

RESIDENTIAL SELLER DISCLOSURE ADVISORY

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WHEN IN DOUBT - DISCLOSE!



Arizona law requires the seller to disclose material (important) facts about the property, even if you are not asked by the buyer or a real estate agent. These disclosure obligations remain even if you and the buyer agree that no Seller's Property Disclosure Statement ("SPDS") will be provided.

The SPDS is designed to assist you, the seller, in making these legally required disclosures and to avoid inadvertent nondisclosures of material facts. To satisfy your disclosure obligations and protect yourself against alleged nondisclosure, you should complete the SPDS by answering all questions as truthfully and as thoroughly as possible. Attach copies of any available invoices, warranties, inspection reports, and leases, to insure that you are disclosing accurate information. Use the blank lines to explain your answers. If you do not have the personal knowledge to answer a question, it is important not to guess - use the blank lines to explain the situation.



If the buyer asks you about an aspect of the property, you have a duty to disclose the information, even if you do not consider the information material.* You also have a legal duty to disclose facts when disclosure is necessary to prevent a previous statement from being misleading or misrepresented: for example, if something changes.

If you do not make the legally required disclosures, you may be subject to civil liability. Under certain circumstances, nondisclosure of a fact is the same as saying that the fact does not exist. Therefore, nondisclosure may be given the same legal effect as fraud.

If you are using the Arizona Association of REALTORS® ("AAR") Residential Resale Real Estate Purchase Contract, the seller is required to deliver "a completed AAR Residential SPDS form to the Buyer within three (3) days after Contract acceptance." If the Seller does not provide the SPDS as the Contract requires, the Seller is potentially in breach of the Contract, thereby enabling the Buyer to cancel the transaction and receive the earnest money deposit.

*By law, sellers are not obligated to disclose that the property is or has been: (1) a site of a natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed to HIV, or diagnosed as having AIDS or any other disease not known to be transmitted through common occupancy of real estate; or (3) located in the vicinity of a sex offender. However, the law does not protect a seller who makes an intentional misrepresentation. For example, if you are asked whether there has been a death on the property and you know that there was such a death, you should not answer "no" or "I don't know." Instead you should either answer truthfully or respond that you are not legally required to answer the question.



Residential Seller's Property Disclosure Statement (SPDS) >>

- 21 YES NO Have you entered into any agreement to transfer your interest in the Property in any way, including rental renewals
 22 or options to purchase? Explain: _____
 23 Are you aware if there are any association(s) governing the Property?
 24 If yes, provide contact(s) information: Name: _____ Phone #: _____
 25 Name: _____ Phone #: _____
 26 If yes, are there any fees? How much? \$ _____ How often? _____
 27 How much? \$ _____ How often? _____
 28 Are you aware of any association fees payable upon transfer of the Property? Explain: _____
 29 _____
 30 Are you aware of any proposed or existing association assessment(s)? Explain: _____
 31 _____
 32 Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)?
 33 Explain: _____
 34 Are you aware of any of the following recorded against the Property? (Check all that apply):
 35 Judgment liens Tax liens Other non-consensual liens
 36 Explain: _____
 37 Are you aware of any assessments affecting this Property? (Check all that apply):
 38 Paving Sewer Water Electric Other
 39 Explain: _____
 40 Are you aware of any title issues affecting this Property? (Check all that apply):
 41 Recorded easements Use restrictions Lot line disputes Encroachments
 42 Unrecorded easements Use permits Other _____
 43 Explain: _____
 44 Are you aware if the Property is located within the boundaries of a Community Facilities District (CFD)?
 45 If yes, provide the name of the CFD: _____
 46 _____
 47 Are you aware of any public or private use paths or roadways on or across this Property?
 48 Explain: Drive Way
 49 Are you aware of any problems with legal or physical access to the Property? Explain: _____
 50 The road/street access to the Property is maintained by the County City Homeowners' Association Privately
 51 If privately maintained, is there a recorded road maintenance agreement? Explain: _____
 52 Are you aware of any violation(s) of any of the following? (Check all that apply):
 53 Zoning Building Codes Utility Service Sanitary health regulations
 54 Covenants, Conditions, Restrictions (CC&R's) Other _____ (Attach a copy of notice(s) of violation if available.)
 55 Explain: _____
 56 _____
 57 Are you aware of any homeowner's insurance claims having been filed against the Property?
 58 Explain: _____

NOTICE TO BUYER: Your claims history, your credit report, the Property's claims history and other factors may affect the insurability of the Property and at what cost. Under Arizona law, your insurance company may cancel your homeowner's insurance within 60 days after the effective date. Contact your insurance company.

