



TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

- 1 PROPERTY ADDRESS 3365 Woodbury Hwy CITY Manchester
- 2 SELLER'S NAME(S) John Seth Little PROPERTY AGE 1 yr.
- 3 DATE SELLER ACQUIRED THE PROPERTY 10-31-2021 DO YOU OCCUPY THE PROPERTY? YES
- 4 IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPIED THE PROPERTY? _____
- 5 (Check the one that applies) The property is a ☒ site-built home ☐ non-site-built home
- 6 The Tennessee Residential Property Disclosure Act requires sellers of residential real property with one to four dwelling units
7 to furnish to a buyer one of the following: (1) a residential property disclosure statement (the "Disclosure"), or (2) a residential
8 property disclaimer statement (permitted only where the buyer waives the required Disclosure). Some property transfers may
9 be exempt from this requirement (See Tenn. Code Ann. § 66-5-209). The following is a summary of the buyers' and sellers'
10 rights and obligations under the Act. A complete copy of the Act may be found at <http://www.lexisnexis.com/hottopics/tncode/>
11 (See Tenn. Code Ann. § 66-5-201, et seq.)
- 12 1. Sellers must disclose all known material defects and must answer the questions on the Disclosure form in good faith to the
13 best of the seller's knowledge as of the Disclosure date.
 - 14 2. Sellers must give the buyers the Disclosure form before the acceptance of a purchase contract.
 - 15 3. Sellers must inform the buyers, at or before closing, of any inaccuracies or material changes in the condition that have
16 occurred since the time of the initial Disclosure, or certify that there are no changes.
 - 17 4. Sellers may give the buyers a report or opinion prepared by a professional inspector or other expert(s) or certain information
18 provided by a public agency, in lieu of responding to some or all of the questions on the form (See Tenn. Code Ann. § 66-
19 5-204).
 - 20 5. Sellers are not required to have a home inspection or other investigation in order to complete the Disclosure form.
 - 21 6. Sellers are not required to repair any items listed on the Disclosure form or on any past or future inspection report unless
22 agreed to in the purchase contract.
 - 23 7. Sellers involved in the first sale of a dwelling must disclose the amount of any impact fees or adequate facility taxes paid.
 - 24 8. Sellers are not required to disclose if any occupant was HIV-positive, or had any other disease not likely to be transmitted
25 by occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or occurrence which
26 had no effect on the physical structure of the property.
 - 27 9. Sellers may provide an "as is", "no representations or warranties" disclaimer statement in lieu of the Disclosure form only
28 if the buyer waives the right to the required disclosure, otherwise the sellers must provide the completed Disclosure form
29 (See Tenn. Code Ann. § 66-5-202).
 - 30 10. Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public auctions,
31 court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not resided on the
32 property at any time within the prior 3 years). (See Tenn. Code Ann. § 66-5-209).
 - 33 11. Buyers are advised to include home, wood infestation, well, water sources, septic system, lead-based paint, radon, mold,
34 and other appropriate inspection contingencies in the contract, as the Disclosure form is not a warranty of any kind by the
35 seller, and is not a substitute for any warranties or inspections the buyer may desire to purchase.
 - 36 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, seller is
37 not required to repair any such items.
 - 38 13. Buyers may, but do not have to, waive their right to receive the Disclosure form from the sellers if the sellers provide a
39 disclaimer statement with no representations or warranties (See Tenn. Code Ann. § 66-5-202).
 - 40 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to buyer
41 and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such matters.

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- 42 15. Representations in the Disclosure form are those of the sellers only, and not of any real estate licensee, although licensees
43 are required to disclose to all parties adverse facts of which the licensee has actual knowledge or notice.
- 44 16. Pursuant to Tenn. Code Ann. § 47-18-104(b), sellers of newly constructed residences on a septic system are prohibited
45 from knowingly advertising or marketing a home as having more bedrooms than are permitted by the subsurface sewage
46 disposal system permit.
- 47 17. Sellers must disclose the presence of any known exterior injection well, the presence of any known sinkhole(s), the results
48 of any known percolation test or soil absorption rate performed on the property that is determined or accepted by the
49 Department of Environment and Conservation, and whether the property is located within a Planned Unit Development as
50 defined by Tenn. Code Ann. § 66-5-213 and, if requested, provide buyers with a copy of the development's restrictive
51 covenants, homeowner bylaws and master deed. Sellers must also disclose if they have knowledge that the residence has
52 ever been moved from an existing foundation to another foundation.

