

**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

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1. Date \_\_\_\_\_  
2. Page 1 of \_\_\_\_\_ pages

3. **THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**

4. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.  
5. Effective January 1, 2003, under Minnesota law, Sellers of residential property, with limited exceptions listed on  
6. page five (5), are obligated to disclose to prospective Buyers all material facts pertaining to adverse physical conditions  
7. in the property of which the Seller is aware that could adversely and significantly affect an ordinary Buyer's use or  
8. enjoyment of the property or any intended use of the property of which the Seller is aware. This disclosure is not a  
9. warranty or a guaranty of any kind by the Seller(s) or Licensee(s) representing or assisting any party/ies in the  
10. transaction.

11. **INSTRUCTIONS TO BUYER:** Buyers are encouraged to thoroughly inspect the property personally or have it  
12. inspected by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers "NO" to any of  
13. the questions listed below, it does not necessarily mean that it does not exist on the property. "NO" may mean that  
14. Seller is unaware that it exists on the property.

15. **INSTRUCTIONS TO SELLER:** (1) Complete this form yourself. (2) Consult prior disclosure statement(s)  
16. and/or inspection report(s) when completing this form. (3) Describe conditions affecting the property to the best of  
17. your knowledge. (4) Attach additional pages with your signature if additional space is required. (5) Answer all  
18. questions. (6) If any items do not apply, write "NA" (not applicable).

19. Property located at \_\_\_\_\_

20. City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_.

**21. A. GENERAL INFORMATION:**

22. (1) When did you **Acquire / Build** the home? \_\_\_\_\_  
-----(*circle one*)-----

23. (2) Type of title evidence: Abstract  Registered (Torrens)

24. Location of Abstract: \_\_\_\_\_

25. To your knowledge, is there an existing Owner's Title Insurance Policy? Yes  No

26. (3) Have you occupied this home continuously for the past 12 months? Yes  No

27. If "No," explain: \_\_\_\_\_

28. (4) Is the home suitable for year-round use? Yes  No

29. (5) To your knowledge, is the property located in a designated flood plain? Yes  No

30. (6) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach) Yes  No

31. (7) Is the property located on a public or a private road? Public  Private

32. Are you aware of any:

33. (8) encroachments? Yes  No

34. (9) association, covenants, reservations or restrictions that affect or may affect the use  
35. or future resale of the property? Yes  No

36. (10) easements, other than utility or drainage easements? Yes  No

37. (11) Comments: \_\_\_\_\_

38. \_\_\_\_\_

**39. B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they  
40. currently exist?

41. (1) Has there been any damage by wind, fire, flood, hail or other cause(s)? Yes  No

42. If "Yes," give details of what happened and when: \_\_\_\_\_

43. \_\_\_\_\_

44. (2) Has/Have the structure(s) been altered?  
45. (e.g., additions, altered roof lines, changes to load-bearing walls) Yes  No

46. If "Yes," please specify what was done, when and by whom (owner or contractor): \_\_\_\_\_

47. \_\_\_\_\_

48. (3) Has there been any damage to flooring or floor covering? Yes  No

49. If "Yes," give details of what happened and when: \_\_\_\_\_

50. \_\_\_\_\_

51. (4) Are you aware of any insect/animal/pest infestation? Yes  No

52. (5) Do you have or have you previously had any pets? Yes  No

53. If "Yes," indicate type \_\_\_\_\_ and number \_\_\_\_\_.

54. (6) Comments: \_\_\_\_\_

55. \_\_\_\_\_

56. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER**

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58. **THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**

59. Property located at: \_\_\_\_\_

**60. C. STRUCTURAL SYSTEMS:**

61. To your knowledge, have any of the following conditions previously existed or do they currently exist?

62. (ANSWERS APPLY TO ALL STRUCTURES, SUCH AS GARAGE AND OUT-BUILDINGS.)