BUILDING AND SAFETY INFORMATION

- 62 **YES NO ROOF / STRUCTURAL:**
 63 **NOTICE TO BUYER: Contact a professional to verify the condition of the roof.**
 64 Are you aware of any past or present roof leaks? Explain: _____
 65 _____
 66 Are you aware of any other past or present roof problems? Explain: _____
 67 _____

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Initials>

BUYER	BUYER



Residential Seller's Property Disclosure Statement (SPDS) >>

YES **NO**
 68 Are you aware of any roof repairs? Explain: _____
 69 _____
 70 Is there a roof warranty? (Attach a copy of warranty if available.)
 71 If yes, is the roof warranty transferable? Cost to transfer _____
 72 Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: _____
 73 _____
 74 Are you aware of any cracks or settling involving the foundation, exterior walls or slab? Explain: _____
 75 _____
 76 Are you aware of any chimney or fireplace problems, if applicable? Explain: _____
 77 _____
 78 Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):
 79 Flood Fire Wind Expansivesoil(s) Water Hail Other _____
 80 Explain: _____
 81 **WOOD INFESTATION:**
 82 Are you aware of any of the following:
 83 Past presence of termites or other wood destroying organisms on the Property?
 84 Current presence of termites or other wood destroying organisms on the Property?
 85 Past or present damage to the Property by termites or other wood destroying organisms?
 86 Explain: _____
 87 _____
 88 Are you aware of past or present treatment(s) of the Property for termites or other wood destroying organisms?
 89 If yes, date last treatment was performed: _____
 90 Name of treatment provider(s): _____
 91 Is there a treatment warranty? (Attach a copy of warranty if available.)
 92 If yes, is the treatment warranty transferable?
 93 _____
 94 **NOTICE TO BUYER: Contact Office of Pest Management for past termite reports or treatment history. www.sb.state.az.us**
 95 _____
 96 **HEATING & COOLING:**
 97 Heating: Type(s) N/A
 98 Approximate Age(s) N/A
 99 Cooling: Type(s) Evap Cooler
 100 Approximate Age(s) 15 yrs
 101 Are you aware of any past or present problems with the heating or cooling system(s)? Explain: _____
 102 _____
 103 **PLUMBING:** Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC or polybutylene?
 104 If yes, identify: _____
 105 Are you aware of any past or present plumbing problems? Explain: _____
 106 _____
 107 Are you aware of any water pressure problems? Explain: _____
 108 Type of water heater(s): Gas Electric Solar Approx. age(s): _____
 109 Are you aware of any past or present water heater problems? Explain: _____
 110 _____
 111 Is there a landscape watering system? If yes, type: automatic timer manual both
 112 If yes, are you aware of any past or present problems with the landscape watering system?
 113 Explain: _____
 114 Are there any water treatment systems? (Check all that apply):
 115 water filtration reverse osmosis water softener Other _____
 116 Is water treatment system(s) owned leased (Attach a copy of lease if available.)
 117 Are you aware of any past or present problems with the water treatment system(s)?
 118 Explain: _____

