

## Seller's Property Disclosure – Residential



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

**Notice to Seller:** Florida law<sup>1</sup> 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**. This disclosure form is designed to help you comply with the law. However, this disclosure form may not address every significant issue that is unique to the Property. You should think about what you would want to know if you were buying the Property today; and if you need more space for additional information, comments, or explanations, check the Paragraph 12 checkbox and attach an addendum.

**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. It is not a substitute for your own personal judgment and common sense. The following information is based only upon **Seller's** actual knowledge of the Property's condition. **Sellers** can disclose only what they actually know. **Seller** may not know about all material or significant items. You should have an independent, professional home inspection to verify the condition of the Property and determine the cost of repairs, if any. This disclosure is not a contract and is not intended to be a part of any contract for sale and purchase.

**Seller** makes the following disclosure regarding the property described as: \_\_\_\_\_  
( ) Lawson Lane Cantonment, Fl. 32533 (the "Property")

The Property is ☐ owner occupied ☐ tenant occupied ☐ unoccupied (If unoccupied, how long has it been since **Seller** occupied the Property? \_\_\_\_\_)

### 1. Structures; Systems; Appliances

- (a) Are the structures including roofs: ceilings; walls; doors; windows; foundation; and pool, hot tub, and spa, if any, structurally sound and free of leaks? ☒ Yes ☐ No ☐ Don't Know
- (b) Is seawall, if any, and dockage, if any, structurally sound? ☐ Yes ☒ No ☒ Don't Know
- (c) Are existing major appliances and heating, cooling, mechanical, electrical, security, and sprinkler systems, in working condition, i.e., operating in the manner in which the item was designed to operate? ☒ Yes ☐ No ☐ Don't Know
- (d) Does the Property have aluminum wiring other than the primary service line? ☐ Yes ☒ No ☐ Don't Know
- (e) Are any of the appliances leased? If yes, which ones: \_\_\_\_\_ ☐ Yes ☒ No ☐ Don't Know
- (f) If any answer to questions 1(a) - 1(c) is no, please explain: \_\_\_\_\_

### 2. Termites; Other Wood-Destroying Organisms; Pests

- (a) Are termites; other wood-destroying organisms, including fungi; or pests present on the Property or has the Property had any structural damage by them? ☐ Yes ☒ No ☐ Don't Know
- (b) Has the Property been treated for termites; other wood-destroying organisms, including fungi; or pests? ☒ Yes ☒ No ☐ Don't Know
- (c) If any answer to questions 2(a) - 2(b) is yes, please explain: \_\_\_\_\_

### 3. Water Intrusion; Drainage; Flooding

- (a) Has past or present water intrusion affected the Property? ☐ Yes ☒ No ☐ Don't Know
- (b) Have past or present drainage or flooding problems affected the Property? ☐ Yes ☒ No ☐ Don't Know
- (c) Is any of the Property located in a special flood hazard area? ☐ Yes ☒ No ☐ Don't Know
- (d) Is any of the Property located seaward of the coastal construction control line? ☐ Yes ☒ No ☐ Don't Know
- (e) Does your lender require flood insurance? ☐ Yes ☒ No ☐ Don't Know
- (f) Do you have an elevation certificate? If yes, please attach a copy. ☐ Yes ☒ No ☐ Don't Know
- (g) If any answer to questions 3(a) - 3(d) is yes, please explain: \_\_\_\_\_

<sup>1</sup> Johnson v. Davis, 480 So.2d 625 (Fla. 1985).

