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 "Best Agents, Best Service"



**REALTORS® ASSOCIATION OF NEW MEXICO  
 PROPERTY DISCLOSURE STATEMENT – RESIDENTIAL**

**INSTRUCTIONS AND ACKNOWLEDGMENT REGARDING THIS FORM**

This Statement discloses Seller's current, actual knowledge of the condition of the Property as of the date signed by Seller, and is not a substitute for any inspections or warranties that Buyer may wish to obtain. This Statement is designed to assist Seller to provide information about the Property and to assist Buyer in evaluating the Property being considered. Conditions may exist which are unknown to Seller. Buyer is encouraged to address concerns about the Property whether or not included in this Statement. This Statement does not relieve Seller of the obligation to disclose a condition of the Property that may not be addressed on this form or a change in any condition after the date of this Statement, and is not a substitute for inspection by the Buyer. Neither the Broker, nor the board or association of REALTORS® nor the REALTORS® Association of New Mexico warrant or guarantee the information in this disclosure.

Address \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_

Legal Description  
 or see metes & bounds description attached as Exhibit \_\_\_\_\_, \_\_\_\_\_ County, New Mexico.

**OCCUPANCY:** Does seller currently occupy the Property?  Yes. If yes, \_\_\_\_\_ years/months seller occupied.  
 No. If no, \_\_\_\_\_ years/months since seller occupied.  Never occupied Property.

**TITLE, ZONING, LEGAL INFORMATION**

**Is the Seller aware of:**

1. Any title problems (for example, unrecorded or disputed easements, lot line disputes, liens, encroachments, access issues, third party claims)?  Yes  No
2. Any property taxes that are not current?  Yes  No
3. Any existing or proposed bonds, assessments, liens, mortgages, judgments, deeds of trust, real estate contracts, etc. against the property?  Yes  No If yes, explain: \_\_\_\_\_
4. Any violations of applicable subdivision laws at the time the property was subdivided?  Yes  No  
 If yes, explain: \_\_\_\_\_
5. Any alleged violations of applicable laws, regulations, ordinances or zoning laws?  Yes  No
6. Any zoning variances/exceptions or non-conforming use of the property?  Yes  No If yes, explain: \_\_\_\_\_
7. Any legal issues, proposed buildings, bridges, roadways or real estate developments, etc. in the immediate area?  
 Yes  No If yes, explain: \_\_\_\_\_
8. Any restrictive covenants or other limitations on use?  Yes  No If yes, explain: \_\_\_\_\_

REALTORS® Association of New Mexico (RANM) makes no warranty of the legal effectiveness or validity of this form and disclaims any liability for damages resulting from its use. By use of this form the parties agree to the limitations set forth in this paragraph. The parties hereby release RANM, the real estate brokers, their agents and employees from any liability arising out of the use of this form. You should consult your attorney with regards to the effectiveness, validity, or consequences of any use of this form. The use of this form is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by real estate licensees who are members of the National Association of REALTORS® and who subscribe to the Association's strict Code of Ethics.

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9. Any violations thereof?  Yes  No If yes, explain: \_\_\_\_\_
10. Any building code or environmental regulation violations?  Yes  No If yes, explain: \_\_\_\_\_
11. Any necessary permits, approvals or inspections for all construction, repairs and improvements that have not been obtained?  Yes  No If yes, explain: \_\_\_\_\_
12. Any existing or threatened legal actions concerning the property or the homeowners association?  Yes  No  
If yes, explain: \_\_\_\_\_
13. Any well-sharing, road-sharing or other contract to which the property is subject?  Yes  No If yes, explain: \_\_\_\_\_
14. Anyone with a right of refusal to buy, to option, or to lease the property?  Yes  No If yes, explain: \_\_\_\_\_
15. Any other restrictions on resale?  Yes  No If yes, explain: \_\_\_\_\_
16. Any exemptions you claim to property taxes (i.e., veteran, head of household)?  Yes  No If yes, explain: \_\_\_\_\_
- For additional information or further explanation (indicate item #) \_\_\_\_\_