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	BUYER	BUYER



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	YES	NO	
119			SWIMMING POOL/SPA/HOT TUB/SAUNA/WATER FEATURE:
120	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the Property contain any of the following? (Check all that apply):
121			<input type="checkbox"/> Swimming pool <input type="checkbox"/> Spa <input type="checkbox"/> Hot tub <input type="checkbox"/> Sauna <input type="checkbox"/> Water feature
122	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes, are either of the following heated? <input type="checkbox"/> Swimming pool <input type="checkbox"/> Spa If yes, type of heat: _____
123	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?
124			Explain: _____
125			ELECTRICAL AND OTHER RELATED SYSTEMS:
126	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are you aware of any past or present problems with the electrical system? Explain: _____
127			_____
128	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is there a security system? If yes, is it (Check all that apply):
129			<input type="checkbox"/> Leased (Attach copy of lease if available.) <input type="checkbox"/> Owned <input type="checkbox"/> Monitored <input type="checkbox"/> Other _____
130	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are you aware of any past or present problems with the security system? Explain: _____
131			_____
132	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the Property contain any of the following systems or detectors?(Check all that apply):
133			<input type="checkbox"/> Smoke/fire detection <input type="checkbox"/> Fire suppression (sprinklers) <input type="checkbox"/> Carbon monoxide detector
134			If yes, are you aware of any past or present problems with the above systems? Explain: _____
135			_____
136			MISCELLANEOUS:
137	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are you aware of any animals/pets that have resided in the Property? If yes, what kind: _____
138			_____
139	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are you aware of or have you observed any of the following on the Property? (Check all that apply):
140			<input type="checkbox"/> Scorpions <input type="checkbox"/> Rabid animals <input type="checkbox"/> Bee swarms <input type="checkbox"/> Rodents <input type="checkbox"/> Reptiles <input type="checkbox"/> Bed Bugs <input type="checkbox"/> Other: _____
141			Explain: _____
142	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Has the Property been serviced or treated for pests, reptiles, insects, birds or animals? If yes, how often: _____
143			Name of service provider(s): _____ Date of last service: _____
144	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are you aware of any work done on the Property, such as building, plumbing, electrical or other improvements or alterations or room conversions? (If no, skip to line 156.)
145			Explain: _____
146			_____
147			_____
148			_____
149			_____
150	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Were permits for the work required? Explain: _____
151	<input type="checkbox"/>	<input type="checkbox"/>	If yes, were permits for the work obtained? Explain: _____
152	<input type="checkbox"/>	<input type="checkbox"/>	Was the work performed by a person licensed to perform the work? Explain: _____
153	<input type="checkbox"/>	<input type="checkbox"/>	Was approval for the work required by any association governing the property? Explain: _____
154			If yes, was approval granted by the association? Explain: _____
155	<input type="checkbox"/>	<input type="checkbox"/>	Was the work completed? Explain: _____
156	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there any security bars or other obstructions to door or window openings? Explain: _____
157	<input type="checkbox"/>	<input type="checkbox"/>	Are you aware of any past or present problems with any built-in appliances? Explain: _____
158			_____
159	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there any leased propane tanks, equipment or other systems on the Property? (Attach a copy of lease if available.)
160			Explain: _____
161			_____

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UTILITIES

162 **DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES?**

YES NO			PROVIDER
163	<input checked="" type="checkbox"/>	<input type="checkbox"/> Electricity:	SSVEC
164	<input checked="" type="checkbox"/>	Fuel: <input type="checkbox"/> Natural gas <input checked="" type="checkbox"/> Propane <input type="checkbox"/> Oil	CCFA
165	<input type="checkbox"/>	<input checked="" type="checkbox"/> Cable / Satellite:	
166	<input type="checkbox"/>	<input checked="" type="checkbox"/> Internet:	
167	<input type="checkbox"/>	<input checked="" type="checkbox"/> Telephone:	
168	<input type="checkbox"/>	<input checked="" type="checkbox"/> Garbage Collection:	
169	<input type="checkbox"/>	<input checked="" type="checkbox"/> Fire:	Willcox FD
170	<input type="checkbox"/>	<input type="checkbox"/> Irrigation:	
171	<input type="checkbox"/>	Water Source:	
172	<input checked="" type="checkbox"/>	<input type="checkbox"/> Public <input type="checkbox"/> Private water co. <input type="checkbox"/> Hauled water	
173		<input checked="" type="checkbox"/> Private well <input type="checkbox"/> Shared well If water source is a private or shared well, complete and attach Domestic Water Well/Water Use Addendum.	

NOTICE TO BUYER: If the Property is served by a well, private water company or a municipal water provider, the Arizona Department of Water Resources may not have made a water supply determination. For more information about water supply, or any of the above services, contact the provider.