53 The Buyers and Sellers involved in the current or prospective real estate transaction for the property listed above acknowledge
54 that they were informed of their rights and obligations regarding Residential Property Disclosures, and that this information
55 was provided by the real estate licensee(s) prior to the completion or reviewing of a Tennessee Residential Property Condition
56 Disclosure, a Tennessee Residential Property Condition Disclaimer Statement, or a Tennessee Residential Property Condition
57 Exemption Notification. Buyers and Sellers also acknowledge that they were advised to seek the advice of an attorney on any
58 legal questions they may have regarding this information or prior to taking any legal actions.

59 The Tennessee Residential Property Disclosure Act states that anyone transferring title to residential real property must
60 provide information about the condition of the property. This completed form constitutes that disclosure by the Seller. The
61 information contained in the disclosure is the representation of the owner and not the representation of the real estate licensee
62 or sales person, if any. This is not a warranty or a substitute for any professional inspections or warranties that the purchasers
63 may wish to obtain.

64 **Buyers and Sellers should be aware that any sales agreement executed between the parties will supersede this form as**
65 **to the terms of sale, property included in the sale and any obligations on the part of the seller to repair items identified**
66 **below and/or the obligation of the buyer to accept such items "as is."**

INSTRUCTIONS TO THE SELLER

68 Complete this form yourself and answer each question to the best of your knowledge. If an answer is an estimate, clearly
69 label it as such. The Seller hereby authorizes any agent(s) representing any party in this transaction to provide a copy of this
70 statement to any person or entity in connection with any actual or anticipated sale of the subject property.

71 A. THE SUBJECT PROPERTY INCLUDES THE ITEMS CHECKED BELOW:

- | | | |
|--|--|---|
| 72 ☒ Range | ☐ Wall/Window Air Conditioning | ☒ Garage Door Opener(s) (Number of openers <u>3</u>) |
| 73 ☒ Window Screens | ☒ Oven | ☒ Fireplace(s) (Number) <u>1</u> |
| 74 ☐ Intercom | ☒ Microwave | ☐ Gas Starter for Fireplace |
| 75 ☐ Garbage Disposal | ☒ Gas Fireplace Logs | ☐ TV Antenna/Satellite Dish |
| 76 ☐ Trash Compactor | ☒ Smoke Detector/Fire Alarm | ☐ Central Vacuum System and attachments |
| 77 ☐ Spa/Whirlpool Tub | ☐ Burglar Alarm | ☐ Current Termite contract |
| 78 ☐ Water Softener | ☒ Patio/Decking/Gazebo | ☒ Hot Tub |
| 79 ☐ 220 Volt Wiring | ☐ Installed Outdoor Cooking Grill | ☒ Washer/Dryer Hookups |
| 80 ☐ Sauna | ☐ Irrigation System | ☐ Pool |
| 81 ☒ Dishwasher | ☒ A key to all exterior doors | ☐ Access to Public Streets |
| 82 ☐ Sump Pump | ☒ Rain Gutters | ☒ Heat Pump |
| 83 ☒ Central Heating | ☒ Central Air | |
| 84 ☐ Other _____ | | ☐ Other _____ |
| 85 Water Heater: ☐ Electric ☒ Gas | ☐ Solar | |
| 86 Garage: ☒ Attached ☐ Not Attached | ☐ Carport | |
| 87 Water Supply: ☒ City ☐ Well | ☐ Private ☐ Utility ☐ Other _____ | |
| 88 Gas Supply: ☒ Utility ☐ Bottled | ☐ Other _____ | |
| 89 Waste Disposal: ☐ City Sewer ☒ Septic Tank | ☐ Other _____ | |
| 90 Roof(s): Type <u>Asphalt Shingle</u> | Age (approx): <u>1yr</u> | |

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91 Other Items:
 92 Refrigerator, ice maker, dishwasher, microwave, gas stove, washer, and dryer
 93

