

TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

- 1 PROPERTY ADDRESS 232 Victoria Circle CITY Jamestown
- 2 SELLER'S NAME(S) Allan Dexter and Deborah Dexter PROPERTY AGE 3 yrs
- 3 DATE SELLER ACQUIRED THE PROPERTY 2008 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
7 units to furnish to a buyer one of the following: (1) a residential property disclosure statement (the "Disclosure"), or (2) a
8 residential property disclaimer statement (permitted only where the buyer waives the required Disclosure). Some property
9 transfers may be exempt from this requirement (see Tenn. Code Ann. § 66-5-209). The following is a summary of the
10 buyers' and sellers' rights and obligations under the Act. A complete copy of the Act may be found at
11 <http://www.tn.gov/commerce/boards/trec/law.shtml>.
- 12 1. Sellers must disclose all known material defects and must answer the questions on the Disclosure form in good faith to
13 the 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
18 information provided by a public agency, in lieu of responding to some or all of the questions on the form (See Tenn.
19 Code Ann. § 66-5-204).
 - 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
24 paid.
 - 25 8. Sellers are not required to disclose if any occupant was HIV-positive, or had any other disease not likely to be
26 transmitted by occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or
27 occurrence which had no effect on the physical structure of the property.
 - 28 9. Sellers may provide an "as is", "no representations or warranties" disclaimer statement in lieu of the Disclosure form
29 only if the buyer waives the right to the required disclosure, otherwise the sellers must provide the completed Disclosure
30 form (See Tenn. Code Ann. § 66-5-202).
 - 31 10. Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public
32 auctions, court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not
33 resided on the property at any time within the prior 3 years. See Tenn. Code Ann. § 66-5-209).
 - 34 11. Buyers are advised to include home and wood infestation, well, water sources, septic system, lead-based paint, radon,
35 mold, and other appropriate inspection contingencies in the contract, as the Disclosure form is not a warranty of any kind
36 by the seller, and is not a substitute for any warranties or inspections the buyer may desire to purchase.
 - 37 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, seller
38 is not required to repair any such items.
 - 39 13. Buyers may, but do not have to, waive their right to receive the Disclosure form from the sellers if the sellers provide a
40 disclaimer statement with no representations or warranties (see Tenn. Code Ann. § 66-5-202).



- 41 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to
 42 buyer and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such
 43 matters.
- 44 15. Representations in the Disclosure form are those of the sellers only, and not of any real estate licensee, although
 45 licensees are required to disclose to all parties adverse facts of which the licensee has actual knowledge or notice.
- 46 16. Pursuant to Tenn. Code Ann. § 47-18-104(b), sellers of newly constructed residences on a septic system are prohibited
 47 from knowingly advertising or marketing a home as having more bedrooms than are permitted by the subsurface sewage
 48 disposal system permit.
- 49 17. Sellers must disclose the presence of any known exterior injection well, the results of any known percolation test or soil
 50 absorption rate performed on the property that is determined or accepted by the Department of Environment and
 51 Conservation, and whether the property is located within a Planned Unit Development as defined by Tenn. Code Ann. §
 52 66-5-213 and, if requested, provide buyers with a copy of the development's restrictive covenants, homeowner bylaws
 53 and master deed. Sellers must also disclose if they have knowledge that the residence has ever been moved from an
 54 existing foundation to another foundation.

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

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

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

69 INSTRUCTIONS TO THE SELLER

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

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

- | | | |
|--|--|--|
| 74 <input checked="" type="checkbox"/> Range | <input type="checkbox"/> Wall/Window Air Conditioning | <input checked="" type="checkbox"/> Garage Door Opener(s) (Number of openers <u>1</u>) |
| 75 <input checked="" type="checkbox"/> Ice Maker Hookup | <input checked="" type="checkbox"/> Window Screens | <input checked="" type="checkbox"/> <u>1</u> Garage Door Remote(s) |
| 76 <input checked="" type="checkbox"/> Oven | <input checked="" type="checkbox"/> Fireplace(s) (Number) <u>1</u> | <input type="checkbox"/> Intercom |
| 77 <input checked="" type="checkbox"/> Microwave | <input type="checkbox"/> Gas Starter for Fireplace | <input checked="" type="checkbox"/> TV Antenna/Satellite Dish (excluding components) |
| 78 <input checked="" type="checkbox"/> Garbage Disposal | <input type="checkbox"/> Gas Fireplace Logs | <input type="checkbox"/> Central Vacuum System and attachments |
| 79 <input type="checkbox"/> Trash Compactor | <input checked="" type="checkbox"/> Smoke Detector/Fire Alarm | <input type="checkbox"/> Spa/Whirlpool Tub |
| 80 <input type="checkbox"/> Water Softener | <input checked="" type="checkbox"/> Patio/Decking/Gazebo | <input type="checkbox"/> Hot Tub |
| 81 <input checked="" type="checkbox"/> 220 Volt Wiring | <input type="checkbox"/> Installed Outdoor Cooking Grill | <input checked="" type="checkbox"/> Washer/Dryer Hookups |
| 82 <input type="checkbox"/> Sauna | <input type="checkbox"/> Irrigation System | <input type="checkbox"/> Pool <input type="checkbox"/> In-ground <input type="checkbox"/> Above-ground |
| 83 <input checked="" type="checkbox"/> Dishwasher | <input checked="" type="checkbox"/> A key to all exterior doors | <input checked="" type="checkbox"/> Access to Public Streets |
| 84 <input type="checkbox"/> Sump Pump | <input checked="" type="checkbox"/> Rain Gutters | <input checked="" type="checkbox"/> All Landscaping and all outdoor lighting |
| 85 <input checked="" type="checkbox"/> Burglar Alarm/Security System Components and controls | | |
| 86 <input checked="" type="checkbox"/> Current Termite contract with <u>3 YLS</u> | | |