178 Are you aware of any past or present drinking water problems? Explain: _____

179 _____

180 U.S. Postal Service delivery is available at: Property Cluster Mailbox Post Office Other _____

181 Are there any alternate power systems serving the Property? (If no, skip to line 190.)

182 If yes, indicate type (Check all that apply):

183 Solar Wind Generator Other _____

184 Are you aware of any past or present problems with the alternate power system(s)? Explain: _____

185 _____

186 Are any alternate power systems serving the Property leased? Explain: _____

187 _____

188 If yes, provide name and phone number of the leasing company (Attach copy of lease if available): _____

189 _____

NOTICE TO BUYER: If the Property is served by a solar system, Buyer is advised to read all pertinent documents and review the cost, insurability, operation, and value of the system, among other items.

ENVIRONMENTAL INFORMATION

YES	NO	
192	<input type="checkbox"/>	<input checked="" type="checkbox"/> Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply):
193		<input type="checkbox"/> Soil settlement/expansion <input type="checkbox"/> Drainage/grade <input type="checkbox"/> Erosion <input type="checkbox"/> Fissures <input type="checkbox"/> Dampness/moisture <input type="checkbox"/> Other
194		Explain: _____
195	<input type="checkbox"/>	<input checked="" type="checkbox"/> Are you aware of any past or present issues or problems in close proximity to the Property related to any of
196		the following? (Check all that apply):
197		<input type="checkbox"/> Soil settlement/expansion <input type="checkbox"/> Drainage/grade <input type="checkbox"/> Erosion <input type="checkbox"/> Fissures <input type="checkbox"/> Other _____
198		Explain: _____
199		NOTICE TO BUYER: The Arizona Department of Real Estate provides earth fissure maps to any member
200		of the public in printed or electronic format upon request and on its website at www.azre.gov.
201	<input type="checkbox"/>	<input checked="" type="checkbox"/> Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):
202		<input type="checkbox"/> Airport noise <input type="checkbox"/> Traffic noise <input type="checkbox"/> Rail line noise <input type="checkbox"/> Neighborhood noise <input type="checkbox"/> Landfill <input type="checkbox"/> Toxic waste disposal
203		<input type="checkbox"/> Odors <input type="checkbox"/> Nuisances <input type="checkbox"/> Sand/gravel operations <input type="checkbox"/> Other _____
204		Explain: _____
205	<input type="checkbox"/>	<input checked="" type="checkbox"/> Are you aware if any portion of the Property has ever been used as a "Clandestine drug laboratory" (manufacture of,
206		or storage of, chemicals or equipment used in manufacturing methamphetamine, ecstasy or LSD)?

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Residential Seller's Property Disclosure Statement (SPDS) >>

207 **YES** **NO** Are you aware if the Property is located in the vicinity of a public or private airport?
 208 Explain: _____

NOTICE TO SELLER AND BUYER: Pursuant to Arizona law a Seller shall provide a written disclosure to the Buyer if the Property is located in territory in the vicinity of a military airport or ancillary military facility as delineated on a map prepared by the State Land Department. The Department of Real Estate also is obligated to record a document at the County Recorder's Office disclosing if the Property is under restricted air space and to maintain the State Land Department Military Airport Map on its website at www.azre.gov.

214 Is the Property located in the vicinity of a military airport or ancillary military facility?
 215 Explain: _____
 216 Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):
 217 Asbestos Radongas Lead-based paint Pesticides Underground storage tanks Fuel/chemical storage
 218 Explain: _____
 219 Are you aware if the Property is located within or subject to any of the following ordinances? (Check all that apply):
 220 Superfund / WQARF / CERCLA Wetlands area Natural Area Open Spaces
 221 Are you aware of any open mine shafts/tunnels or abandoned wells on the Property?
 222 If yes, describe location: _____
 223 Are you aware if any portion of the Property is in a flood plain/way? Explain: _____
 224 _____

NOTICE TO BUYER: Your mortgage lender [may] [will] require you to purchase flood insurance in connection with your purchase of this property. The National Flood Insurance Program provides for the availability of flood insurance and establishes flood insurance policy premiums based on the risk of flooding in the area where properties are located. Recent changes to federal law (The Biggert-Waters Flood Insurance Reform Act of 2012 and the Homeowner Flood Insurance Affordability Act of 2014, in particular) will result in changes to flood insurance premiums that are likely to be higher, and in the future may be substantially higher, than premiums paid for flood insurance prior to or at the time of sale of the property. As a result, purchasers of property should not rely on the premiums paid for flood insurance on this property previously as an indication of the premiums that will apply after completion of the purchase. In considering purchase of this property you should consult with one or more carriers of flood insurance for a better understanding of flood insurance coverage, current and anticipated future flood insurance premiums, whether the prior owner's policy may be assumed by a subsequent purchaser of the property, and other matters related to the purchase of flood insurance for the property. You may also wish to contact the Federal Emergency Management Agency (FEMA) for more information about flood insurance as it relates to this property.