**Seller** ( ) ( ) and **Buyer** ( ) ( ) acknowledge receipt of a copy of this page, which is Page 1 of 4.  
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	Yes	No	Don't Know
<b>4. Plumbing</b>			
(a) What is your drinking water source? <input checked="" type="checkbox"/> public <input type="checkbox"/> private <input checked="" type="checkbox"/> well <input type="checkbox"/> other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have you ever had a problem with the quality, supply, or flow of potable water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Do you have a water treatment system? If yes, is it <input type="checkbox"/> owned <input type="checkbox"/> leased?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Do you have a <input type="checkbox"/> sewer or <input checked="" type="checkbox"/> septic system? If septic system, describe the location of each system: <u>North end of home</u>			
(e) Are any septic tanks, drain fields, or wells that are not currently being used located on the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Are there or have there been any defects to the water system, septic system, drain fields or wells?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Have there been any plumbing leaks since you have owned the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(h) Are any polybutylene pipes on the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) If any answer to questions 4(b), 4(c), and 4(e) - 4(h) is yes, please explain: <u>Seller use well water for watering plants</u>			
<b>5. Roof and Roof-Related Items</b>			
(a) To your knowledge, is the roof structurally sound and free of leaks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) The age of the roof is <u>5</u> years OR date installed _____			
(c) Has the roof ever leaked during your ownership?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) To your knowledge, has there been any repair, restoration, replacement (indicate full or partial) or other work undertaken on the roof? If yes, please explain: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Are you aware of any defects to the roof, fascia, soffits, flashings or any other component of the roof system? If yes, please explain: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>6. Pools; Hot Tubs; Spas</b>			
<b>Note:</b> Florida law requires swimming pools, hot tubs, and spas that received a certificate of completion on or after October 1, 2000, to have at least one safety feature as specified by Section 515.27, Florida Statutes.			
(a) If the Property has a swimming pool, hot tub, or spa that received a certificate of completion on or after October 1, 2000, indicate the existing safety feature(s): <input type="checkbox"/> enclosure that meets the pool barrier requirements <input type="checkbox"/> approved safety pool cover <input type="checkbox"/> required door and window exit alarms <input type="checkbox"/> required door locks <input type="checkbox"/> none			
(b) Has an in-ground pool on the Property been demolished and/or filled? <u>SPA is inoperable -</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>7. Sinkholes</b>			
<b>Note:</b> When an insurance claim for sinkhole damage has been made by the <b>Seller</b> and paid by the insurer, Section 627.7073(2)(c), Florida Statutes, requires the <b>Seller</b> to disclose to the <b>Buyer</b> that a claim was paid and whether or not the full amount paid was used to repair the sinkhole damage.			
(a) Does past or present settling, soil movement, or sinkhole(s) affect the Property or adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Has any insurance claim for sinkhole damage been made? If yes, was the claim paid? <input type="checkbox"/> yes <input type="checkbox"/> no If the claim was paid, were all the proceeds used to repair the damage? <input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) If any answer to questions 7(a) - 7(b) is yes, please explain: _____			

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	Yes	No	Don't Know
<b>8. Homeowners' Association Restrictions; Boundaries; Access Roads</b>			
(a) Is membership in a homeowner's association mandatory or do any covenants, conditions or restrictions (CCRs) affect the Property? (CCRs include deed restrictions, restrictive covenants and declaration of covenants.)	<input type="checkbox"/>	<input checked="" type="checkbox"/> <i>NA</i>	<input type="checkbox"/>
<b>Notice to Buyer:</b> If yes, you should read the association's official records and/or the CCRs before making an offer to purchase. These documents contain information on significant matters, such as recurring dues or fees; special assessments; capital contributions, penalties; and architectural, building, landscaping, leasing, parking, pet, resale, vehicle and other types of restrictions.			
(b) Are there any proposed changes to any of the restrictions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Are any driveways, walls, fences, or other features shared with adjoining landowners?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Are there any encroachments on the Property or any encroachments by the Property's improvements on other lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Are there boundary line disputes or easements affecting the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Are you aware of any existing, pending or proposed legal or administrative action affecting homeowner's association common areas (such as clubhouse, pools, tennis courts or other areas)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Have any subsurface rights, as defined by Section 689.29(3)(b), Florida Statutes, been severed from the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, is there a right of entry? <input type="checkbox"/> yes <input type="checkbox"/> no			
(h) Are access roads <input checked="" type="checkbox"/> private <input type="checkbox"/> public? If private, describe the terms and conditions of the maintenance agreement: <u>There are no Agreements</u>			
(i) If any answer to questions 8(a) - 8(g) is yes, please explain: _____			

<b>9. Environmental</b>			
(a) Was the Property built before 1978?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes, please see Lead-Based Paint Disclosure.			
(b) Does anything exist on the Property that may be considered an environmental hazard, including but not limited to, lead-based paint; asbestos; mold; urea formaldehyde; radon gas; methamphetamine contamination; defective drywall; fuel, propane, or chemical storage tanks (active or abandoned); or contaminated soil or water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Has there been any damage, clean up, or repair to the Property due to any of the substances or materials listed in subsection (b) above?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Are any mangroves, archeological sites, or other environmentally sensitive areas located on the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) If any answer to questions 9(b) - 9(d) is yes, please explain: _____			

<b>10. Governmental, Claims and Litigation</b>			
(a) Are there any existing, pending or proposed legal or administrative claims affecting the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Are you aware of any existing or proposed municipal or county special assessments affecting the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is the Property subject to any Property Assessed Clean Energy (PACE) assessment per Section 163.08, Florida Statutes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Are you aware of the Property ever having been, or is it currently, subject to litigation or claim, including but not limited to, defective building products, construction defects and/or title problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have you ever had any claims filed against your homeowner's Insurance Policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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- |  | Yes                      | No                                  | Don't Know               |
|--|--------------------------|-------------------------------------|--------------------------|
| (f) Are there any zoning violations or nonconforming uses?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (g) Are there any zoning restrictions affecting improvements or replacement of the Property?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (h) Do any zoning, land use or administrative regulations conflict with the existing use of the Property?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (i) Do any restrictions other than association or flood area requirements, affect improvements or replacement of the Property?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (j) Are any improvements located below the base flood elevation?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (k) Have any improvements been constructed in violation of applicable local flood guidelines?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (l) Have any improvements to the Property, whether by you or by others, been constructed in violation of building codes or without necessary permits?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (m) Are there any active permits on the Property that have not been closed by a final inspection?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (n) Is there any violation or non-compliance regarding any unrecorded liens; code enforcement violations; or governmental, building, environmental and safety codes, restrictions or requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (o) If any answer to questions 10(a) - 10(n) is yes, please explain: _____   |                          |                                     |                          |

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

- (a) Is the **Seller** subject to FIRPTA withholding per Section 1445 of the Internal Revenue Code? ☐ ☒ ☐
- If yes, Buyer and Seller should seek legal and tax advice regarding compliance.**

12. ☐ **(If checked) Other Matters; Additional Comments** The attached addendum contains additional information, explanation, or comments.

**Seller** represents that the information provided on this form and any attachments is accurate and complete to the best of **Seller's** knowledge on the date signed by **Seller**. **Seller** authorizes listing broker to provide this disclosure statement to real estate licensees and prospective **buyers** of the Property. **Seller** understands and agrees that **Seller** will promptly notify **Buyer** in writing if any information set forth in this disclosure statement becomes inaccurate or incorrect.

**Seller:**  / DAVID ACKERMAN Date: 5/6/20  
 (signature) (print)

**Seller:** \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
 (signature) (print)

**Buyer** acknowledges that **Buyer** has read, understands, and has received a copy of this disclosure statement.

**Buyer:** \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
 (signature) (print)

**Buyer:** \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
 (signature) (print)

**Seller** (\_\_\_\_) (\_\_\_\_) and **Buyer** (\_\_\_\_) (\_\_\_\_) acknowledge receipt of a copy of this page, which is Page 4 of 4.



## Vacant Land Disclosure Statement



NAME: David Ackerman

DATE SELLER PURCHASED PROPERTY: \_\_\_\_\_

### GENERAL INFORMATION ABOUT PROPERTY:

PROPERTY ADDRESS: \_\_\_\_\_ ( ) Lawson Lane Cantonment, FL 32533

LEGAL DESCRIPTION: \_\_\_\_\_ (To be Provided)

### NOTICE TO BUYER AND SELLER:

In Florida, a Seller is obligated to disclose to a Buyer all known facts that materially affect the value of the property being sold and that are not readily observable. This disclosure statement is designed to assist Seller in complying with the disclosure requirements under Florida law and to assist the Buyer in evaluating the property being considered. This disclosure statement concerns the condition of the real property located at above address. It is not a warranty of any kind by the Seller or any Licensee in this transaction. It is not a substitute for any inspections or warranties the parties may wish to obtain. It is based only upon Seller's knowledge of the property condition. This disclosure is not intended to be a part of any contract for sale and purchase. All parties may refer to this information when they evaluate, market, or present Seller's property to prospective Buyers.

The following representations are made by the Seller(s) and are not the representations of any real estate licensees.

### 1. CLAIMS & ASSESSMENTS

a. Are you aware of existing, pending, or proposed legal actions, claims, special assessments, municipal service taxing or benefit charges or unpaid assessments affecting the property? NO ☒ YES ☐ If yes, explain: \_\_\_\_\_

b. Have any local, state, or federal authorities notified you of a violation of governmental regulation or violation of covenant restrictions? NO ☒ YES ☐ If yes, explain: \_\_\_\_\_

c. Are you aware of any eminent domain proceedings involving the property? NO ☒ YES ☐ If yes, explain: \_\_\_\_\_

### 2. USE RESTRICTIONS

Are You Aware:

a. of any subdivision, municipality or other recorded covenants, conditions or restrictions? NO ☒ YES ☐

b. of any resale restrictions? NO ☒ YES ☐

c. of any restrictions on leasing the property? NO ☒ YES ☐

d. of any right of first refusal to purchase the property? NO ☒ YES ☐

e. If any answer to questions 2a-2d is yes, please explain: \_\_\_\_\_

### 3. SURVEY

a. Has the land been surveyed? NO ☐ YES ☒ If yes, which person or company performed the survey: \_\_\_\_\_

b. Has this land been platted? NO ☒ YES ☐ If yes, has a certificate of survey been completed? NO ☐ YES ☐

c. Are you aware of any encroachments or boundary line disputes? NO ☒ YES ☐

d. Are you aware of any easements other than utility/drainage easements? NO ☐ YES ☐

e. Are you aware if the property is in an earthquake zone? NO ☒ YES ☐

f. Are you aware if the property contains wetlands area? NO ☒ YES ☐

Seller ( ) ( ) and Buyer ( ) ( ) acknowledge receipt of a copy of this page, which is Page 1 of 3 Pages.

#### 4. ENVIRONMENT

Are You Aware:

a. of any substances, materials, products, pollutants or contaminants which may be an environmental hazard, such as, but not limited to, asbestos, urea formaldehyde, radon gas, fuel, propane or chemical storage tanks (active or abandoned), or contaminated soil or water on the property? NO ☒ YES ☐ If yes, explain: \_\_\_\_\_

b. of any abandoned wells, buried storage tanks or buried debris or waste on the property? NO ☒ YES ☐ If yes, explain: \_\_\_\_\_

c. of any clean up, repairs, or remediation of the property due to hazardous substances, pollutants or contaminants? NO ☒ YES ☐ If yes, explain: \_\_\_\_\_

d. of any endangered or protected species on the property such as scrub jays, manatees, turtles, sea turtles or nests of endangered or protected species? NO ☒ YES ☐

e. of any electromagnetic fields located on the property? NO ☒ YES ☐

f. of any condition or proposed change in the vicinity of the property that does or will materially affect the value of the property, such as, but not limited to, proposed development or proposed roadways? NO ☒ YES ☐

If any answer to questions 4a-4f is yes, please explain: \_\_\_\_\_

#### 5. FLOOD

Are You Aware:

a. if the property is designated in a 100 year flood plain? NO ☒ YES ☐

b. if the property has been flooded? NO ☒ YES ☐

c. if there has been drainage problems affecting the property or adjacent properties? NO ☒ YES ☐

If any answer to questions 5a-5c is yes, please explain: \_\_\_\_\_

#### 6. CONDITION OF THE PROPERTY

a. Have any soil tests been performed? NO ☒ YES ☐

b. Are you aware of any fill or uncompacted soils? NO ☒ YES ☐

c. Are you aware of any settling, soil movement, or sinkhole problems on the property or on adjacent properties? NO ☒ YES ☐

d. Are you aware of any dead or diseased trees on the property? NO ☒ YES ☐

If any answer to questions 6a-6d is yes, please explain: \_\_\_\_\_

Seller (\_\_\_\_) (\_\_\_\_) and Buyer (\_\_\_\_) (\_\_\_\_) acknowledge receipt of a copy of this page, which is Page 2 of 3 Pages.

## 7. UTILITIES

- a. What type of irrigation does the property have? \_\_\_\_\_
- b. Have percolation tests been performed? NO ☐ YES ☒ If yes, when and by which person or company: Johnson Septic Tank (2)
- c. Does the property have connection to the following: public water? NO ☒ YES ☒ public sewer? NO ☒ YES ☐  
private water system off the property? NO ☒ YES ☒ water well? NO ☐ YES ☒ septic tank? NO ☐ YES ☒  
electric utility? NO ☐ YES ☒ natural gas service? NO ☒ YES ☐
- d. Does the boundary of the property have connection to the following: public water system access? NO ☐ YES ☒  
private water system access? NO ☒ YES ☐ electric service access? NO ☐ YES ☒ natural gas access? NO ☒ YES ☐  
telephone system access? NO ☐ YES ☒
- e. Have any utility charges been paid? NO ☐ YES ☒ If yes, which charges were paid?: \_\_\_\_\_

## 8. OTHER MATTERS:

Is there anything else that materially affects the value of the property? NO ☐ YES ☐

If yes, explain: \_\_\_\_\_

Survey will not reflect property sold on the south end of the property

## ACKNOWLEDGEMENT OF SELLER

The undersigned Seller represents that the information set forth in the above disclosure statement is accurate and complete to the best of the Seller's knowledge on the date signed below. Seller does not intend for this disclosure statement to be a warranty or guaranty of any kind. Seller hereby authorizes disclosure of the information contained in this disclosure statement to prospective Buyers of the property. Seller understands and agrees that Seller will notify the Buyer in writing within five business days after Seller becomes aware that any information set forth in this disclosure statement has become inaccurate or incorrect in any way during the term of the pending purchase by the Buyer.

Seller: [Signature] / 5/6/20 DAVID ACKERMAN Date: 5/6/20  
(signature) (print)

Seller: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
(signature) (print)

## RECEIPT AND ACKNOWLEDGMENT OF BUYER

Seller is using this form to disclose Seller's knowledge of the condition of the property as of the date signed by Seller. This disclosure form is not a warranty of any kind. The information contained in the disclosure is limited to information to which the seller has knowledge. It is not intended to be a substitute for any inspections or professional advice the Buyer may wish to obtain. Independent professional inspections are encouraged and may be helpful to verify the condition of the property. Buyer understands these representations are not made by any real estate licensee.

Buyer hereby acknowledges having received a copy of this disclosure statement.

Buyer: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
(signature) (print)

Buyer: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
(signature) (print)

Seller (\_\_\_\_) (\_\_\_\_) and Buyer (\_\_\_\_) (\_\_\_\_) acknowledge receipt of a copy of this page, which is Page 3 of 3 Pages.