

**MASSACHUSETTS ASSOCIATION OF REALTORS®  
SELLER'S STATEMENT OF PROPERTY CONDITION**

THE SELLER AUTHORIZES THE BROKERS OR SALESPERSONS TO PROVIDE THE FOLLOWING INFORMATION TO PROSPECTIVE BUYERS. THIS INFORMATION IS BASED UPON THE SELLER'S KNOWLEDGE, BUT IS NOT INTENDED AS A GUARANTEE OF THE CONDITION OF THE PROPERTY OR THE CONTINUED SATISFACTORY OPERATION OF ANY SYSTEM. THE BUYER SHOULD INDEPENDENTLY VERIFY ALL INFORMATION BEFORE PURCHASE.

Property Address \_\_\_\_\_

**ANSWERS**

YES NO UNKN

**I. TITLE/ZONING/BUILDING INFORMATION**

- |                          |                          |                          |  |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Seller/Owner _____ How long owned? _____  |
|                          |                          |                          | 2. How long occupied? _____ Approximate year built? _____  |
|                          |                          |                          | 3. Have you been advised of any title problems or limitations (for example, deed restriction, lot line dispute, order of conditions)? If yes, please explain _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a) Do you know of any easement, common driveway, or right of way? If yes, please explain _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 4. Zoning classification of property (if known) _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 5. Has your city/town issued a notice of any violation which is still outstanding? If yes, explain _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a) Have you been advised that the current use is nonconforming in any way? Explain _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Do you know of any variances or special permits? Explain _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. During Seller's ownership, has work been done for which a permit was required? If yes, explain _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | a) Were permits obtained? _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | b) Was the work approved by inspector? _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | c) Is there an outstanding notice of any building code violation? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain _____                           |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 8. Have you been informed that any part of the property is in a designated flood zone or wetlands? Explain _____   |
|                          |                          |                          | (See Flood Zone disclosure Page 4)   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Water drainage problems? Explain _____  |

YES NO UNKN

**II. SYSTEM AND UTILITIES INFORMATION**

**DO YOU KNOW OF ANY CURRENT PROBLEM WITH ANY SYSTEM LISTED BELOW?**

- |                          |                          |                          |   |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Has there ever been an UNDERGROUND FUEL TANK?<br>If yes, is it still in use? _____<br>If not used, was it removed? _____<br>(See Hazardous Materials Disclosure Page 4) |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 11. HEATING SYSTEM: Problems? Explain _____   |
|                          |                          | <input type="checkbox"/> | a) Identify any unheated room or area _____   |
|                          |                          | <input type="checkbox"/> | b) Approximate date of last service _____   |
|                          |                          | <input type="checkbox"/> | c) Reason _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 12. DOMESTIC HOT WATER: Type _____ Age _____ Problems? Explain _____<br>Burners Owned or rented? _____  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 13. SEWAGE SYSTEM: Problems? Explain _____  |
|                          |                          |                          | Type: Municipal Sewer <input type="checkbox"/> Private <input type="checkbox"/> If private, describe type of system:<br>(cesspool, septic tank, etc.) _____                 |
|                          |                          |                          | Name of service company _____   |
|                          |                          |                          | Date it was last pumped _____ Frequency _____   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | During your ownership has sewage backed up into house or onto yard? Yes <input type="checkbox"/> No <input type="checkbox"/> Explain _____                                  |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is system shared with other homes? _____  |
|                          |                          |                          | Date a Title 5 inspection last performed _____ Copy attached. Yes <input type="checkbox"/> No <input type="checkbox"/>  |

SELLER'S INITIALS

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BUYER'S INITIALS

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**ANSWERS**

14. PLUMBING SYSTEM: Problems/Leaks/Freezing? Explain \_\_\_\_\_

Bathroom ventilation problems? Explain \_\_\_\_\_

15. DRINKING WATER SOURCE: Public  Private  If private:

a) Location \_\_\_\_\_

b) Date last tested \_\_\_\_\_ Report: Attached  Not attached

c) Water quality problems? Explain \_\_\_\_\_

d) Water quantity problems? Explain \_\_\_\_\_

e) Flow rate (gal. min.) \_\_\_\_\_

f) Age of pump \_\_\_\_\_

g) Is there a filtration system? \_\_\_\_\_ Age/Type of filtration system \_\_\_\_\_

16. ELECTRICAL SYSTEM: Problems? Explain \_\_\_\_\_

17. APPLIANCES: List appliances that are included \_\_\_\_\_

Any known problems? \_\_\_\_\_

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

18. SECURITY SYSTEM: None  Type  Age  Company \_\_\_\_\_

Problems? Explain \_\_\_\_\_

19. AIR CONDITIONING: Central  Window  Other  None

Problems? Explain \_\_\_\_\_

**III. BUILDING/STRUCTURAL IMPROVEMENTS INFORMATION**

YES NO UNKN

20. FOUNDATION/SLAB:

Problems? Explain \_\_\_\_\_

21. BASEMENT: Water  Seepage  Dampness

Explain amount, frequency, and location \_\_\_\_\_

a) Sump pump? If yes, age \_\_\_\_\_ location \_\_\_\_\_ Problems? \_\_\_\_\_

22. ROOF:

Problems? Explain \_\_\_\_\_

Location of leaks/repairs \_\_\_\_\_

23. CHIMNEY/FIREPLACE: Date last cleaned \_\_\_\_\_ Problems? \_\_\_\_\_

Wood/Coal/Pellet Stove in compliance with installation regulations/code/bylaws? \_\_\_\_\_