**BUILDINGS/STRUCTURAL INFORMATION**

1. What year was the house built? \_\_\_\_\_

**If a residence on the Property was constructed prior to 1978, federal law and regulations create specific disclosure and information requirements, which are set forth in RANM Form 5112, Lead-based Paint Disclosure Before Sale. Form 5112 must be attached to the Purchase Agreement. The Seller is not permitted to accept a Buyer's offer prior to making the required disclosures and providing the required information.**

2. Was this home built entirely on this site?  Yes  No If no, explain: \_\_\_\_\_
3. Type of construction: \_\_\_\_\_
4. House is built on  Slab  Crawlspace  Basement  Don't know
5. Type of exterior finish: \_\_\_\_\_
6. Is there an exterior synthetic stucco system or exterior synthetic coating?  Yes  No  Don't know
7. Type of floor under carpets or linoleum: \_\_\_\_\_

**Is the Seller aware of:**

8. Any doors or windows that are inoperable or which may interfere with ingress or egress?  Yes  No
9. Any problems with interior walls, ceilings, doors, windows, floors, or attached floor coverings?  Yes  No
10. Any significant cracks in foundations, exterior walls, interior walls, slab floors, ceilings, chimneys, fireplaces, decks or garage floors?  Yes  No
11. Any major damage that has occurred to the property or to any structure on the property?  Yes  No
12. Smoke damage or a fire on the property?  Yes  No
13. Any problems with driveways, walkways, sidewalks or patios (such as large cracks, potholes or raised sections)?  Yes  No
14. Any structural wood members below soil level?  Yes  No
15. Any history of wood infestation, insects, pests or tree root problems?  Yes  No Specify date and type of last treatment: \_\_\_\_\_
16. Any water or moisture in  Crawlspace  Basement  Garage?
17. Any flowing or drainage problems on the property?  Yes  No On adjacent properties?  Yes  No  
 Don't know Any standing water after rainfalls?  Yes  No Any active springs?  Yes  No
18. Any history of moldy conditions or treatment for mold?  Yes  No

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19. Any history of water leaks or repairs of conditions involving water leaks, water infiltration, ponding under or around structure/crawlspace or other conditions which could be conducive to mold?  Yes  No
20. Any land on the property that has been filled in?  Yes  No
21. Any problems with retaining walls cracking or bulging?  Yes  No
22. Any earth movement, subsidence, or settlement problems?  Yes  No
23. Any additional structures?  Yes  No If yes, list: \_\_\_\_\_

For additional information or further explanation (indicate item #): \_\_\_\_\_

**PLUMBING**

1. Type of water supply pipes  Lead  Galvanized  Polybutylene  Other \_\_\_\_\_  Don't know
2. Approximate age of water heater: \_\_\_\_\_ Capacity: \_\_\_\_\_ Fuel source: \_\_\_\_\_
3. Is there a sump pump?  Yes  No Any problems? \_\_\_\_\_
4. Is there a water softener?  Yes  No  Owned  Leased Leased from: \_\_\_\_\_  
Transferable?  Yes  No Any problems? \_\_\_\_\_
5. Is there a reverse osmosis system?  Yes  No  Owned  Leased Leased from: \_\_\_\_\_  
Transferable?  Yes  No Any problems? \_\_\_\_\_
6. Is there a refrigerator water line?  Yes  No Any problems? \_\_\_\_\_

**Is Seller aware of:**

7. Any water pressure problems?  Yes  No
8. Any plumbing system problems, leaks, freezing?  Yes  No
9. Any bathroom ventilation problems?  Yes  No
10. Any domestic hot water problems?  Yes  No