- 87 ☐ Heat Pump Unit #1 3 yrs Age (Approx)
- 88 ☐ Heat Pump Unit #2 _____ Age (Approx)
- 89 ☐ Heat Pump Unit #3 _____ Age (Approx)
- 90 ☐ Central Heating Unit #1 3 Age ☒ Electric ☐ Gas ☐ Other
- 91 ☐ Central Heating Unit #2 _____ Age ☐ Electric ☐ Gas ☐ Other
- 92 ☐ Central Heating Unit #3 _____ Age ☐ Electric ☐ Gas ☐ Other
- 93 ☐ Central Air Conditioning #1 3 Age ☒ Electric ☐ Gas ☐ Other
- 94 ☐ Central Air Conditioning #2 _____ Age ☐ Electric ☐ Gas ☐ Other
- 95 ☐ Central Air Conditioning #3 _____ Age ☐ Electric ☐ Gas ☐ Other
- 96 ☐ Water Heater #1 3 Age ☒ Electric ☐ Gas ☐ Solar ☐ Other _____
- 97 ☐ Water Heater #2 _____ Age ☐ Electric ☐ Gas ☐ Solar ☐ Other _____
- 98 ☐ Other _____ ☐ Other _____
- 99 Garage ☒ Attached ☐ Not Attached ☐ Carport
- 100 Water Supply ☒ City ☐ Well ☐ Private ☐ Utility ☐ Other _____
- 101 Gas Supply ☐ Utility ☐ Bottled ☐ Other
- 102 Waste Disposal ☐ City Sewer ☒ Septic Tank ☐ Other _____
- 103 Roof(s): Type SHINGLE Age (approx): 3 yrs

104 Other Items:

105 Kitchen stove, refrigerator, dishwasher

106

107

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

109 If YES, then describe (attach additional sheets if necessary):

110

111

112

113

114

115

116 Leased Items: Leased items that remain with the Property are (e.g. security systems, water softener systems, etc.):

117 None

118

119

120 If leases are not assumable, it will be Seller's responsibility to pay balance.

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

	YES	NO	UNKNOWN		YES	NO	UNKNOWN
122 Interior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roof Components	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
123 Ceilings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Basement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
124 Floors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Foundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
125 Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Slab	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
126 Doors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Driveway	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
127 Insulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sidewalks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
128 Plumbing System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Heating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	YES	NO	UNKNOWN		YES	NO	UNKNOWN
129	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sewer/Septic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
130	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Electrical System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
131	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exterior Walls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
132				Heat Pump	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
133				Central Air Conditioning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
134				Double Paned or Insulated Window and/or Doors	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Please describe any repairs made by you or any previous owners of which you are aware (use separate sheet if necessary).

C. ARE YOU (SELLER) AWARE OF ANY OF THE FOLLOWING:

	YES	NO	UNKNOWN
138 1. Substances, materials or products which may be environmental hazards such as, but not limited to: asbestos, radon gas, lead-based paint, fuel or chemical storage tanks, methamphetamine, contaminated soil or water, and/or known existing or past mold presence on the subject property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
143 2. Features shared in common with adjoining land owners, such as walls, but not limited to, fences, and/or driveways, with joint rights and obligations for use and maintenance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
146 3. Any authorized changes in roads, drainage or utilities affecting the property, or contiguous to the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
148 4. Any changes since the most recent survey of the property was done? Most recent survey of the property: <input type="checkbox"/> (check here if unknown)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
151 5. Any encroachments, easements, or similar items that may affect your ownership interest in the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
153 6. Room additions, structural modifications or other alterations or repairs made without necessary permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
155 7. Room additions, structural modifications or other alterations or repairs not in compliance with building codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
157 8. Landfill (compacted or otherwise) on the property or any portion thereof?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
159 9. Any settling from any cause, or slippage, sliding or other soil problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
160 10. Flooding, drainage or grading problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
161 11. Any requirement that flood insurance be maintained on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
162 12. Is any of the property in a flood plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
163 13. Any past or present interior water intrusions(s), standing water within foundation and/or basement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
165 If yes, please explain. If necessary, please attach an additional sheet and any available documents pertaining to these repairs/corrections.			