**63. (1) THE BASEMENT, CRAWLSPACE, SLAB:**

- |                             |                              |                             |                      |                              |                             |
|-----------------------------|------------------------------|-----------------------------|----------------------|------------------------------|-----------------------------|
| 64. (a) cracked floor/walls | Yes <input type="checkbox"/> | No <input type="checkbox"/> | (e) leakage/seepage  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 65. (b) drain tile problem  | Yes <input type="checkbox"/> | No <input type="checkbox"/> | (f) sewer backup     | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 66. (c) flooding            | Yes <input type="checkbox"/> | No <input type="checkbox"/> | (g) wet floors/walls | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 67. (d) foundation problem  | Yes <input type="checkbox"/> | No <input type="checkbox"/> | (h) other            | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

68. Give details to any questions answered "Yes": \_\_\_\_\_

69. \_\_\_\_\_

**70. (2) THE ROOF:** To your knowledge:

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| 71. (a) what is the age of the roofing material? _____ years          |                              |                             |
| 72. (b) has there been any interior or exterior damage?               | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 73. (c) has there been interior damage from ice buildup?              | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 74. (d) has there been any leakage?                                   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 75. (e) have there been any repairs or replacements made to the roof? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

76. Give details to any questions answered "Yes": \_\_\_\_\_

77. \_\_\_\_\_

**78. D. PRIVATE SEWER SYSTEM DISCLOSURE:**

79. (A Private Sewer System Disclosure is required by MN Statute 115.55.)

80. (check appropriate box)

81.  Seller does not know of a private sewer system on or serving the above described real property.
82.  There is a private sewer system on or serving the above described real property.
83. See *Private Sewer System Disclosure*.
84.  There is an abandoned private sewer system on the above described real property.
85. See *Private Sewer System Disclosure*.

**86. E. PRIVATE WELL DISCLOSURE:** (A Well Disclosure Statement and Certificate are required by MN Statute 103I.235.)

87. (check appropriate box)

88.  Seller certifies that Seller does not know of any wells on the above described real property.
89.  Seller certifies there are one of more wells located on the above described real property.
90. See *Well Disclosure Statement*.

91. Are there any wells serving the above described property that are not located on the property? Yes  No

92. To your knowledge, is this property in a Special Well Construction Area? Yes  No

**93. F. PROPERTY TAX TREATMENT**

94. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 16.)

95. (check appropriate box)

96. There **IS**  / **IS NOT**  an exclusion from market value for home improvements on this property. Any valuation exclusion will terminate upon sale of the property, and the property's estimated market value for property tax purposes will increase. If a valuation exclusion exists, Buyers are encouraged to look into the resulting tax consequences.

99. Additional comments: \_\_\_\_\_

**101. Preferential Property Tax Treatment**

102. Is the property subject to any preferential property tax status or any other credits affecting the property which would terminate upon the sale of the property? Yes  No

103. (e.g., Disability, Green Acres, CRP, RIM, etc.)

105. If "Yes," please explain: \_\_\_\_\_

106. \_\_\_\_\_

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110. Property located at: \_\_\_\_\_

**111. G. APPLIANCES, HEATING, PLUMBING, ELECTRICAL AND OTHER MECHANICAL SYSTEMS:**

112. **NOTE:** This section refers only to the working condition of the following items. Answers apply to all such items  
 113. unless otherwise noted in comments below. Personal property is included in the sale **ONLY IF** specifically  
 114. referenced in the Purchase Agreement.

