

Seller's Disclosure & Lead Base Paint Form

As part of the sale of your home, it's important to take time to ensure you are providing the required Seller's Disclosures and Lead Base Paint Disclosure Form to the buyer of your home.

The Seller's Disclosure form attached is directly from the Michigan Legislature website: <http://legislature.mi.gov/doc.aspx?mcl-565-957>. You can check for the latest copy here and print it directly. We recommend that you contact a Real Estate Attorney, if you have questions about your legal responsibility when you fill out this form.

The Lead Base Paint Form is also required when you sell your home and is also attached at the end of this document.

You can find this form here on the Michigan government website here: https://www.michigan.gov/-/media/Project/Websites/leo/Documents/Land_Bank2/lead_base_paint_disclosure.pdf?rev=37a020b0b8034d88b784e923e9e06e2c.

You can provide the buyer the information to the EPA website so they can review the information on lead base paint and how to protect themselves in the case they are purchasing your home that may potentially have lead base paint here at this link: <https://www.epa.gov/lead/protect-your-family-lead-your-home-real-estate-disclosure>

SELLER DISCLOSURE ACT (EXCERPT)
Act 92 of 1993

565.957 Disclosure; form.

Sec. 7. (1) The disclosures required by this act shall be made on the following form: SELLER'S DISCLOSURE STATEMENT

Property Address: _____ Street
 _____ Michigan City, Village, or Township

Purpose of Statement: This statement is a disclosure of the condition of the property in compliance with the seller disclosure act. This statement is a disclosure of the condition and information concerning the property, known by the seller. Unless otherwise advised, the seller does not possess any expertise in construction, architecture, engineering, or any other specific area related to the construction or condition of the improvements on the property or the land. Also, unless otherwise advised, the seller has not conducted any inspection of generally inaccessible areas such as the foundation or roof. This statement is not a warranty of any kind by the seller or by any agent representing the seller in this transaction, and is not a substitute for any inspections or warranties the buyer may wish to obtain.

Seller's Disclosure: The seller discloses the following information with the knowledge that even though this is not a warranty, the seller specifically makes the following representations based on the seller's knowledge at the signing of this document. Upon receiving this statement from the seller, the seller's agent is required to provide a copy to the buyer or the agent of the buyer. The seller authorizes its agent(s) to provide a copy of this statement to any prospective buyer in connection with any actual or anticipated sale of property. The following are representations made solely by the seller and are not the representations of the seller's agent(s), if any. **THIS INFORMATION IS A DISCLOSURE ONLY AND IS NOT INTENDED TO BE A PART OF ANY CONTRACT BETWEEN BUYER AND SELLER.**

Instructions to the Seller: (1) Answer ALL questions. (2) Report known conditions affecting the property. (3) Attach additional pages with your signature if additional space is required. (4) Complete this form yourself. (5) If some items do not apply to your property, check NOT AVAILABLE. If you do not know the facts, check UNKNOWN. **FAILURE TO PROVIDE A PURCHASER WITH A SIGNED DISCLOSURE STATEMENT WILL ENABLE A PURCHASER TO TERMINATE AN OTHERWISE BINDING PURCHASE AGREEMENT.**

Appliances/Systems/Services: The items below are in working order (the items below are included in the sale of the property only if the purchase agreement so provides):

	Yes	No	Unknown	Not Available
Range/Oven	_____	_____	_____	_____
Dishwasher Refrigerator	_____	_____	_____	_____
Hood/	_____	_____	_____	_____
Disposal.	_____	_____	_____	_____
TV antenna, TV rotor & controls	_____	_____	_____	_____
Electrical system	_____	_____	_____	_____
Garage door opener & remote control	_____	_____	_____	_____
Alarm system	_____	_____	_____	_____
Intercom	_____	_____	_____	_____
Central vacuum	_____	_____	_____	_____
Attic fan	_____	_____	_____	_____
Pool heater, wall liner & equipment	_____	_____	_____	_____
Microwave	_____	_____	_____	_____
Trash compactor	_____	_____	_____	_____
Ceiling fan	_____	_____	_____	_____
Sauna/hot tub	_____	_____	_____	_____
Washer	_____	_____	_____	_____
Dryer	_____	_____	_____	_____
Lawn sprinkler system	_____	_____	_____	_____
Water heater	_____	_____	_____	_____
Plumbing system	_____	_____	_____	_____
Water softener/conditioner	_____	_____	_____	_____
Well & pump	_____	_____	_____	_____
Septic tank & drain field	_____	_____	_____	_____
Sump pump	_____	_____	_____	_____
City Water System	_____	_____	_____	_____
City Sewer System	_____	_____	_____	_____
Central air conditioning	_____	_____	_____	_____

Central heating system _____
 Wall furnace _____
 Humidifier _____
 Electronic air filter _____
 Solar heating system _____
 Fireplace & chimney _____
 Wood burning system _____
 Explanations (attach additional sheets if necessary): _____

UNLESS OTHERWISE AGREED, ALL HOUSEHOLD APPLIANCES ARE ORDER EXCEPT AS NOTED, WITHOUT WARRANTY BEYOND DATE OF CLOSING.

Property conditions, improvements & additional information:

1. Basement/crawl space: Has there been evidence of water? _____
 yes _____ no _____

If yes, please explain: _____

2. Insulation: Describe, if known _____
 Urea Formaldehyde Foam Insulation (UFFI) is installed? _____
 unknown _____ yes _____ no _____
 yes _____ no _____

3. Roof: Leaks? _____
 Approximate age if known _____

4. Well: Type of well (depth/diameter, age, and repair history, if known): _____
 Has the water been tested? _____
 yes _____ no _____

If yes, date of last report/results: _____
5. Septic tanks/drain fields: Condition, if known: _____

6. Heating System: Type/approximate age: _____

7. Plumbing system: Type: copper _____ galvanized _____ other _____
 Any known problems? _____

8. Electrical system: Any known problems? _____

9. History of infestation, if any: (termites, carpenter ants, etc.) _____

10. Environmental Problems: Are you aware of any substances, materials, or products that environmental hazard such as, but not limited to, asbestos, radon gas, formaldehyde, lead-based paint, fuel or chemical storage tanks and contaminated soil on the property. _____
 unknown _____ yes _____ no _____

If yes, please explain: _____

11. Flood insurance: Do you have flood insurance on the property? _____
 unknown _____ yes _____ no _____

12. Mineral rights: Do you own the mineral rights? _____
 unknown _____ yes _____ no _____

Other Items: Are you aware of any of the following:

1. Features of the property shared in common with the adjoining landowners, such as walls, fences, roads and driveways, or other features whose use or responsibility for maintenance may have an effect on the property? _____
 unknown _____ yes _____ no _____

2. Any encroachments, easements, zoning violations, or nonconforming uses? _____
 unknown _____ yes _____ no _____

3. Any "common areas" (facilities like pools, tennis courts, walkways, or other areas co-owned with others), or a homeowners' association that has any authority over the property? _____
 unknown _____ yes _____ no _____

4. Structural modifications, alterations, or repairs made without necessary permits or licensed contractors? _____
 unknown _____ yes _____ no _____

5. Settling, flooding, drainage, structural, or grading problems? _____
 unknown _____ yes _____ no _____

6. Major damage to the property from fire, wind, floods, or landslides? _____
 unknown _____ yes _____ no _____

7. Any underground storage tanks? _____
 unknown _____ yes _____ no _____

8. Farm or farm operation in the vicinity; or proximity to a landfill, airport, shooting range, etc.? unknown ___ yes ___ no ___
9. Any outstanding utility assessments or fees, including any natural gas main extension surcharge? unknown ___ yes ___ no ___
10. Any outstanding municipal assessments or fees? unknown ___ yes ___ no ___
11. Any pending litigation that could affect the property or the seller's right to convey the property? unknown ___ yes ___ no ___

If the answer to any of these questions is yes, please explain.

Attach additional sheets, if necessary:

The seller has lived in the residence on the property from _____ (date) to _____ (date). The seller has owned the property since _____ (date). The seller has indicated above the condition of all the items based on information known to the seller. 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 the broker liable for any representations not directly made by the broker or broker's agent.

Seller certifies that the information in this statement is true and correct to the best of seller's knowledge as of the date of seller's signature.

BUYER SHOULD OBTAIN PROFESSIONAL ADVICE AND INSPECTIONS OF THE PROPERTY TO MORE FULLY DETERMINE THE CONDITION OF THE PROPERTY. THESE INSPECTIONS SHOULD TAKE INDOOR AIR AND WATER QUALITY INTO ACCOUNT, AS WELL AS ANY EVIDENCE OF UNUSUALLY HIGH LEVELS OF POTENTIAL ALLERGENS INCLUDING, BUT NOT LIMITED TO, HOUSEHOLD MOLD, MILDEW AND BACTERIA.

BUYERS ARE ADVISED THAT CERTAIN INFORMATION COMPILED PURSUANT TO THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295, MCL 28.721 TO 28.732, IS AVAILABLE TO THE PUBLIC. BUYERS SEEKING THAT INFORMATION SHOULD CONTACT THE APPROPRIATE LOCAL LAW ENFORCEMENT AGENCY OR SHERIFF'S DEPARTMENT DIRECTLY.

BUYER IS ADVISED THAT THE STATE EQUALIZED VALUE OF THE PROPERTY, PRINCIPAL RESIDENCE EXEMPTION INFORMATION, AND OTHER REAL PROPERTY TAX INFORMATION IS AVAILABLE FROM THE APPROPRIATE LOCAL ASSESSOR'S OFFICE.

BUYER SHOULD NOT ASSUME THAT BUYER'S FUTURE TAX BILLS ON THE PROPERTY WILL BE THE SAME AS THE SELLER'S PRESENT TAX BILLS. UNDER MICHIGAN LAW, REAL PROPERTY TAX OBLIGATIONS CAN CHANGE SIGNIFICANTLY WHEN PROPERTY IS TRANSFERRED.

Seller _____ Date _____
 Seller _____ Date _____

Buyer _____ Date _____
 Buyer _____ Date _____

(2) A form described in subsection (1) printed before January 1, 2006 that was in compliance with this section at that time may be utilized and shall be considered in compliance with this section until April 1, 2006.

History: 1993, Act 92, Eff. Jan. 10, 1994;| Am. 1995, Act 106, Eff. Jan. 1, 1996;| Am. 1996, Act 92, Imd. Eff. Feb. 27, 1996;| Am. 2000, Act 12, Imd. Eff. Mar. 8, 2000;| Am. 2000, Act 13, Imd. Eff. Mar. 8, 2000;| Am. 2003, Act 130, Eff. Jan. 1, 2004;| Am. 2005, Act 163, Eff. Jan. 1, 2006

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

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

- (a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
 - (i) _____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

 - (ii) _____ 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 (i) or (ii) below):
 - (i) _____ 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).

 - (ii) _____ 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 (i) or (ii) below):
 - (i) _____ 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
 - (ii) _____ 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.

_____ Seller	_____ Date	_____ Seller	_____ Date
_____ Purchaser	_____ Date	_____ Purchaser	_____ Date
_____ Agent	_____ Date	_____ Agent	_____ Date