

# Seller's Property Disclosure – Residential



**Notice to Licensee and seller:** Only the **Seller** should fill out this form.

**Notice to Seller:** Florida law<sup>1</sup> requires a **Seller** of a home to disclose to the **Buyer** all known facts that materially affect the value of the property being sold and that are not readily observable or known by the **Buyer**. This disclosure form is designed to help you comply with the law. However, this disclosure form may not address every significant issue that is unique to the Property. You should think about what you would want to know if you were buying the Property today; and if you need more space for additional information, comments, or explanations, check the Paragraph 12 checkbox and attach an addendum.

**Notice to Buyer:** The following representations are made by **Seller** and **not** by any real estate licensee. This disclosure is not a guaranty or warranty of any kind. It is not a substitute for any inspections, warranties, or professional advice you may wish to obtain. It is not a substitute for your own personal judgment and common sense. The following information is based only upon **Seller's** actual knowledge of the Property's condition. **Sellers** can disclose only what they actually know. **Seller** may not know about all material or significant items. You should have an independent, professional home inspection to verify the condition of the Property and determine the cost of repairs, if any. This disclosure is not a contract and is not intended to be a part of any contract for sale and purchase.

**Seller** makes the following disclosure regarding the property described as: 117 Pine Tree Drive  
Ormond Beach, FL (the "Property")

The Property is  owner occupied  tenant occupied  unoccupied (If unoccupied, how long has it been since **Seller** occupied the Property? approx. 5 yrs)

## 1. Structures; Systems; Appliances

- |   | <u>Yes</u>                          | <u>No</u>                           | <u>Don't Know</u>                   |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| (a) Are the structures including ceilings; walls; doors; windows; foundation; and pool, hot tub, and spa, if any, structurally sound and free of leaks?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Is seawall, if any, and dockage, if any, structurally sound?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (c) Are existing major appliances and heating, cooling, mechanical, electrical, security, and sprinkler systems, in working condition, i.e., operating in the manner in which the item was designed to operate? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| (d) Does the Property have aluminum wiring other than the primary service line?   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| (e) Are any of the appliances leased? If yes, which ones: _____   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (f) If any answer to questions 1(a) - 1(c) is no, please explain: _____   |                                     |                                     |                                     |

## 2. Termites; Other Wood-Destroying Organisms; Pests

- |   |                          |                          |                                     |
|---|--------------------------|--------------------------|-------------------------------------|
| (a) Are termites; other wood-destroying organisms, including fungi; or pests present on the Property or has the Property had any structural damage by them? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Has the Property been treated for termites; other wood-destroying organisms, including fungi; or pests?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) If any answer to questions 2(a) - 2(b) is yes, please explain: _____  |                          |                          |                                     |

Termite bond expires 6/1/2017

## 3. Water Intrusion; Drainage; Flooding

- |  |                          |                                     |                                     |
|--|--------------------------|-------------------------------------|-------------------------------------|
| (a) Has past or present water intrusion affected the Property?                       | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| (b) Have past or present drainage or flooding problems affected the Property?        | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| (c) Is any of the Property located in a special flood hazard area?                   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| (d) Is any of the Property located seaward of the coastal construction control line? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (e) Does your lender require flood insurance?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (f) Do you have an elevation certificate? If yes, please attach a copy.              | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (g) If any answer to questions 3(a) - 3(d) is yes, please explain: _____             |                          |                                     |                                     |

Survey given to Chris Fisher

<sup>1</sup> Johnson v. Davis, 480 So.2d 625 (Fla. 1985).

