

231. **Reviewed and updated:** Initials: _____ / _____ MO/DAYR SELLER SELLER MO/DAYR

232. **BUYER'S ACKNOWLEDGEMENT:** Buyer acknowledges that the information contained herein is based only on the Seller's actual knowledge and is not a warranty of any kind. Buyer acknowledges Buyer's obligation to investigate any material (important) facts in regard to the Property. Buyer is encouraged to obtain Property inspections by professional independent third parties and to consider obtaining a home warranty protection plan.

236. **NOTICE:** Buyer acknowledges that by law, Sellers, Lessors and Brokers are not obligated to disclose that the Property is or has been:
 237. (1) the site of a natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed
 238. to HIV, diagnosed as having AIDS or any other disease not known to be transmitted through common occupancy of real estate; or (3)
 239. located in the vicinity of a sex offender.

240. By signing below, Buyer acknowledges receipt only of this SPDS. If Buyer reasonably disapproves of any items provided
 241. herein, Buyer shall deliver to Seller written notice of the items disapproved as provided in the Contract.

242. _____ MO/DAYR BUYER _____ MO/DAYR BUYER