- 170 14. Property or structural damage from fire, earthquake, floods, landslides, tremors, wind, storm or wood destroying organisms?
- 171 If yes, please explain (use separate sheet if necessary).

176 If yes, has said damage been repaired?



	YES	NO	UNKNOWN
178 any zoning violations, nonconforming uses and/or violations of "setback" requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
179 16. Neighborhood noise problems or other nuisances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
180 17. Subdivision and/or deed restrictions or obligations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
181 18. A Condominium/Homeowners Association (HOA) which has any authority over the subject property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
182 Name of HOA: _____	HOA Address: _____		
183 HOA Phone Number: _____	Monthly Dues: _____		
184 Special Assessments: _____	Transfer Fees: _____		
185 Management Company: _____	Phone: _____		
186 Management Co. Address: _____			
188 19. Any "common area" (facilities such as, but not limited to, pools, tennis courts, walkways or other areas co-owned in undivided interest with others)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
190 20. Any notices of abatement or citations against the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
191 21. Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects or will affect the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
192 22. Is any system, equipment or part of the property being leased?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
193 If yes, please explain, and include a written statement regarding payment information.			
194			
196			
197			
198 23. Any exterior wall covering of the structure(s) covered with exterior insulation and finish systems (EIFS), also known as "synthetic stucco"?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
199 If yes, has there been a recent inspection to determine whether the structure has excessive moisture accumulation and/or moisture related damage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
200 (The Tennessee Real Estate Commission urges any buyer or seller who encounters this product to have a qualified professional inspect the structure in question for the preceding concern and provide a written report of the professional's finding.)			
201 If yes, please explain. If necessary, please attach an additional sheet.			
202			
203			
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207			
208 24. Is heating and air conditioning supplied to all finished rooms?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
209 If the same type of system is not used for all finished rooms, please explain.			
210			
211			
212			
213 25. If septic tank or other private disposal system is marked under item (A), does it have adequate capacity and approved design to comply with present state and local requirements for the actual land area and number of bedrooms and facilities existing at the residence?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
214			
215			
216			
217 26. Is the property affected by governmental regulations or restrictions requiring approval for changes, use, or alterations to the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
218			
219 27. Is this property in a historical district or has it been declared historical by any governmental authority such that permission must be obtained before certain types of improvements or aesthetic changes to the property are made?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
220			
221			
222 28. Does this property have an exterior injection well located anywhere on it?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
223 29. Is seller aware of any percolation tests or soil absorption rates being performed on the property that are determined or accepted by the Tennessee Department of Environment and Conservation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
224			
225 If yes, results of test(s) and/or rate(s) are attached.			
226			

Done By Seller Prior to Property Purchase



YES NO UNKNOWN

227 30. Has any residence on this property ever been moved from its original
 228 foundation to another foundation? ☐ ☒ ☐

229 31. Is this property in a Planned Unit Development? Planned Unit Development
 230 is defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of land,
 231 controlled by one (1) or more landowners, to be developed under unified
 232 control or unified plan of development for a number of dwelling units,
 233 commercial, educational, recreational or industrial uses, or any combination
 234 of the foregoing, the plan for which does not correspond in lot size, bulk or
 235 type of use, density, lot coverage, open space, or other restrictions to the
 236 existing land use regulations." Unknown is not a permissible answer under
 237 the statute. ☒ ☐

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

239 232 Victoria Circle, Jamestown, TN 38556

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

242 Transferor (Seller) Allan Dexter Date 7/18/12 Time _____
 243 Allan Dexter

244 Transferor (Seller) Deborah Dexter Date 7/18/12 Time _____
 245 Deborah Dexter

246 Parties may wish to obtain professional advice and/or inspections of the property and to negotiate
 247 appropriate provisions in the purchase agreement regarding advice, inspections or defects.
 248

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

252 Transferee (Buyer) _____ Date _____ Time _____

253 Transferee (Buyer) _____ Date _____ Time _____

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

NOTE: This form is provided by TAR 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 § 66-5-207, 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 TAR logo in conjunction with any form other than standardized forms created by TAR 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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