**Buyer** (\_\_\_\_\_) (\_\_\_\_\_) and **Seller** (\_\_\_\_\_) (\_\_\_\_\_) acknowledge receipt of a copy of this page, which is Page 1 of 5.  
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**Yes**      **No**      **Don't Know**

**8. Homeowners' Association Restrictions; Boundaries; Access Roads**

- (a) Is membership in a homeowner's association mandatory or do any covenants, conditions or restrictions (CCRs) affect the Property? (CCRs include deed restrictions, restrictive covenants and declaration of covenants.)  
**Notice to Buyer:** If yes, you should read the association's official records and/or the CCRs before making an offer to purchase. These documents contain information on significant matters, such as recurring dues or fees; special assessments; capital contributions, penalties; and architectural, building, landscaping, leasing, parking, pet, resale, vehicle and other types of restrictions.
- (b) Are there any proposed changes to any of the restrictions?
- (c) Are any driveways, walls, fences, or other features shared with adjoining landowners?
- (d) Are there any encroachments on the Property or any encroachments by the Property's improvements on other lands?
- (e) Are there boundary line disputes or easements affecting the Property?
- (f) Are you aware of any existing, pending or proposed legal or administrative action affecting homeowner's association common areas (such as clubhouse, pools, tennis courts or other areas)?
- (g) Have any subsurface rights, as defined by Section 689.29(3)(b), Florida Statutes, been severed from the Property?  
 If yes, is there a right of entry?  yes  no
- (h) Are access roads  private  public? If private, describe the terms and conditions of the maintenance agreement: \_\_\_\_\_
- (i) If any answer to questions 8(a) - 8(g) is yes, please explain: \_\_\_\_\_

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**9. Environmental**

- (a) Was the Property built before 1978?  
 If yes, please see Lead-Based Paint Disclosure.
- (b) Does anything exist on the Property that may be considered an environmental hazard, including but not limited to, lead-based paint; asbestos; mold; urea formaldehyde; radon gas; methamphetamine contamination; defective drywall; fuel, propane, or chemical storage tanks (active or abandoned); or contaminated soil or water?
- (c) Has there been any damage, clean up, or repair to the Property due to any of the substances or materials listed in subsection (b) above?
- (d) Are any mangroves, archeological sites, or other environmentally sensitive areas located on the Property?
- (e) If any answer to questions 9(b) - 9(d) is yes, please explain: \_\_\_\_\_

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**10. Governmental, Claims and Litigation**

- (a) Are there any existing, pending or proposed legal or administrative claims affecting the Property?
- (b) Are you aware of any existing or proposed municipal or county special assessments affecting the Property?
- (c) Are you aware of the Property ever having been, or is it currently, subject to litigation or claim, including but not limited to, defective building products, construction defects and/or title problems?
- (d) Have you ever had any claims filed against your homeowner's Insurance policy?
- (e) Are there any zoning violations or nonconforming uses?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Buyer (\_\_\_\_) (\_\_\_\_) and Seller (\_\_\_\_) (\_\_\_\_) acknowledge receipt of a copy of this page, which is Page 3 of 5.

**4. Plumbing**

- (a) What is your drinking water source?  public  private  well  other
- (b) Have you ever had a problem with the quality, supply, or flow of potable water?  Yes  No  Don't Know
- (c) Do you have a water treatment system?  Yes  No  Don't Know  
If yes, is it  owned  leased?
- (d) Do you have a  sewer or  septic system? If septic system, describe the location of each system: \_\_\_\_\_
- (e) Are any septic tanks, drain fields, or wells that are not currently being used located on the Property?  Yes  No  Don't Know
- (f) Have there been any plumbing leaks since you have owned the Property?  Yes  No  Don't Know
- (g) Are any polybutylene pipes on the Property?  Yes  No  Don't Know
- (h) If any answer to questions 4(b), 4(c), and 4(e) - 4(g) is yes, please explain: \_\_\_\_\_

**Yes**      **No**      **Don't Know**

**5. Roof and Roof-Related Items**

- (a) To your knowledge, is the roof structurally sound and free of leaks?  Yes  No  Don't Know
- (b) The age of the roof is \_\_\_\_\_ years OR date installed EARLY 1990'S  Yes  No  Don't Know
- (c) Has the roof ever leaked during your ownership?  Yes  No  Don't Know
- (d) To your knowledge, has there been any repair, restoration, replacement (indicate full or partial) or other work undertaken on the roof?  Yes  No  Don't Know  
If yes, please explain: \_\_\_\_\_
- (e) Are you aware of any defects to the roof, fascia, soffits, flashings or any other component of the roof system?  Yes  No  Don't Know  
If yes, please explain: \_\_\_\_\_

**6. Pools; Hot Tubs; Spas**

**Note:** Florida law requires swimming pools, hot tubs, and spas that received a certificate of completion on or after October 1, 2000, to have at least one safety feature as specified by Section 515.27, Florida Statutes.

- (a) If the Property has a swimming pool, hot tub, or spa that received a certificate of completion on or after October 1, 2000, indicate the existing safety feature(s): N/A  
 enclosure that meets the pool barrier requirements  approved safety pool cover  required door and window exit alarms  required door locks  none
- (b) Has an in-ground pool on the Property been demolished and/or filled?  Yes  No  Don't Know

**7. Sinkholes**

**Note:** When an insurance claim for sinkhole damage has been made by the **Seller** and paid by the insurer, Section 627.7073(2)(c), Florida Statutes, requires the **Seller** to disclose to the **Buyer** that a claim was paid and whether or not the full amount paid was used to repair the sinkhole damage. N/A

- (a) Does past or present settling, soil movement, or sinkhole(s) affect the Property or adjacent properties?  Yes  No  Don't Know
- (b) Has any insurance claim for sinkhole damage been made?  Yes  No  Don't Know  
If yes, was the claim paid?  yes  no If the claim was paid, were all the proceeds used to repair the damage?  yes  no
- (c) If any answer to questions 7(a) - 7(b) is yes, please explain: \_\_\_\_\_

Buyer (\_\_\_\_) (\_\_\_\_) and Seller (\_\_\_\_) (\_\_\_\_) acknowledge receipt of a copy of this page, which is Page 2 of 5.  
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- (f) Are there any zoning restrictions affecting improvements or replacement of the Property?
- (g) Do any zoning, land use or administrative regulations conflict with the existing use of the Property?
- (h) Do any restrictions other than association or flood area requirements, affect improvements or replacement of the Property?
- (i) Are any improvements, located below the base flood elevation?
- (j) Have any improvements been constructed in violation of applicable local flood guidelines?
- (k) Have any improvements to the Property, whether by you or by others, been constructed in violation of building codes or without necessary permits?
- (l) Are there any active permits on the Property that have not been closed by a final inspection?
- (m) Is there any violation or non-compliance regarding any unrecorded liens; code enforcement violations; or governmental, building, environmental and safety codes, restrictions or requirements?
- (n) If any answer to questions 10(a) - 10(m) is yes, please explain: \_\_\_\_\_  
\_\_\_\_\_

**11. Foreign Investment in Real Property Tax Act ("FIRPTA")**

- (a) Is the **Seller** subject to FIRPTA withholding per Section 1445 of the Internal Revenue Code?

**If yes, Buyer and Seller should seek legal and tax advice regarding compliance.**

- 12.  **(If checked) Other Matters; Additional Comments** The attached addendum contains additional information, explanation, or comments.

**Seller** represents that the information provided on this form and any attachments is accurate and complete to the best of **Seller's** knowledge on the date signed by **Seller**. **Seller** authorizes listing broker to provide this disclosure statement to real estate licensees and prospective **buyers** of the Property. **Seller** understands and agrees that **Seller** will promptly notify **Buyer** in writing if any information set forth in this disclosure statement becomes inaccurate or incorrect.

**Seller:** *[Signature]* / *JUDITH RICHARDSON* Date: \_\_\_\_\_  
(signature) (print)  
**Seller:** \_\_\_\_\_ / *Co-Trustee* Date: \_\_\_\_\_  
(signature) (print)

**Buyer** acknowledges that **Buyer** has read, understands, and has received a copy of this disclosure statement.

**Buyer:** \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
(signature) (print)  
**Buyer:** \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
(signature) (print)

**Buyer** (\_\_\_\_) (\_\_\_\_) and **Seller** (\_\_\_\_) (\_\_\_\_) acknowledge receipt of a copy of this page, which is Page 4 of 5.



# Volusia County Property Appraiser

Larry Bartlett, J.D.

Value History: 2017

### Parcel Information

ALTERNATE KEY 2976233 OWNER NAME MORETZ TERRY L TR &  
 PARCEL ID 32133102000590 LOCATION 117 PINE TREE DR ORMOND BEACH 32174

### History of Values

Year	Land	Bldg(s)	Misc. Impr.	Just Value	School Assessed	Non-School Assessed	School Exemption	School Taxable	Non-School Exemption	Non-School Taxable
2016	50,025	181,508	0	231,533	179,457	179,457	25,000	154,457	25,000	129,457
2015	50,025	146,979	0	197,004	178,210	178,210	25,000	153,210	25,000	128,210
2014	50,025	147,170	0	197,195	176,796	176,796	25,000	151,796	25,000	126,796
2013	41,500	132,683	0	174,183	174,183	174,183	25,000	149,183	25,000	124,183
2012	39,000	136,917	0	175,917	172,664	172,664	25,000	147,664	25,000	122,664
2011	75,000	130,397	0	205,397	167,635	167,635	25,000	142,635	25,000	117,635
2010	91,500	151,407	0	242,907	165,158	165,158	25,000	140,158	25,000	115,158
2009	90,000	159,380	0	249,380	160,816	160,816	25,000	135,816	25,000	110,816
2008	150,000	159,380	0	309,380	160,655	160,655	25,000	135,655	25,000	110,655
2007	145,000	182,757	0	327,757	155,976	155,976	25,000	130,976	0	130,976
2006	145,000	181,870	0	326,870	152,172	152,172	25,000	127,172	0	127,172
2005	66,330	166,840	0	233,170	147,740	147,740	25,000	122,740	0	122,740
2004	66,330	150,711	0	217,041	143,437	143,437	25,000	118,437	0	118,437
2003	51,000	134,193	0	185,193	140,763	140,763	25,000	115,763	0	115,763
2002	42,700	112,020	0	154,720	137,464	137,464	25,000	112,464	0	112,464
2001	41,180	98,133	0	139,313	135,300	135,300	25,000	110,300	0	110,300
2000	42,050	91,861	0	133,911	131,360	131,360	25,000	106,360	0	106,360
1999	42,050	91,160	0	133,210	127,907	127,907	25,000	102,907	0	102,907
1998	38,425	89,604	0	128,029	125,893	125,893	25,000	100,893	0	100,893
1997	38,425	85,364	0	123,789	123,789	123,789	25,000	98,789	0	98,789
1996	38,425	84,418	0	122,843	122,843	122,843	25,000	97,843	0	97,843
1995	38,425	83,531	0	121,956	121,956	121,956	25,000	96,956	0	96,956
1994	38,425	80,549	0	118,974	118,974	118,974	25,000	93,974	0	93,974
1993	38,425	92,056	0	130,481	130,481	130,481	25,000	105,481	0	105,481
1992	38,425	92,056	0	130,481	130,481	130,481	25,000	105,481	0	105,481
1991	27,550	96,659	0	124,209	124,209	124,209	25,000	99,209	0	99,209
1990	27,550	96,659	0	124,209	124,209	124,209	25,000	99,209	0	99,209
1989	27,550	91,558	0	119,108	119,108	119,108	25,000	94,108	0	94,108
1988	24,650	88,572	0	113,222	113,222	113,222	25,000	88,222	0	88,222
1987	19,575	85,553	0	105,128	105,128	105,128	25,000	80,128	0	80,128
1986	17,400	82,284	1,454	101,138	101,138	101,138	25,000	76,138	0	76,138
1985	17,400	80,516	1,469	99,385	99,385	99,385	25,000	74,385	0	74,385
1984	17,400	79,035	1,485	97,920	97,920	97,920	25,000	72,920	0	72,920
1983	13,775	76,003	1,500	91,278	91,278	91,278	25,000	66,278	0	66,278