For additional information or further explanation (indicate item #): \_\_\_\_\_

**WATER SUPPLY**

1. Is the water supply city/municipal?  Yes  No Any water supply problems?  Yes  No If yes, explain: \_\_\_\_\_
2. Any restrictions or regulation concerning water use?  Yes  No If yes, explain: \_\_\_\_\_
3. Is the water supply community/subdivision?  Yes  No Name and address of supplier: \_\_\_\_\_  
Any problems?  Yes  No If yes, explain: \_\_\_\_\_  
Fees per month: \$ \_\_\_\_\_ Any restrictions or regulations?  Yes  No If yes, explain \_\_\_\_\_  
Written agreement available?  Yes  No
4. Is water supply to the house private?  Yes  No Any problems with well equipment?  Yes  No Any restrictions or regulations?  Yes  No If shared, is written agreement available?  Yes  No Is well registered with the State Engineer's office?  Yes  No Permit number: \_\_\_\_\_ Does seller have well record?  Yes  No Is well metered?  Yes  No Is there sufficient water yield at all times?  Yes  No If no, explain: \_\_\_\_\_
5. Is there any other water source for the property for any other use? \_\_\_\_\_  
(For more information, please see RANM Form 2308.)

For additional information or further explanation (indicate item #): \_\_\_\_\_

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**SEWER/ WASTE WATER TREATMENT**

1. Is the sewer/wastewater treatment system city/municipal?  Yes  No Any problems? \_\_\_\_\_
2. Is the sewer/wastewater system community/subdivision?  Yes  No Any problems? \_\_\_\_\_  
Name and address of provider: \_\_\_\_\_ Fees per month? \$ \_\_\_\_\_  
Any restrictions or regulations?  Yes  No Written agreement available?  Yes  No
3. Is there an on-site liquid waste system?  Yes  No Type:  Conventional  Advanced treatment  
system  Cesspool Any problems? \_\_\_\_\_ Name and address of service company: \_\_\_\_\_  
Date last pumped: \_\_\_\_\_ Available installation permit?  Yes  
 No NMED (EID) certification?  Yes  No NMED (EID) certification number and date: \_\_\_\_\_  
Location of the system: \_\_\_\_\_

**If the property has an onsite liquid waste system, it is subject to the regulations of the New Mexico Environmental Department (NMED), which require inspections and possible repair. Contact the NMED for information regarding appropriate inspection forms and requirements.**

(For more information, please see RANM Form 2307.)

For additional information or further explanation (indicate item #): \_\_\_\_\_

**ROOFS, GUTTERS AND DOWNSPOUTS**

1. Type of roof and approximate age:  Pitched \_\_\_\_\_ yrs.  Pueblo/Flat \_\_\_\_\_ yrs.  Pitched & Flat \_\_\_\_\_ yrs. If flat, does the roof have a positive slope?  Yes  No  Don't know
2. Type of roofing material (tar & gravel, asphalt shingles, etc.): \_\_\_\_\_  
Additional comments: \_\_\_\_\_
3. Has all or part of the roof been resurfaced or replaced?  Yes  No  Don't know If yes, what year? \_\_\_\_\_  
By whom? \_\_\_\_\_ What portions? \_\_\_\_\_  
Additional comments: \_\_\_\_\_
4. Is there a transferable written guarantee?  Yes  No  Don't know  
If yes, until what date? \_\_\_\_\_ By whom? \_\_\_\_\_
5. Has the roof ever leaked while you have owned the property?  Yes  No  
If yes, what has been done to correct the problem? \_\_\_\_\_
6. Do spouts and gutters drain away from the property?  Yes  No  Don't know
7. Are you aware of any faulty drainage or water penetration on the structure?  Yes  No  Don't know If yes, describe: \_\_\_\_\_

For additional information or further explanation (indicate item #): \_\_\_\_\_

**ELECTRICAL**

1. Is the electrical wiring copper?  Yes  No  Don't know Is it aluminum?  Yes  No  Don't know  
If aluminum, has the aluminum wiring been pig-tailed with copper wiring?  Yes  No  Don't know
2. Are you aware of any damaged or malfunctioning receptacles or switches?  Yes  No If yes, which ones? \_\_\_\_\_

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3. Is the house wired for 220 Volts?  Yes  No  Don't know
4. Are you aware of any extension cords used to create new electrical outlets?  Yes  No  
If yes, explain: \_\_\_\_\_
5. Are you aware of any defective, malfunctioning, or improperly installed electrical equipment inside or outside the house?  Yes  No If yes, explain: \_\_\_\_\_
6. Has electrical service been modified since originally installed?  Yes  No  Don't know  
Comments: \_\_\_\_\_
7. Do any circuits trip regularly?  Yes  No If yes, which ones? \_\_\_\_\_  
Comments: \_\_\_\_\_
8. Are you aware of any electric lines encroaching on the property?  Yes  No  Don't know  
If yes, explain: \_\_\_\_\_
9. Are there encroachment agreements with any utility companies?  Yes  No  Don't know  
If yes, explain: \_\_\_\_\_