239 Are you aware of any portion of the Property ever having been flooded? Explain: _____
 240 _____
 241 Are you aware of any water damage or water leaks of any kind on the Property? Explain: _____
 242 _____
 243 Are you aware of any past or present mold growth on the Property? If yes, explain: _____
 244 _____

SEWER/WASTEWATER TREATMENT

YES **NO** Is the entire Property connected to a sewer?
 246 If no, is a portion of the Property connected to a sewer? Explain: _____
 247 _____
 248 If the entire Property or a portion of the Property is connected to a sewer, has a professional verified the sewer connection?
 249 If yes, how and when: _____

NOTICE TO BUYER: Contact a professional to conduct a sewer verification test.

251 Type of sewer: Public Private Planned and approved sewer system, but not connected
 252 Name of Provider: _____

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BUYER	BUYER



Residential Seller's Property Disclosure Statement (SPDS) >>

- 253 YES NO Are you aware of any past or present problems with the sewer? Explain: _____
- 254 Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 267.)
- 255 If yes, the Facility is: Conventional septic system Alternative system; type: _____
- 256 If the Facility is an alternative system, is it currently being serviced under a maintenance contract?
- 257 If yes, name of contractor: _____ Phone #: _____
- 258 Approximate year Facility installed: _____ (Attach copy of permit if available.)
- 259 Are you aware of any repairs or alterations made to this Facility since original installation?
- 260 Explain: _____
- 261 _____
- 262 Approximate date of last Facility inspection and/or pumping of septic tank: 2018, and to be done in 2024
- 263 Are you aware of any past or present problems with the Facility? Explain: _____
- 264 _____

NOTICE TO SELLER AND BUYER: The Arizona Department of Environmental Quality requires a Pre-Transfer Inspection of On-Site Wastewater Treatment Facilities on re-sale properties.

OTHER CONDITIONS AND FACTORS

267 What other material (important) information are you aware of concerning the Property that might affect the buyer's decision-making
 268 process, the value of the Property, or its use? Explain: _____
 269 _____

ADDITIONAL EXPLANATIONS

270 _____
 271 _____
 272 _____
 273 _____
 274 _____
 275 _____
 276 _____
 277 _____
 278 _____
 279 _____

280 **SELLER CERTIFICATION:** Seller certifies that the information contained herein is true and complete to the best of Seller's
 281 knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by Seller
 282 to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections. Seller acknowledges
 283 receipt of Residential Seller Disclosure Advisory titled *When in Doubt - Disclose*.

284 _____ 02/08/24 _____
 ^SELLER'S SIGNATURE MO/DA/YR ^SELLER'S SIGNATURE MO/DA/YR

285 Reviewed and updated: Initials: _____ / _____
 SELLER SELLER MO/DA/YR

286 **BUYER'S ACKNOWLEDGMENT:** Buyer acknowledges that the information contained herein is based only on the Seller's actual
 287 knowledge and is not a warranty of any kind. Buyer acknowledges Buyer's obligation to investigate any material (important) facts in
 288 regard to the Property. Buyer is encouraged to obtain Property inspections by professional independent third parties and to
 289 consider obtaining a home warranty protection plan.

290 **NOTICE:** Buyer acknowledges that by law, Sellers, Lessors and Brokers are not obligated to disclose that the Property is or has been: (1) the site
 291 of a natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed to HIV, diagnosed as
 292 having AIDS or any other disease not known to be transmitted through common occupancy of real estate; or (3) located in the vicinity of a sex offender.

293 **By signing below, Buyer acknowledges receipt only of this SPDS. If Buyer disapproves of any items provided herein, Buyer**
 294 **shall deliver to Seller written notice of the items disapproved as provided in the Contract.**

295 _____
 ^BUYER'S SIGNATURE MO/DA/YR ^BUYER'S SIGNATURE MO/DA/YR

