

# TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

The Tennessee Residential Property Disclosure Act states that anyone transferring title to residential real property must provide information about the condition of the property. This completed form constitutes that disclosure by the Seller. The information contained in the disclosure are the representations of the owner and are not the representations of the real estate licensee or sales person, if any. This is not a warranty, or a substitute for any professional inspections or warranties that the purchasers may wish to obtain. **Buyers and Sellers should be aware that any sales agreement executed between the parties will supersede this form as to the terms of sale, property included in the sale and any obligations on the part of the seller to repair items identified below and/or the obligation of the buyer to accept such items "as is."**

## INSTRUCTIONS TO THE SELLER

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

PROPERTY ADDRESS 149 Motthaven Drive CITY Fairfield Glade

SELLER'S NAME(S) C. Perry Henry & Linda G. Henry PROPERTY AGE \_\_\_\_\_

DATE SELLER ACQUIRED THE PROPERTY \_\_\_\_\_ DO YOU OCCUPY THE PROPERTY? YES

IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPIED THE PROPERTY? \_\_\_\_\_

(Check the one that applies) The property is a  site-built home  nonsite built-home

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

- Range  Wall / Window Air Conditioning  Garage Door Opener(s) and remotes. How Many? 2
- Oven  Window Screens  Intercom
- Microwave  Fireplace(s) (Number) 2  TV Antenna / Satellite Dish and all components
- Garbage Disposal  Gas Starter for Fireplace  Central Vacuum System and attachments
- Trash compactor  Gas Fireplace Logs 1  Spa / Whirlpool Tub
- Water Softener  Smoke Detector / Fire Alarm  Hot Tub
- 220 Volt Wiring  Patio / Decking / Gazebo  Sauna
- Washer / Dryer Hookups  Installed Outdoor Cooking Grill  Current Termite contract
- Dishwasher  Irrigation System  Access to Public Streets
- Heat Pump / 2 GAS/EI  Sump Pump  All Landscaping and all outdoor lighting
- 9 yrs Age (Approx.) units  Burglar Alarm / Security System  A key to all exterior doors
- Components and controls  Rain Gutters

- Pool  In ground  Above ground
- Central Heating 3-units Heat Pump Age 1  Electric  Gas  Other
- Central Air Conditioning " " (9) Age 2  Electric  Gas  Other
- Water Heater 2 yrs Age  Electric  Gas  Solar  Other
- Other \_\_\_\_\_  Other \_\_\_\_\_

- Garage:  Attached  Not Attached  Carport
- Water Supply:  City  Well  Private  Utility  Other \_\_\_\_\_
- Gas Supply:  Utility  Bottled  Other Propane Tank / natural soon
- Waste Disposal:  City Sewer  Septic Tank  Other \_\_\_\_\_
- Roof(s): Type \_\_\_\_\_ Age (approx): 9 yrs

Other Items: \_\_\_\_\_

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

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

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

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

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

	YES	NO	UNKNOWN		YES	NO	UNKNOWN
Interior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roof Components	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ceilings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Basement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Floors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Foundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Slab	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Doors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Driveway	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Insulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sidewalks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Plumbing System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Heating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewer / Septic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Heat Pump	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Electrical System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Air Conditioning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Exterior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Double Paned or Insulated Window and or Doors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

C. ARE YOU (SELLER) AWARE OF ANY OF THE FOLLOWING? YES NO UNKNOWN

1. Substances, materials or products which may be an environmental hazard such as, but not limited to: asbestos, radon gas, lead-based paint, fuel or chemical storage tanks, contaminated soil or water, and/or known existing or past mold presence on the subject property?  YES  NO  UNKNOWN
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?  YES  NO  UNKNOWN
3. Any authorized changes in roads, drainage or utilities affecting the property, or contiguous to the property?  YES  NO  UNKNOWN
4. Any changes since the most recent survey of the property was done?  YES  NO  UNKNOWN  
Most recent survey of the property:  (check here if unknown)  
1996
5. Any encroachments, easements, or similar items that may affect your ownership interest in the property?  YES  NO  UNKNOWN
6. Room additions, structural modifications or other alterations or repairs made without necessary permits?  YES  NO  UNKNOWN
7. Room additions, structural modifications or other alterations or repairs not in compliance with building codes?  YES  NO  UNKNOWN
8. Landfill (compacted or otherwise) on the property or any portion thereof?  YES  NO  UNKNOWN
9. Any settling from any cause, or slippage, sliding or other soil problems?  YES  NO  UNKNOWN



- 10. Flooding, drainage or grading problems?
- 11. Any requirement that flood insurance be maintained on the property?
- 12. Is any of the property in a flood plain?
- 13. Any past or present interior water intrusion(s), standing water within foundation and/or basement.

If yes, please explain. If necessary, please attach an additional sheet and any available documents pertaining to these repairs/corrections.

- 14. Property or structural damage from fire, earthquake, floods, landslides, tremors, wind, storm or wood destroying organisms?     
If yes, has said damage been repaired?
- 15. Any zoning violations, nonconforming uses and/or violations of "setback" requirements?
- 16. Neighborhood noise problems or other nuisances?
- 17. Subdivision and/or deed restrictions or obligations?
- 18. A Homeowners Association (HOA) which has any authority over the subject property?

Name of HOA: \_\_\_\_\_ HOA Address: \_\_\_\_\_  
Monthly Dues: \_\_\_\_\_ Special Assessments: \_\_\_\_\_

- 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)?
- 20. Any notices of abatement or citations against the property?
- 21. Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects or will affect the property?
- 22. Is any system, equipment or part of the property being leased?     
If yes, please explain, and include a written statement regarding payment information.

- 23. Any exterior wall covering of the structure(s) covered with exterior insulation and finish systems (EIFS), also known as "synthetic stucco"?     
If yes, has there been a recent inspection to determine whether the structure has excessive moisture accumulation and/or moisture related damage?

*(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.)*  
If yes, please explain. If necessary, please attach an additional sheet.

- 24. Is heating and air conditioning supplied to all finished rooms?     
If the same type of system is not used for all finished rooms, please explain.

*3 - AC units (one for each level) (1st Level - FI/gas) (2nd Level - Heat Pump) (3rd Level - FI/gas)*

- 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?
- 26. Is the property affected by governmental regulations or restrictions requiring approval for changes, use, or alterations to the property?
- 27. Is this property in an 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?



D. **CERTIFICATION:** I/we certify that the information herein, concerning the real property located at, 149 Matthaven Dr, Fairfield Glade, TN 38558 is true and correct to the best of my/our knowledge as of the date signed. Should any of these conditions change prior to conveyance of title to this property, these changes will be disclosed in addendum to this document.

Transferor (Seller) Linda B. Henry Date 9/27/07 Time 5:30 P.M

Transferor (Seller) C. Perry Henry Date 9/27/07 Time 5:30 P.M

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

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

Transferee (Buyer) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Transferee (Buyer) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

### SELLERS FINAL PROPERTY DISCLOSURE

Pursuant to the disclosure requirements of the "Tennessee Residential Property Disclosure Act" *Tennessee Code Annotated, 66-5-201, et seq.*, the undersigned Seller hereby supplements the Residential Property Condition Disclosure information previously furnished by Seller to Buyer, as follows (Seller[s] initial appropriate line and write out the changes if any are reported):

**NO CHANGES**

To the best of the knowledge, information and belief of the undersigned, the condition of the Property sold is substantially the same as it was when the Residential Property Condition Disclosure form was provided to the Buyer.

**CHANGES TO REPORT**

The changes shown below, which may be material to the physical condition of the Property, have occurred or been observed since the Residential Property Condition Disclosure form was provided to the Buyer. This statement is given in good faith to the best of Seller's knowledge, information and belief, and is not intended to create warranties or guarantees which are not already made in the specific provisions of the contract or imposed by applicable law.

**CHANGES REPORTED**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

IN WITNESS WHEREOF, the information hereon is certified by Seller and acknowledged as received by Buyer upon the dates indicated.

Transferor (Seller) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Transferor (Seller) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Transferee (Buyer) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Transferee (Buyer) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

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, 66-5-201, et seq. By downloading and/or using this form, you agree and covenant not to alter, amend, or edit said form or its content 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.



Copyright ©2006 by Tennessee Association of REALTORS®

Modified 1/1/2006

F16 Tennessee Residential Property Condition Disclosure - Page 4 of 4