For additional information or further explanation (indicate item #): \_\_\_\_\_

**HEATING AND COOLING**

1. Type of heat and approximate age:  Central Forced Air \_\_\_ yrs.  Hot Water Baseboard \_\_\_ yrs.  In Floor Radiant \_\_\_ yrs. (Type of Hose) \_\_\_\_\_ Entran II?  Yes  No  Wall Furnace \_\_\_ yrs.  Floor Furnace \_\_\_ yrs.  Electric Baseboard \_\_\_ yrs.  Woodburning \_\_\_ yrs.  Gas logs \_\_\_ yrs.  Pellet \_\_\_ yrs.  Other: \_\_\_\_\_ yrs. If applicable, approved for your community's burning restrictions?  Yes  No  Don't know
2. Is the house all electric?  Yes  No  Don't know
3. Does the house have  Natural gas?  Propane? If propane, is the tank  Owned?  Leased? Lease Co.: \_\_\_\_\_
4. Are there any rooms without a direct heat source?  Yes  No  Don't know If yes, please provide location: \_\_\_\_\_
5. Type of cooling and approximate age:  Evaporative \_\_\_ yrs.  Refrigerated \_\_\_ yrs.  None  Don't know  
Number of units: \_\_\_\_\_ How ducted? \_\_\_\_\_ Central?  Yes  No  Don't know
6. Are there any furnaces, coolers, and/or A/Cs that have been abandoned?  Yes  No  Don't know.
7. Do all heaters, coolers and A/Cs work properly?  Yes  No  Don't know If no, please explain: \_\_\_\_\_
8. Is there a fireplace?  Yes  No If yes, type:  Woodburning  Gas logs  Pellet  Insert  Other: \_\_\_\_\_
9. Is there a gas log lighter?  Yes  No  Don't know
10. Does damper work?  Yes  No  Don't know If no, explain: \_\_\_\_\_
11. Are flues welded open?  Yes  No  Don't know
12. Do you have approved glass enclosure?  Yes  No  Don't know
13. Do all fireplaces work properly?  Yes  No  Don't know If no, please explain: \_\_\_\_\_
14. When was the fireplace chimney last swept? \_\_\_\_\_
15. Any problems with condition or functioning of duct work (such as mildew, restricted air flow, physical deterioration, odor, etc.)?  Yes  No  Don't know  
If yes, please explain: \_\_\_\_\_

For additional information or further explanation (indicate item #): \_\_\_\_\_

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**POOL, SAUNA , HOT TUB, WATER FEATURE**

1. Is there a swimming pool on the property, including filled in?  Yes  No  Don't know
2. When was the pool installed? \_\_\_\_\_ Is the pool  Above ground?  In ground?
3. Is the pool  Fiberglass?  Gunite?  Vinyl?
4. Is there a pool heater?  Yes  No  Don't know If yes, is it  Gas?  Electric?  Solar?
5. Is there a pool sweep which conveys?  Yes  No
6. Is there a cover for the pool?  Yes  No If yes, specify type: \_\_\_\_\_ Age: \_\_\_\_\_ Condition: \_\_\_\_\_
7. Will the cover convey with the sale of the property?  Yes  No
8. Is all the pool equipment in good working condition?  Yes  No  Don't know
9. Is the pool maintained by a regular pool service?  Yes  No If yes, name of service: \_\_\_\_\_
10. Has the pool been winterized?  Yes  No If yes, name of service: \_\_\_\_\_
11. Is there a hot tub or spa?  Yes  No
12. Is the equipment in good working order?  Yes  No  Don't know
13. Does it have a cover in good condition?  Yes  No
14. Is there a water feature?  Yes  No If yes, are there any problems?  Yes  No  Don't know If yes, explain:  
\_\_\_\_\_