If not, explain \_\_\_\_\_

24. History of smoke/fire damage to structure, if any? Explain \_\_\_\_\_

25. FLOORS: Type of floors under carpet/linoleum? \_\_\_\_\_

Problems with floors (buckling, sagging, etc.)? Explain \_\_\_\_\_

26. WALLS:

a) INTERIOR Walls: Problems? Explain \_\_\_\_\_

b) EXTERIOR Walls: Problems? Explain \_\_\_\_\_

27. WINDOWS/SLIDING DOORS/DOORS:

Problems or leaks? Explain \_\_\_\_\_

28. INSULATION: Does house have insulation? If yes, type \_\_\_\_\_ Date installed \_\_\_\_\_ Location \_\_\_\_\_

29. ASBESTOS: Do you know whether asbestos is present in exterior shingles, pipecovering or boiler insulation?

Has a fiber count been performed? \_\_\_\_\_

If yes, attach copy \_\_\_\_\_

(See Asbestos disclosure Page 4)

30. LEAD PAINT: Is lead paint present? \_\_\_\_\_

If yes, locations (attach copy of inspection reports) \_\_\_\_\_

If yes, describe abatement plan/interim controls, if any \_\_\_\_\_

Has paint been encapsulated? If yes, when and by whom? \_\_\_\_\_

(See Lead Paint disclosure Page 4)

31. RADON: Has test for radon been performed? If yes, attach copy \_\_\_\_\_

(See Radon disclosure Page 4)

32. INSECTS: History of Termites/Wood Destroying Insects or Rodent Problems? If yes, explain treatment and dates \_\_\_\_\_

(See Chlordane disclosure Page 4)

SELLER'S INITIALS

BUYER'S INITIALS

**ANSWERS**

33. SWIMMING POOL/JACUZZI: Problems? Explain \_\_\_\_\_  
Name of service company \_\_\_\_\_
34. GARAGE/SHED/OR OTHER STRUCTURE: Problems, explain \_\_\_\_\_
35. Have you been advised of elevated levels of mold at the Property?  
Explain \_\_\_\_\_

YES NO UNKN

**IV. MISCELLANEOUS INFORMATION**

36. Do you know of any other problem which may affect the value or use of the property which may not be obvious to a prospective buyer?  
Explain \_\_\_\_\_
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YES NO UNKN

**V. CONDOMINIUM INFORMATION**

37. If converted to condominium, are documents recorded (Master deed/Unit deed etc.)?
38. PARKING: Number of Spaces \_\_\_\_\_ Of those spaces, identify number that are \_\_\_\_\_ deeded; \_\_\_\_\_ exclusive easements;  
assigned; \_\_\_\_\_ Unassigned or in common area?
39. CONDO FEES: Current monthly fees for Unit are \$ \_\_\_\_\_  
Heat included? Yes  No   
Electricity included? Yes  No
40. RESERVE FUND: Has an advance payment been made to a condo reserve fund?  
If yes, how much \$ \_\_\_\_\_
41. CONDO ASSOC. INFO: Is owners' association currently involved in any litigation? \_\_\_\_\_  
If yes, explain \_\_\_\_\_
42. Have you been advised of any matter which is likely to result in a special assessment or substantially increase condominium fees?  
Explain \_\_\_\_\_

YES NO UNKN

**VI. RENTAL PROPERTY INFORMATION**

43. NUMBER OF UNITS: \_\_\_\_\_  
Has a unit been added/subdivided since original construction?  
If yes, was a permit for new/added unit obtained? \_\_\_\_\_
44. RENTS: Number of units occupied \_\_\_\_\_ Rents \$ \_\_\_\_\_ /month  
Expiration date of each lease \_\_\_\_\_  
Any tenants without leases? \_\_\_\_\_  
Is owner holding last month's rent \_\_\_\_\_ security deposit? \_\_\_\_\_  
If yes, has interest been paid? \_\_\_\_\_  
If security deposit held attach a copy of statements of condition.. Attached  Not attached
45. Is there any outstanding notice of any sanitary code violation? Yes  No  Explain \_\_\_\_\_

**VII. ACKNOWLEDGMENT**

Seller(s) hereby acknowledge that the information set forth above is true and accurate to the best of my (our) knowledge. I (we) further agree to defend and indemnify the broker(s) and any subagents for disclosure of any on the information contained herein. Seller(s) further acknowledge receipt of copy of Seller's Statement of Property Condition.

Date \_\_\_\_\_ Seller  Seller

Buyer/Prospective Buyer acknowledges receipt of Seller's Statement of Property Condition before purchase. Buyer acknowledges that Broker has not verified the information herein and Buyer has been advised to verify information independently. BUYER is not relying upon any representation, verbal or written, from any real estate broker or licensee concerning legal use. Any reference to the category (single family, multi-family, residential, commercial) or the use of this property in any advertisement or listing sheet, including the number of units, number of rooms or other classification is not a representation concerning legal use or compliance with zoning by-laws, building code, sanitary code or other public or private restrictions by the broker. The BUYER understands that if this information is important to BUYER, it is the duty of the BUYER to seek advice from an attorney or written confirmation from the municipality.

Date \_\_\_\_\_ Buyer  Buyer

SELLER'S INITIALS   BUYER'S INITIALS

**VIII. EXPLANATORY MATERIAL**

The following clauses are provided for descriptive purposes only. For detailed information, consult the Massachusetts Department of Public Health, the Massachusetts Department of Environmental Protection, or other appropriate agency, or your attorney.

**A. Flood Hazard Insurance Disclosure Clause (Question #8)**

The lender may require Flood Hazard Insurance as a condition of the mortgage loan if the lender determines that the property is in a flood hazard zone.

**B. Hazardous Materials Disclosure Clause (Question #10)**

In certain circumstances Massachusetts law can hold an owner of real estate liable to pay for the cost of removing hazardous or toxic materials from real estate and for damages resulting from the release of such materials, according to the Massachusetts Oil and Hazardous Material Release and Response Act, General Laws, Chapter 21E. The buyer acknowledges that he may have the property professionally inspected for the presence of, or the substantial likelihood of release of oil or hazardous material and such proof of inspection may be required as a prerequisite for financing the property.

**C. Asbestos Disclosure Clause (Question #29)**

The United States Consumer Product Safety Commission has maintained that asbestos materials are hazardous if they release separate fibers which can be inhaled. Asbestos is a common insulation material on heating pipes, boilers, and furnaces. It may also be present in certain types of floor and ceiling materials, shingles, plaster products, cements and other building materials. The buyer may have the property professionally inspected for the presence of asbestos and if repair or removal of asbestos is desired, proper safety guidelines must be observed.

**D. Lead Paint Disclosure Clause (Question #30)**

Whenever a child under six years of age resides in any residential premises in which any paint, plaster or other accessible material contains dangerous levels of lead, the owner is required by law, to remove all said paint, plaster or cover with appropriate materials so as to make it inaccessible to a child under six years of age. Consumption of lead is poisonous and may cause serious personal injury. Whenever such residential premises containing dangerous levels of lead undergoes a change of ownership, as a result, a child under six years of age will become a resident, the new owner is required by law to remove said paint, plaster cover or encapsulate it with appropriate materials so as to make it inaccessible to such child. Buyer should receive information pamphlet from Department of Public Health.

**E. Radon Disclosure Clause (Question #31)**

Radon is an odorless, colorless, tasteless gas produced naturally in the ground by the normal decay of uranium and radium. Radon can lead to the development of radioactive particles which can be inhaled. Studies indicate the result of extended exposure to high levels of radon may increase the risk of developing lung cancer.

**F. Chlordane Disclosure Clause (Question #32)**

Pesticide products containing chlordane were banned in Massachusetts on June 11, 1985, following a determination by the Department of Food and Agriculture that the use of chlordane may cause unreasonable adverse effects on the environment including risk of cancer. Although existing data does not conclusively prove that significant health effects have occurred as a direct result of chlordane use, the long-term potential health risks are such that is prudent public health policy, according to the Department, to eliminate the further introduction of chlordane into the environment.

**G. Mold Information**

Molds are naturally occurring organisms that exist both indoors and outdoors. More than 1000 different kinds of mold have been found in homes in the United States. Molds are fungi that reproduce by making spores. Spores are small and lightweight and able to travel through the air. Molds need moisture and food to grow and their growth is stimulated by warm, damp and humid conditions. Molds can use materials such as wood, paper, drywall and carpet as food sources. Reducing dampness indoors is often key to reducing the growth of mold. Depending on the level of mold, allergies, respiratory problems and other health consequences can be triggered in sensitive individuals. However, exposure to mold does not always result in health problems. As of July of 2002, U.S. governmental agencies reported that a determination had not been made what quantity of mold was acceptable in an indoor environment. For more information on mold, contact an engineer or other qualified mold inspector. Information may also be found at the web site for the U. S. Environmental Protection Agency, [www.epa.gov](http://www.epa.gov).

**H. Fair Housing Notice**

It is unlawful to discriminate on the basis of race, color, religious creed, national origin, age, gender, sex, ancestry, marital status, veteran status, sexual orientation, disability, presence of a child, receipt of public assistance or other protected classification in the sale or rental of covered housing.

SELLER'S INITIALS

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