



# SELLER DISCLOSURE OF PROPERTY CONDITION

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



Property Owner(s) & Address: Justin L Donaghu

*Elizabeth Donaghu*

3125 Edmunds Ave

Sioux City

IA 51103

**Purpose of Disclosure:** Completion of Section I this form is required under Chapter 558A of the Iowa code which mandates the Seller(s) disclose condition and information about the property, unless exempt:

**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; fiduciaries in the course of an administration of an decedent's estate, guardianship, conservatorship, or trust; 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.

Property is exempt because one or more of the above exemptions apply.

If Exempt – STOP HERE and SKIP TO LAST PAGE, SIGN AND DATE.

**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.

**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 by any Agent acting on behalf of the Seller. **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: (Section I is Mandatory)

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 Shingle  
Unknown  Date of repairs/replacement Sept. 2018 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 South yard.  
Unknown  Age <sup>New</sup> 2014 Unknown   
Has the system been inspected within 2 years or pumped/cleaned within 3 years?  
Yes  No  UNK  Date of inspection NA UNK  Date tank last cleaned/pumped March 2019 UNK

5. **Sewer:** Any known problems? Yes  No  Any known repairs/replacement? Yes  No   
Date of repairs \_\_\_\_\_

Buyer Initials \_\_\_\_\_

Sellers Initials JD ED

- 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 July 2019
- 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 \_\_\_\_\_
- 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, test results? \_\_\_\_\_  
Date of last report \_\_\_\_\_ Mitigation system installed 9/2019 JLB ED  
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?  
  
Has the lead disclosure form and pamphlet been provided? Yes  No
- 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  abandoned alleys on property JLB ED
- 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? RES
- 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:  
 On file at County Recorder's office or:

You **MUST** explain any "Yes" responses above (Attach additional sheets if necessary):

Buyer Initials \_\_\_\_\_

Seller Initials JLB ED

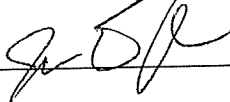


- 3. Are there any known current, preliminary, proposed or future assessments by any governing body or owner's association of which you have knowledge? Yes [ ] No [X] Unknown [ ]
  - 4. Mold: Does property contain toxic mold that adversely affects the property or occupants? Yes [ ] No [X] Unknown [ ]
  - 5. Private burial grounds: Does property contain any private burial ground? Yes [ ] No [X] Unknown [ ]
  - 6. Neighborhood or Stigmatizing conditions or problems affecting this property? Yes [ ] No [X] Unknown [ ]
  - 7. Energy Efficiency Testing: Has the property been tested for energy efficiency? Yes [ ] No [X] Unknown [ ]  
If yes, what were the test results? \_\_\_\_\_
  - 8. Attic Insulation: Type \_\_\_\_\_ Unknown [X] Amount \_\_\_\_\_ Unknown [X]
  - 9. Are you aware of any area environmental concerns? Yes [ ] No [X] Unknown [ ] If yes, please explain: \_\_\_\_\_
  - 10. Are you related to the listing agent? Yes [ ] No [X] If yes, how? \_\_\_\_\_
  - 11. Where survey of property may be found: \_\_\_\_\_
- If the answer to any item is yes, please explain. Attach additional sheets, if necessary:**

**12. Repairs:** Any repair(s) to property not so noted: (Date of repairs, Name of repair company if utilized.) (Note: Repairs are not normal maintenance items) (Attach additional sheets, if necessary)

Seller has owned the property since Aug. 2015 (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  Seller Elizabeth Donaghu Date 8/29/2019  
Justin L. Donaghu

**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 \_\_\_\_\_