115. **Cross out only those items not physically located on the property.**

	In Working Order			In Working Order			In Working Order	
	Yes	No		Yes	No		Yes	No
118. Air conditioning----->	<input type="checkbox"/>	<input type="checkbox"/>	Heating system (central)-->	<input type="checkbox"/>	<input type="checkbox"/>	TV antenna system----->	<input type="checkbox"/>	<input type="checkbox"/>
119. Central <input type="checkbox"/> Wall <input type="checkbox"/> Window <input type="checkbox"/>			Heating system (supplemental)	<input type="checkbox"/>	<input type="checkbox"/>	TV cable system----->	<input type="checkbox"/>	<input type="checkbox"/>
120. Ceiling fan----->	<input type="checkbox"/>	<input type="checkbox"/>	Incinerator----->	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite dish----->	<input type="checkbox"/>	<input type="checkbox"/>
121. Dishwasher----->	<input type="checkbox"/>	<input type="checkbox"/>	Intercom----->	<input type="checkbox"/>	<input type="checkbox"/>	Rented <input type="checkbox"/> Owned <input type="checkbox"/>		
122. Door bell----->	<input type="checkbox"/>	<input type="checkbox"/>	Lawn sprinkler system---->	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite receiver-->	<input type="checkbox"/>	<input type="checkbox"/>
123. Drain tile system----->	<input type="checkbox"/>	<input type="checkbox"/>	Microwave----->	<input type="checkbox"/>	<input type="checkbox"/>	Rented <input type="checkbox"/> Owned <input type="checkbox"/>		
124. Dryer----->	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing----->	<input type="checkbox"/>	<input type="checkbox"/>	Washer----->	<input type="checkbox"/>	<input type="checkbox"/>
125. Electrical system----->	<input type="checkbox"/>	<input type="checkbox"/>	Pool and equipment----->	<input type="checkbox"/>	<input type="checkbox"/>	Water heater----->	<input type="checkbox"/>	<input type="checkbox"/>
126. Exhaust system----->	<input type="checkbox"/>	<input type="checkbox"/>	Range/oven----->	<input type="checkbox"/>	<input type="checkbox"/>	Water treatment system	<input type="checkbox"/>	<input type="checkbox"/>
127. Fire sprinkler system----->	<input type="checkbox"/>	<input type="checkbox"/>	Range hood----->	<input type="checkbox"/>	<input type="checkbox"/>	Rented <input type="checkbox"/> Owned <input type="checkbox"/>		
128. Fireplace----->	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator----->	<input type="checkbox"/>	<input type="checkbox"/>	Windows----->	<input type="checkbox"/>	<input type="checkbox"/>
129. Fireplace mechanisms----->	<input type="checkbox"/>	<input type="checkbox"/>	Security system----->	<input type="checkbox"/>	<input type="checkbox"/>	Window treatments----->	<input type="checkbox"/>	<input type="checkbox"/>
130. Furnace humidifier----->	<input type="checkbox"/>	<input type="checkbox"/>	Rented <input type="checkbox"/> Owned <input type="checkbox"/>			Wood-burning stove---->	<input type="checkbox"/>	<input type="checkbox"/>
131. Freezer----->	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery)	<input type="checkbox"/>	<input type="checkbox"/>	Other _____		
132. Garage door opener (GDO)	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwire)	<input type="checkbox"/>	<input type="checkbox"/>	Other _____		
133. GDO auto reverse----->	<input type="checkbox"/>	<input type="checkbox"/>	Solar collectors----->	<input type="checkbox"/>	<input type="checkbox"/>	Other _____		
134. GDO remote----->	<input type="checkbox"/>	<input type="checkbox"/>	Sump pump----->	<input type="checkbox"/>	<input type="checkbox"/>	Other _____		
135. Garbage disposal----->	<input type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms----->	<input type="checkbox"/>	<input type="checkbox"/>	Other _____		
136.			Trash compactor----->	<input type="checkbox"/>	<input type="checkbox"/>	Other _____		

