

Seller's Property Disclosure - Condominium

Notice to Licensee and Seller: Only the Seller should fill out this form.

Notice to Seller: Florida law1 requires a seller of a home to disclose to the buyer all known facts that materially affect the value of the property being sold and that are not readily observable or known by the buyer.

Notice to Buyer: The following representations are made by Seller and not by any real estate licensee. This disclosure is not a guaranty or warranty of any kind. It is not a substitute for any inspections, warranties, or professional advice you may wish to obtain.

Florida law2 entitles a prospective buyer, who has entered into a contract for the purchase of a condominium unit with a seller who is not a developer, at Seller's expense, to a current copy of the declaration of condominium, articles of incorporation of the association, bylaws and rules of the association, the most recent annual financial statement and annual budget and the "Frequently Asked Questions and Answers" document, if buyer requests these in writing.

Except for information provided in paragraph 6, 7, 8 and 9, the following information is only about the individual Unit specified below and not about any limited common element, any common element or the condominium association ("Association").

Seller makes the following disclosure regarding the property described as: _____

_____ (the "Unit").

The Unit is [X] owner occupied [] tenant occupied [] unoccupied (if unoccupied, how long has it been since Seller occupied the unit?) _____

1. Structures; Systems; Appliances

Table with 4 columns: Question, Yes, No, Don't Know. Contains questions (a) through (h) regarding roof, structural soundness, heating/cooling systems, and appliances.

If yes, which ones: _____

(i) If the answer to questions 1(b), 1(c), 1(f), 1(g) is no, or if 1(d) is yes, please

1 Johnson v. Davis, 480 So.2d 625 (Fla. 1985). 2 Section 718.503(2), Florida Statutes.

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explain: _____

	Yes	No	Don't Know
2. Termites; Other Wood Destroying Organisms; Pests			
(a) Are termites; other wood-destroying organisms, including fungi; or pests present in the Unit or has the Unit had any structural damage by them?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Has the Unit been treated for termites; other wood-destroying organisms, including fungi; or pests?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) If any answer to questions 2(a)-2(b) is yes, please explain: _____			
3. Water Intrusion; Plumbing; Flood Insurance			
(a) Has past or present water intrusion or flooding affected the Unit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Are polybutylene pipes present in the Unit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Have past or present plumbing leaks or backups affected the Unit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Have there been any leaks or water intrusion from units above or adjacent to your Unit or leaks or water intrusion from your Unit to units below or adjacent to it?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Does your lender require flood insurance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) If any answer to questions 3(a)-3(d) is yes, please explain: _____			
4. Fire Protection; Improvements; Alterations			
(a) Does the Unit have sprinklers for fire protection? If no, has the Association voted to forego retrofitting each unit with a fire sprinkler system?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Have any improvements or alterations to the Unit, whether by you or by others, been made without obtaining required Association approval?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Have any improvements or alterations to the Unit, whether by you or by others, been made in violation of building codes or zoning restrictions or without necessary permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Are any improvements located below the base flood elevation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Have any improvements been constructed in violation of applicable local flood guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Are there any open permits on the Unit that have not been closed by a final inspection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) If any answer to questions 4(b)-4(f) is yes, please explain: _____			
5. Hazardous Substances			
(a) Was the Property built before 1978? If yes, please see Lead-Based Paint Disclosure.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Does anything exist in the Unit that may be considered a hazardous substance, including, but not limited to, lead-based paint; asbestos; mold; radon gas; urea formaldehyde; methamphetamine contamination; or defective drywall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Has there been any damage, clean up or repair to the Unit due to any of the substances or materials listed in subparagraph (b) above? If any answer to questions 5(b)-5(c) is yes, please explain: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Limited Common Elements			
(a) Are there any amenities outside the Unit, such as designated parking space(s), storage closet(s), boat slip(s), cabana(s), garage(s), carport(s), etc. that are for your exclusive use? If yes, please identify the amenity and whether a separate deed or other legal document grants the exclusive right to use: <u>1 MARKED GARAGE + 1 VALET SPACES</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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7. The Association

Yes **No** **Don't Know**

- (a) Is there any proposed change to the Association's governing documents? Yes No Don't Know
- (b) Is there any proposed plan to materially alter the common elements? Yes No Don't Know
- (c) Is there any existing or threatened legal action by or against the Association? Yes No Don't Know
- (d) Has the Association ever been, or is it currently, involved in litigation or a claim over construction defects or defective building products? Yes No Don't Know
- (e) To your knowledge, is there any discussion of a conversion of the Condominium to something else? Yes No Don't Know
- (f) To your knowledge, is there any effort by an investor or investor group to purchase units in the complex? Yes No Don't Know
- (g) Has an increase in fees or assessments been approved but not yet implemented? Yes No Don't Know
- (h) Is any portion of the Association's property located in a special flood hazard area? Yes No Don't Know
- (i) Is any portion of the Association's property located seaward of the coastal construction control line? Yes No Don't Know
- (j) Does any past or present settling, soil movement, or sinkhole(s) affect any portion of the Association's property? Yes No Don't Know
- (k) Has there been any structural damage to any portion of the Association's property? Yes No Don't Know
- (l) Has any additional structural reinforcement been added to any portion of the Associations' property? Yes No Don't Know
- (m) Are there any rental restrictions by the Association? Yes No Don't Know
- (n) Are there any pet restrictions by the Association? Yes No Don't Know
- (o) If any answer to questions 7(a)-7(n) is yes, please explain: (M) RENTALS

FOR 30 DAYS OR MORE. (M) OWNER CAN HAVE UP TO 2 PETS, NONE FOR TENANTS.

8. Milestone Inspection & Structural Integrity Reserve Study (F.S. 553.899)

- (a) Has anything appeared in the Association Agendas and or the Minutes regarding Milestone Inspection & Structural Integrity Reserve Study for your complex? Yes No Don't Know
- (b) Has the Association budgeted for the cost of hiring an engineer to complete the Milestone Inspection & Structural Integrity Reserve Study? Yes No Don't Know
- (c) Has the Association hired an engineer to complete the Milestone Inspection & Structural Integrity Reserve Study yet? Yes No Don't Know
If yes, what is the expected completion date for them? _____
- (d) Has the Association passed or discussed raising fees or doing a Special Assessment to pay for costs associated with complying with the Milestone Inspection and/or Structural Integrity Reserve Study? Yes No Don't Know
If yes, explain _____

(Note: Further information may be disclosed by using the Milestone Inspection and Structural Integrity Reserve Study Disclosure)

9. Foreign Investment in Real Property Tax Act ("FIRPTA")

- (a) Is the Seller subject to FIRPTA withholding per Section 1445 of the Internal Revenue Code? Yes No Don't Know
If yes, Buyer and Seller should seek legal and tax advice regarding compliance.

10. (If checked) Other Matters; Additional Comments: The attached addendum contains additional information, explanations or comments.

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