94 To the best of your knowledge, are any of the above NOT in operating condition? ☐ YES ☒ NO

95 If YES, then describe (attach additional sheets if necessary):
 96
 97
 98

99 **B. ARE YOU (SELLER) AWARE OF ANY DEFECTS/MALFUNCTIONS IN ANY OF THE FOLLOWING?**

	YES	NO	UNKNOWN		YES	NO	UNKNOWN
100		☒	☐	Roof	☐	☒	☐
101		☒	☐	Basement	☐	☐	☐
102		☒	☐	Foundation	☐	☒	☐
103		☒	☐	Slab	☐	☒	☐
104		☒	☐	Driveway	☐	☒	☐
105		☒	☐	Sidewalks	☐	☒	☐
106		☒	☐	Central Heating	☐	☒	☐
107		☒	☐	Heat Pump	☐	☒	☐
108		☒	☐	Central Air Conditioning	☐	☒	☐
109		☒	☐				

110 If any of the above is/are marked YES, please explain:
 111

112	C. ARE YOU (SELLER) AWARE OF ANY OF THE FOLLOWING:	YES	NO	UNKNOWN
113	1. Substances, materials or products which may be environmental hazards	☐	☒	☐
114	such as, but not limited to: asbestos, radon gas, lead-based paint, fuel			
115	or chemical storage tanks, contaminated soil or			
116	water, on the subject			
117	property?			
118	2. Features shared in common with adjoining land owners, such as walls, but	☐	☒	☐
119	not limited to, fences, and/or driveways, with joint rights and obligations			
120	for use and maintenance?			
121	3. Any authorized changes in roads, drainage or utilities affecting the	☐	☒	☐
122	property, or contiguous to the property?			
123	4. Any changes since the most recent survey of the property was done?	☐	☒	☐
124	Most recent survey of the property: _____ (Date) (check here if unknown)			☒
125	5. Any encroachments, easements, or similar items that may affect your	☐	☒	☐
126	ownership interest in the property?			
127	6. Room additions, structural modifications or other alterations or	☐	☒	☐
128	repairs made without necessary permits?			
129	7. Room additions, structural modifications or other alterations or	☐	☒	☐
130	repairs not in compliance with building codes?			
131	8. Landfill (compacted or otherwise) on the property or any portion	☐	☒	☐
132	thereof?			
133	9. Any settling from any cause, or slippage, sliding or other soil problems?	☐	☒	☐
134	10. Flooding, drainage or grading problems?	☐	☒	☐
135	11. Any requirement that flood insurance be maintained on the property?	☐	☒	☐

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		YES	NO	UNKNOWN
136	12. Property or structural damage from fire, earthquake, floods, or landslides?	☐	☒	☐
137	If yes, please explain (use separate sheet if necessary).			
138				
139				
140	If yes, has said damage been repaired? _____			
141	13. Is the property serviced by a fire department?	☒	☐	☐
142	If yes, in what fire department's service area is the property located? (Fire Dept. Locator can be found:			
143	https://tnmap.tn.gov/fdtn/)			
144	<u>NEW UNION FIRE DEPARTMENT</u>			
145	Is the property owner subject to charges or fees for fire protection,	☐	☒	☐
146	such as subscriptions, association dues or utility fees?			
147	14. Any zoning violations, nonconforming uses and/or violations of	☐	☒	☐
148	"setback" requirements?			
149	15. Neighborhood noise problems or other nuisances?	☐	☒	☐
150	16. Subdivision and/or deed restrictions or obligations?	☐	☒	☐
151	17. A Condominium/Homeowners Association (HOA) which has any authority	☐	☒	☐
152	over the subject property?			
153	Name of HOA: _____	HOA Address: _____		
154	HOA Phone Number: _____	Monthly Dues: _____		
155	Special Assessments: _____	Transfer Fees: _____		
156	Management Company: _____	Phone: _____		
157	Management Co. Address: _____			
158	18. Any "common area" (facilities such as, but not limited to, pools, tennis	☐	☒	☐
159	courts, walkways or other areas co-owned in undivided interest with others)?			
160	19. Any notices of abatement or citations against the property?	☐	☒	☐
161	20. Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects	☐	☒	☐
162	or will affect the property?			
163	21. Is any system, equipment or part of the property being leased?	☐	☒	☐
164	If yes, please explain, and include a written statement regarding payment			
165	information.			
166				
167				
168	22. Any exterior wall covering of the structure(s) covered with exterior	☐	☒	☐
169	insulation and finish systems (EIFS), also known as "synthetic stucco"?			
170	If yes, has there been a recent inspection to determine whether the structure	☐	☒	☐
171	has excessive moisture accumulation and/or moisture related damage?			
172	<i>(The Tennessee Real Estate Commission urges any buyer or seller who encounters this product to have a qualified</i>			
173	<i>professional inspect the structure in question for the preceding concern and provide a written report of the professional's</i>			
174	<i>finding.)</i>			
175	If yes, please explain. If necessary, please attach an additional sheet.			
176				
177				
178	23. Is there an exterior injection well anywhere on the property?	☐	☒	☐
179	24. Is seller aware of any percolation tests or soil absorption rates being	☐	☒	☐
180	performed on the property that are determined or accepted by			
181	the Tennessee Department of Environment and Conservation?			
182	If yes, results of test(s) and/or rate(s) are attached.			
183	25. Has any residence on this property ever been moved from its original	☐	☒	☐
184	foundation to another foundation?			

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- 185 26. Is this property in a Planned Unit Development? Planned Unit Development ☐ YES ☒ NO ☐ UNKNOWN
 186 is defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of land,
 187 controlled by one (1) or more landowners, to be developed under unified control
 188 or unified plan of development for a number of dwelling units, commercial,
 189 educational, recreational or industrial uses, or any combination of the
 190 foregoing, the plan for which does not correspond in lot size, bulk or type of
 191 use, density, lot coverage, open space, or other restrictions to the existing land
 192 use regulations." Unknown is not a permissible answer under the statute.
 193 27. Is a sinkhole present on the property? A sinkhole is defined pursuant to Tenn. ☐ ☒ ☐
 194 Code Ann. § 66-5-212(c) as "a subterranean void created by the dissolution of
 195 limestone or dolostone strata resulting from groundwater erosion, causing a
 196 surface subsidence of soil, sediment, or rock and is indicated through the
 197 contour lines on the property's recorded plat map."
 198 28. Was a permit for a subsurface sewage disposal system for the Property issued ☐ ☒
 199 during a sewer moratorium pursuant to Tenn. Code Ann. § 68-221-409? If
 200 yes, Buyer may have a future obligation to connect to the public sewer system.

201 **D. CERTIFICATION.** I/We certify that the information herein, concerning the
 202 real property located at

203 3365 Woodbury Hwy

Manchester

TN 37355

204 is true and correct to the best of my/our knowledge as of the date signed. Should any of these conditions change prior to
 205 conveyance of title to this property, these changes will be disclosed in an addendum to this document.

206 Transferor (Seller) John S. Little Date 11-20-2022 Time 7:00 PM

207 Transferor (Seller) _____ Date _____ Time _____

208 Parties may wish to obtain professional advice and/or inspections of the property and to negotiate
 209 appropriate provisions in the purchase agreement regarding advice, inspections or defects.
 210

211 **Transferee/Buyer's Acknowledgment:** I/We understand that this disclosure statement is not intended as a substitute for any
 212 inspection, and that I/we have a responsibility to pay diligent attention to and inquire about those material defects which are
 213 evident by careful observation. **I/We acknowledge receipt of a copy of this disclosure.**

214 Transferee (Buyer) _____ Date _____ Time _____

215 Transferee (Buyer) _____ Date _____ Time _____

216 If the property being purchased is a condominium, the transferee/buyer is hereby given notice that the transferee/buyer is
 217 entitled, upon request, to receive certain information regarding the administration of the condominium from the developer or
 218 the condominium association as applicable, pursuant to Tennessee Code Annotated §66-27-502.

NOTE: This form is provided by Tennessee REALTORS® to its members for their use in real estate transactions and is to be used as is. This form contains language that is in addition to the language mandated by the state of Tennessee pursuant to the disclosure requirements of the "Tennessee Residential Property Disclosure Act". Tennessee Code Annotated § 66-5-201, et seq. By downloading and/or using this form, you agree and covenant not to alter, amend, or edit said form or its contents except as where provided in the blank fields, and agree and acknowledge that any such alteration, amendment or edit of said form is done at your own risk. Use of the Tennessee REALTORS® logo in conjunction with any form other than standardized forms created by Tennessee REALTORS® is strictly prohibited. This form is subject to periodic revision and it is the responsibility of the member to use the most recent available form.

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