For additional information or further explanation (indicate item #) \_\_\_\_\_

**MISCELLANEOUS**

1. Does the property include a landscape watering system?  Yes  No  Don't know  
If yes, is it  Auto-timed?  Manual?  Front yard?  Back yard?  Side yard?  
Type:  Sprinklers  Bubblers  Drip system  Other: \_\_\_\_\_
  2. Are they in good working order?  Yes  No  Don't know
  3. Are there any areas where the sprinklers do not properly water?  Yes  No  Don't know  
If yes, please explain: \_\_\_\_\_
  4. Are there any areas of excessive standing water?  Yes  No  Don't know
  5. Are any areas not served by the watering system?  Yes  No  Don't know
  6. Is the drip and/or sprinkler system (if present) on auto-timer?  Yes  No  Don't know
  7. Are you aware of any of the above equipment that is in need of repair or replacement or is improperly installed?  
 Yes  No  Don't know If yes, please explain: \_\_\_\_\_
  8. Number of electric garage door operators: \_\_\_\_\_
  9. Is/are the electric garage door operators(s) in good working condition?  Yes  No  Don't know
  10. How many remote garage door openers will you be giving to the new buyer: \_\_\_\_\_
  11. Is/are garage door openers in good operating condition?  Yes  No  Don't know
  12. Are garage doors in good operating condition?  Yes  No  Don't know If no, please explain: \_\_\_\_\_
- 
13. Has the garage been modified to alter its original size?  Yes  No  Don't know
  14. Does the property have a security system?  Yes  No Type: \_\_\_\_\_  Owned  Leased  
Leased from: \_\_\_\_\_ Transferable?  Yes  No Any problems? \_\_\_\_\_
  15. Does the property have smoke detectors?  Yes  No How many? \_\_\_\_\_  110V  Battery
  16. Does the property have kitchen range hook-up?  Yes  No  Electric  Gas
  17. Does the property have oven hook-up?  Yes  No  Electric  Gas

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18. Does the property have clothes dryer hook-up?  Yes  No  Electric  Gas Vented outside?  Yes  No
19. Does the property have built-in vacuum?  Yes  No If yes, do canisters, hoses and all attachments convey?  
 Yes  No Any problems? \_\_\_\_\_
20. Are there any problems in obtaining utility or phone service?  Yes  No  Don't know If yes, explain:  
\_\_\_\_\_
21. Can you obtain cable TV service?  Yes  No  Don't know
22. Can you obtain DSL service to your house?  Yes  No  Don't know
23. Have any pets resided in the home?  Yes  No Any pet odors or damage?  Yes  No
24. Are you aware of any past or present existence of any pests (i.e., termites, ants, mice, etc.)?  
 Yes  No If yes, please explain: \_\_\_\_\_
25. Have any insurance claims been made in the past five years?  Yes  No  Don't know If yes,  
explain \_\_\_\_\_ : \_\_\_\_\_  
\_\_\_\_\_ Were repairs completed?  Yes  No
26. Has any insurance application or prior coverage regarding all or any part of the property been rejected or will not be  
renewed?  Yes  No If yes, explain: \_\_\_\_\_
27. Has notice been received that any existing insurance coverage will be subjected to increased premium rates?  
 Yes  No

For additional information or further explanation (indicate item #) \_\_\_\_\_

**HOMEOWNERS' AND CONDOMINIUM OWNERS' ASSOCIATIONS**

*The following questions can be used for various types of Homeowner Associations. If the Property is a residential resale condominium that is subject to the Condominium Act, the Seller should obtain from the Homeowners' Association a resale certificate for the Buyer that includes all the disclosures that are required by law (including some items not listed here). (See RANM Form 2302A.)*

1. Name, address and phone number of homeowners' association: \_\_\_\_\_
2. Does the homeowners' association have a right of first refusal?  Yes  No
3. Association fees? \$ \_\_\_\_\_ per yr. What is included in the association fees?  Water/sewer  
 Trash  Building insurance  Gas utility  Electric utility  Grounds maintenance  Property taxes  Streets  
 Snow removal  Other: \_\_\_\_\_
4. Any contemplated future dues increases or special assessments?  Yes  No  Don't know If yes, give details:  
\_\_\_\_\_
5. Security:  Intercom  Closed circuit TV  Guards  Electric gate  Other: \_\_\_\_\_
6. Does each unit have its own designated parking space(s)?  Yes  No  Don't know If yes, how many? \_\_\_\_\_
7. Please check the existence of the following documents:  Covenants, Conditions and Restrictions or Declaration  
of Condominium  Regulations currently in force  Current financial statement of Association  Articles of  
Incorporation of Association  Association Bylaws  Minutes of Board Meetings

For additional information or further explanation (indicate item #) \_\_\_\_\_

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**ENVIRONMENTAL**

**Is the Seller aware of:**

1. Any noticeable continuous or periodic odors (such as from waste, agriculture, industry, etc.)?  Yes  No
2. Any excessive noises (such as airplanes, trains, trucks, freeways, etc.)?  Yes  No
3. Any hazards or hazardous materials on or in close proximity to the property (such as asbestos, dumps, pesticides, chemical labs, underground fuel storage tanks or leaks)?  Yes  No
4. Any radon tests performed on the property?  Yes  No Results? \_\_\_\_\_  
Reports attached?  Yes  No
5. Any part of the property located in a designated special flood hazard zone?  Yes  No
6. Any portion of the property having ever flooded?  Yes  No
7. Mine shaft(s) or abandoned well(s) on the property?  Yes  No

For additional information or further explanation (indicate item #) \_\_\_\_\_

**RENTAL INFORMATION**

1. Is the property rented or occupied by a tenant?  Yes  No If yes, attach copy of Lease or Rental Agreement.
2. Does the tenant have the right to extend the rental agreement?  Yes  No
3. Are security deposits or prepaid rents being held?  Yes  No If yes, by whom and how much?  
\_\_\_\_\_

For additional information or further explanation (indicate item #) \_\_\_\_\_

**IRRIGATION RIGHTS**

1. Is the Property irrigated from a ditch or acequia?  Yes  No (See RANM Form 2308)  
Ditch name: \_\_\_\_\_  
Mayordomo: \_\_\_\_\_  
Association name: \_\_\_\_\_  
Fees? \$ \_\_\_\_\_
2. Are Association or ditch fees current?  Yes  No If no, explain: \_\_\_\_\_
3. Are water rights registered with the State Engineer?  Yes  No File/permit number: \_\_\_\_\_

For additional information or further explanation (indicate item #) \_\_\_\_\_

**OTHER**

Does the Seller know of any other information pertaining to the condition of the Property not addressed in the questions listed above? If so, please explain: \_\_\_\_\_  
\_\_\_\_\_

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**PLEASE NOTE: There is currently no legal or statutory requirement in the State of New Mexico that obligates or requires Sellers or Brokers to disclose to any prospective Buyer that the subject property is or has been: (1) the site of a natural death, homicide, suicide or any other crime classified as a felony; (2) owned or occupied by a person or persons exposed to HIV or diagnosed with AIDS or any other disease not known to be transmitted through the common occupancy of real estate; or (3) located in the vicinity of a convicted sex offender. If Buyer has concerns about any of the conditions cited above, Buyer is urged to conduct his/her own due diligence and contact the appropriate local, state or Federal health and law enforcement authorities to obtain accurate and reliable information.**

**THIS IS NOT A CONTRACT.**

The above disclosures are made to the best of the Seller's knowledge. The person who signed as or on behalf of Seller lacks actual knowledge of the Property for the following reason:

Personal Representative  Administrator of Estate  Trustee  Receiver  Does not occupy the Property  Other

The law does not protect a Seller who makes an intentional misrepresentation.

**SELLER**

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

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

It is Buyer's responsibility to undertake his/her own due diligence and verify the accuracy of the Property Disclosure Statement. Buyer is not relieved of this responsibility by virtue of delivery of this Statement to Buyer.

**BUYER**

Buyer acknowledges receipt of this Statement.

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

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