137. Comments: \_\_\_\_\_  
 138. \_\_\_\_\_  
 139. \_\_\_\_\_

**140. H. ENVIRONMENTAL CONCERNS:** Are you aware of any of the following on the property:

141. Asbestos? Yes <input type="checkbox"/> No <input type="checkbox"/>	Hazardous wastes? Yes <input type="checkbox"/> No <input type="checkbox"/>	Soil problems? Yes <input type="checkbox"/> No <input type="checkbox"/>
142. Diseased trees? Yes <input type="checkbox"/> No <input type="checkbox"/>	Lead? (paint, plumbing, etc.) Yes <input type="checkbox"/> No <input type="checkbox"/>	Underground storage tanks? Yes <input type="checkbox"/> No <input type="checkbox"/>
143. Formaldehyde? Yes <input type="checkbox"/> No <input type="checkbox"/>	Mold? Yes <input type="checkbox"/> No <input type="checkbox"/>	Other? Yes <input type="checkbox"/> No <input type="checkbox"/>
144. Hazardous substances? Yes <input type="checkbox"/> No <input type="checkbox"/>	Radon? Yes <input type="checkbox"/> No <input type="checkbox"/>	

145. Give details to any question answered "Yes": \_\_\_\_\_  
 146. \_\_\_\_\_  
 147. \_\_\_\_\_  
 148. \_\_\_\_\_

**149. I. OTHER DEFECTS:**

150. Are you aware of any other material facts pertaining to adverse physical conditions on the property? Yes  No   
 151. If "Yes," explain below:  
 152. \_\_\_\_\_  
 153. \_\_\_\_\_

**154. J. ADDITIONAL COMMENTS:**

155. \_\_\_\_\_  
 156. \_\_\_\_\_  
 157. \_\_\_\_\_  
 158. \_\_\_\_\_  
 159. \_\_\_\_\_

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162. 

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163. Property located at: \_\_\_\_\_

164. **NOTICE REGARDING PREDATORY OFFENDER INFORMATION**

165. Information regarding the predatory offender registry and persons registered with the predatory offender registry  
166. under MN Statue, 243.166, may be obtained by contacting the local law enforcement offices in  
167. the community where the property is located, or the Minnesota Department of Corrections at (651) 642-0200, or  
168. from the Department of Corrections Web site at www.corr.state.mn.us.

169. **WATER INTRUSION AND MOLD GROWTH**

170. Recent studies have shown that various forms of water intrusion affect many homes. Water intrusion may occur from  
171. either exterior moisture entering the home and/or interior moisture leaving the home.

172. Examples of exterior moisture sources may be:

- 173. • improper flashing around windows and doors
- 174. • improper grading
- 175. • flooding
- 176. • roof leaks

177. Examples of interior moisture sources may be:

- 178. • plumbing leaks
- 179. • condensation (caused by indoor humidity that is too high or surfaces that are too cold)
- 180. • overflow from tubs, sinks or toilets
- 181. • firewood stored indoors
- 182. • humidifier use
- 183. • inadequate venting of kitchen and bath humidity
- 184. • improper venting of clothes dryer exhaust outdoors (including electrical dryers)
- 185. • line-drying laundry indoors
- 186. • houseplants - watering them can generate large amounts of moisture

187. In addition to the possible structural damage water intrusion may do to the property, water intrusion may also result  
188. in the growth of mold, mildew and other fungi. Mold growth may also cause structural damage to the property.  
189. Therefore, it is very important to detect and remediate water intrusion problems.

190. Fungi are present everywhere in our environment, both indoors and outdoors. Many molds are beneficial to humans.  
191. However, molds have the ability to produce mycotoxins that may have a potential to cause serious health problems,  
192. particularly in some immunocompromised individuals and people who have asthma or allergies to mold.

193. To complicate matters, mold growth is often difficult to detect, as it frequently grows within the wall structure. If you  
194. have a concern about water intrusion or the resulting mold/mildew/fungi growth, you may want to consider having  
195. the property inspected for moisture problems before entering into a purchase agreement or as a condition of your  
196. purchase agreement. Such an analysis is particularly advisable if you observe staining or musty odors on the  
197. property.

198. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota  
199. Association of REALTORS® Web site at www.mnrealtor.com.

200. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE**  
201. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING IN THE PROPERTY.**

202. **K. SELLER'S STATEMENT:** *(to be signed at time of listing)*

203. Seller(s) hereby state(s) the condition of the property to be as stated above and authorize(s) any Licensee(s)  
204. representing or assisting any party/ies in this transaction to provide a copy of this statement to any person or  
205. entity in connection with any actual or anticipated sale of the property.

206. \_\_\_\_\_  
(Seller) (Date) (Seller) (Date)

207. **L. BUYER'S ACKNOWLEDGEMENT:** *(to be signed at time of purchase agreement)*

208. I/We, the Buyer(s) of the property, acknowledge receipt of the Seller's Property Disclosure Statement and agree  
209. that no representations regarding the condition of the property have been made other than those made above.

210. \_\_\_\_\_  
(Buyer) (Date) (Buyer) (Date)

211. **M. SELLER'S ACKNOWLEDGMENT:** *(to be signed at time of purchase agreement)*

212. **AS OF THE DATE BELOW**, I/we, the Seller(s) of the property, state that the condition of the property is the  
213. same, **except changes as indicated below.**

214. \_\_\_\_\_

215. \_\_\_\_\_

216. \_\_\_\_\_  
(Seller) (Date) (Seller) (Date)

217. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER**

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219. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:

220. "Residential real property" or "residential real estate" means: property occupied as, or intended to be occupied as,  
221. a single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103,  
222. clause (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.

223. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in  
224. residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase or any  
225. other option.

226. **Exceptions**

227. The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to any of the following:

- 228. (1) real property that is not residential real property;
- 229. (2) a gratuitous transfer;
- 230. (3) a transfer pursuant to a court order;
- 231. (4) a transfer to a government or governmental agency;
- 232. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 233. (6) a transfer to heirs or devisees of a decedent;
- 234. (7) a transfer from a cotenant to one or more other cotenants;
- 235. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of the seller;
- 236. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property  
237. agreement incidental to that decree;
- 238. (10) a transfer of newly constructed residential property that has not been inhabited;
- 239. (11) an option to purchase a unit in a common interest community, until exercised;
- 240. (12) a transfer to a person who controls or is controlled by the grantor, as those terms are defined with respect to  
241. a declarant under section 515B.1-103, clause (2);
- 242. (13) a transfer to a tenant who is in possession of the residential real property; or
- 243. (14) a transfer of special declarant rights under section 515B.3-104.

244. **Waiver**

245. The written disclosure required under sections 513.52 to 513.60 may be waived if the seller and the prospective  
246. buyer agree in writing. Waiver of the disclosure required under sections 513.52 to 513.60 does not waive, limit or  
247. abridge any obligation for seller disclosure created by any other law.

248. **No Duty to Disclose**

249. A. There is no duty to disclose the fact that the property:

- 250. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human  
251. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
- 252. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
- 253. (3) is located in a neighborhood containing any adult family home, community-based residential facility or  
254. nursing home.

255. B. **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to register  
256. under MN Statute 243.166, or about whom notification is made under that section, if the seller, in a timely  
257. manner, provides a written notice that information about the predatory offender registry and persons registered  
258. with the registry may be obtained by contacting the local law enforcement agency where the property is located  
259. or the Department of Corrections.

260. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs A and  
261. B for property that is not residential property.

262. D. **Inspections.** (i) Except as provided in paragraph (ii), a seller is not required to disclose information relating  
263. to the physical condition of the real property if a written report that discloses the information has been  
264. prepared by a qualified third party and provided to the prospective buyer. For purposes of this paragraph,  
265. "qualified third party" means a federal, state or local governmental agency, or any person whom the seller, or  
266. prospective buyer, reasonably believes has the expertise necessary to meet the industry standards of practice  
267. for the type of inspection or investigation that has been conducted by the third party in order to prepare the  
268. written report.

269. (ii) A seller shall disclose to the prospective buyer material facts known by the seller that contradict any  
270. information included in a written report under paragraph (i) if a copy of the report is provided to the seller.

271. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER**