

SELLER'S PROPERTY DISCLOSURE STATEMENT

1 Property Address or Tax ID # _____
 2 _____ (the "Property")

INSTRUCTIONS TO THE SELLER

3 Please complete the following form. Do not leave any spaces blank. Please refer to the line number(s) of the question(s) when you provide your
 4 explanation(s). If you are not claiming an exclusion or refusing to provide the form under ORS 105.475 (4), you should date and sign each page of this
 5 disclosure statement and each attachment.
 6 Each seller of residential Property described in ORS 105.465 must deliver this form to each buyer who makes a written offer to purchase. Under ORS
 7 105.475 (4), refusal to provide this form gives the buyer the right to revoke their offer at any time prior to closing the transaction. Use only the section(s)
 8 of the form that apply to the transaction for which the form is used. If you are claiming an exclusion under ORS 105.470, fill out only Section 1.
 9 An exclusion may be claimed only if the seller qualifies for the exclusion under the law. If not excluded, the seller must disclose the condition of the
 10 Property or the buyer may revoke their offer to purchase any time prior to closing the transaction. Questions regarding the legal consequences of the
 11 seller's choice should be directed to a qualified attorney.

12 **DO NOT FILL OUT THIS SECTION UNLESS YOU ARE CLAIMING AN EXCLUSION UNDER ORS 105.470**

13 Section 1. EXCLUSION FROM ORS 105.465 TO 105.490:

14 You may claim an exclusion under ORS 105.470 only if you qualify under the statute. If you are not claiming an exclusion, you must fill out Section 2
 15 of this form completely.

16 Initial only the exclusion you wish to claim.

- 17 _____ This is the first sale of a dwelling never occupied. The dwelling is constructed or installed under building or installation
 18 permit(s) # _____ issued by _____.
- 19 _____ This sale is by a financial institution that acquired the Property as custodian, agent or trustee, or by foreclosure or deed in lieu of
 20 foreclosure.
- 21 _____ The seller is a court appointed (*Check only one*): receiver personal representative trustee conservator guardian
- 22 _____ This sale or transfer is by a governmental agency.

23 Signature(s) of Seller(s) Claiming Exclusion

24 Seller _____ Date _____ ← Seller _____ Date _____ ←

25 Signature(s) of Buyer(s) Acknowledging Seller's Claim

26 Buyer _____ Date _____ ← Buyer _____ Date _____ ←

27 **IF YOU DID NOT CLAIM AN EXCLUSION IN SECTION 1, YOU MUST FILL OUT THIS SECTION.**

28 Section 2. SELLER'S PROPERTY DISCLOSURE STATEMENT

29 (NOT A WARRANTY) (ORS 105.465)

30 NOTICE TO THE BUYER: THE FOLLOWING REPRESENTATIONS ARE MADE BY THE SELLER(S) CONCERNING THE CONDITION OF THE
 31 PROPERTY LOCATED AT _____ THE "PROPERTY".

32 DISCLOSURES CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL KNOWLEDGE OF THE
 33 PROPERTY AT THE TIME OF DISCLOSURE. BUYER HAS FIVE BUSINESS DAYS FROM THE SELLER'S DELIVERY OF THIS SELLER'S
 34 DISCLOSURE STATEMENT TO REVOKE BUYER'S OFFER BY DELIVERING BUYER'S SEPARATE SIGNED WRITTEN STATEMENT OF
 35 REVOCATION TO THE SELLER DISAPPROVING THE SELLER'S DISCLOSURE STATEMENT, UNLESS BUYER WAIVES THIS RIGHT AT OR
 36 PRIOR TO ENTERING INTO A SALE AGREEMENT.

37 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

Buyer Initials _____ / _____ Date _____

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Phone: (503)388-7060

Fax:

Listing

SELLER'S PROPERTY DISCLOSURE STATEMENT

38 Property Address or Tax ID # _____
 39 _____ (the "Property")

40 FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS PROPERTY, BUYER IS ADVISED TO OBTAIN AND
 41 PAY FOR THE SERVICES OF A QUALIFIED SPECIALIST TO INSPECT THE PROPERTY ON BUYER'S BEHALF INCLUDING, FOR EXAMPLE,
 42 ONE OR MORE OF THE FOLLOWING: ARCHITECTS, ENGINEERS, PLUMBERS, ELECTRICIANS, ROOFERS, ENVIRONMENTAL
 43 INSPECTORS, BUILDING INSPECTORS, CERTIFIED HOME INSPECTORS, OR PEST AND DRY ROT INSPECTORS.

44 Seller is is not occupying the Property.

I. SELLER'S REPRESENTATIONS :

45 The following are representations made by the seller and are not the representations of any financial institution that may have made or may make a
 46 loan pertaining to the Property, or that may have or take a security interest in the Property, or any real estate licensee engaged by the seller or the
 47 buyer.

48 ***If you mark yes on items with *, attach a copy or explain on an attached sheet.**

49 **1. TITLE**

- 50 A. Do you have legal authority to sell the Property? Yes No Unknown
- 51 *B. *Is title to the Property subject to any of the following:* Yes* No Unknown
- 52 First right of refusal Option Lease or rental agreement Other listing Life estate
- 53 *C. *Is the Property being transferred an unlawfully established unit of land?*..... Yes* No Unknown
- 54 *D. *Are there any encroachments, boundary agreements, boundary disputes or*
 55 *recent boundary changes?* Yes* No Unknown
- 56 *E. *Are there any rights of way, easements, licenses, access limitations or*
 57 *claims that may affect your interest in the Property?* Yes* No Unknown
- 58 *F. *Are there any agreements for joint maintenance of an easement or right of way?* Yes* No Unknown
- 59 *G. *Are there any governmental studies, designations, zoning overlays, surveys*
 60 *or notices that would affect the Property?* Yes* No Unknown
- 61 *H. *Are there any pending or existing governmental assessments against the Property?* Yes* No Unknown
- 62 *I. *Are there any zoning violations or nonconforming uses?* Yes* No Unknown
- 63 *J. *Is there a boundary survey for the Property?* Yes* No Unknown
- 64 *K. *Are there any covenants, conditions, restrictions or private assessments that affect the Property?* Yes* No Unknown
- 65 *L. *Is the Property subject to any special tax assessment or tax treatment that may*
 66 *result in levy of additional taxes if the Property is sold?*..... Yes* No Unknown

67 **2. WATER**

- 68 A. Household water
- 69 (1) The source of the water is (check ALL that apply): Public Community Private Other
- 70 (2) Water source information:
- 71 *a) *Does the water source require a water permit?*..... Yes* No Unknown
- 72 *If yes, do you have a permit?* Yes No Unknown NA

73 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

Buyer Initials ____ / ____ Date _____

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74 Property Address or Tax ID # _____
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- 76 *b) *Is the water source located on the Property?* Yes* No Unknown NA
 77 *If not, are there any written agreements for a shared water source?* Yes* No Unknown NA
 78 *c) *Is there an easement (recorded or unrecorded) for your access to or*
 79 *maintenance of the water source?* Yes* No Unknown
 80 d) If the source of water is from a well or spring, have you had any of
 81 the following in the past 12 months? Yes No Unknown NA
 82 Flow test Bacteria test Chemical contents test
 83 *e) *Are there any water source plumbing problems or needed repairs?*..... Yes* No Unknown
 84 (3) Are there any water treatment systems for the Property? Yes No Unknown
 85 Leased Owned

- 86 B. Irrigation
 87 (1) Are there any water rights or other irrigation rights for the Property?..... Yes No Unknown
 88 *(2) *If any exist, has the irrigation water been used during the last five-year period?*..... Yes* No Unknown NA
 89 *(3) *Is there a water rights certificate or other written evidence available?* Yes* No Unknown NA

- 90 C. Outdoor sprinkler system
 91 (1) Is there an outdoor sprinkler system for the Property? Yes No Unknown
 92 (2) Has a back flow valve been installed? Yes No Unknown NA
 93 (3) Is the outdoor sprinkler system operable? Yes No Unknown NA

94 3. SEWAGE SYSTEM

- 95 A. Is the Property connected to a public or community sewage system?..... Yes No Unknown
 96 B. Are there any new public or community sewage systems proposed for the Property? Yes No Unknown
 97 C. Is the Property connected to an on-site septic system?..... Yes No Unknown
 98 (1) If yes, when was the system installed? _____ Unknown NA
 99 *(2) *If yes, was the system installed by permit?* Yes* No Unknown NA
 100 *(3) *Has the system been repaired or altered?* Yes* No Unknown NA
 101 *(4) *Has the condition of the system been evaluated and a report issued?*..... Yes* No Unknown NA
 102 (5) Has the septic tank ever been pumped? Yes No Unknown NA
 103 If yes, when? _____ NA
 104 (6) Does the system have a pump?..... Yes No Unknown NA
 105 (7) Does the system have a treatment unit such as a sand filter or an aerobic unit?..... Yes No Unknown NA
 106 *(8) *Is a service contract for routine maintenance required for the system?*..... Yes* No Unknown NA

107 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

Buyer Initials ____ / ____ Date _____

SELLER'S PROPERTY DISCLOSURE STATEMENT

108 Property Address or Tax ID # _____
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110 (9) Are all components of the system located on the Property? Yes No Unknown NA

111 *D. Are there any sewage system problems or needed repairs? Yes* No Unknown

112 E. Does your sewage system require on-site pumping to another level? Yes No Unknown

113 **4. DWELLING INSULATION**

114 A. Is there insulation in the:

115 (1) Ceiling? Yes No Unknown

116 (2) Exterior Walls? Yes No Unknown

117 (3) Floors? Yes No Unknown

118 B. Are there any defective insulated doors or windows? Yes No Unknown

119 **5. DWELLING STRUCTURE**

120 *A. Has the roof leaked? Yes* No Unknown

121 If yes, has it been repaired? Yes No Unknown NA

122 B. Are there any additions, conversions or remodeling? Yes No Unknown

123 If yes, was a building permit required? Yes No Unknown NA

124 If yes, was a building permit obtained? Yes No Unknown NA

125 If yes, was final inspection obtained? Yes No Unknown NA

126 C. Are there smoke alarms or detectors? Yes No Unknown

127 D. Are there carbon monoxide alarms? Yes No Unknown

128 E. Is there a woodstove or fireplace insert included in the sale? Yes No Unknown

129 *If yes, what is the make? _____

130 *If yes, was it installed with a permit? Yes* No Unknown NA

131 *If yes, is a certification label issued by the United States Environmental Protection Agency (EPA)

132 or the Department of Environmental Quality (DEQ) affixed to it? Yes* No Unknown NA

133 *F. Has pest and dry rot, structural or "whole house" inspection been done within the last three years? Yes* No Unknown

134 *G. Are there any moisture problems, areas of water penetration, mildew odors
 135 or other moisture conditions (especially in the basement)? Yes* No Unknown

136 *If yes, explain on attached sheet the frequency and extent of problem and any insurance claims, repairs or remediation done.

137 H. Is there a sump pump on the Property? Yes No Unknown

138 I. Are there any materials used in the construction of the structure that are or
 139 have been the subject of a recall, class action suit, settlement or litigation? Yes No Unknown

140 If yes, what are the materials? _____

141 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

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- 144 (1) Are there problems with the materials? Yes No Unknown NA
 145 (2) Are the materials covered by a warranty? Yes No Unknown NA
 146 (3) Have the materials been inspected? Yes No Unknown NA
 147 (4) Have there ever been claims filed for these materials by you or by previous owners?.. Yes No Unknown NA
 148 If yes, when? _____ NA
 149 (5) Was money received? Yes No Unknown NA
 150 (6) Were any of the materials repaired or replaced? Yes No Unknown NA

151 **6. DWELLING SYSTEMS AND FIXTURES**

152 If the following systems or fixtures are included in the purchase price, are they in good working order on the date this form is signed by Seller?

- 153 A. Electrical system, including wiring, switches, outlets and service..... Yes No Unknown
 154 B. Plumbing system, including pipes, faucets, fixtures and toilets..... Yes No Unknown
 155 C. Water heater tank Yes No Unknown
 156 D. Garbage disposal..... Yes No Unknown NA
 157 E. Built-in range and oven..... Yes No Unknown NA
 158 F. Built-in dishwasher..... Yes No Unknown NA
 159 G. Sump pump Yes No Unknown NA
 160 H. Heating and cooling systems
 161 (1) Heating systems..... Yes No Unknown NA
 162 (2) Cooling systems Yes No Unknown NA
 163 I. Security system Owned Leased..... Yes No Unknown NA
 164 J. Are there any materials or products used in the systems and fixtures that are or have been
 165 the subject of a recall, class action suit settlement or other litigations?..... Yes No Unknown
 166 If yes, what product? _____
 167 (1) Are there problems with the product?..... Yes No Unknown NA
 168 (2) Is the product covered by a warranty?..... Yes No Unknown NA
 169 (3) Has the product been inspected?..... Yes No Unknown NA
 170 (4) Have claims been filed for this product by you or by previous owners?..... Yes No Unknown NA
 171 If yes, when? _____
 172 (5) Was money received? Yes No Unknown NA
 173 (6) Were any of the materials or products repaired or replaced? Yes No Unknown NA

174 SELLER _____ Date _____ ← SELLER _____ Date _____ ←

Buyer Initials ____ / ____ Date _____

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177 **7. COMMON INTEREST**

178 A. Is there a Home Owners' Association or other governing entity?..... Yes No Unknown
 179 Name of Association or Other Governing Entity: _____
 180 Contact Person: _____
 181 Address: _____ Phone Number: _____
 182 B. Regular periodic assessments: \$ _____ per Month Year Other
 183 *C. *Are there any pending or proposed special assessments?* Yes* No Unknown
 184 D. Are there shared "common areas" or joint maintenance agreement for facilities like walls, fences, pools,
 185 tennis courts, walkways or other areas co-owned in undivided interest with others? Yes No Unknown
 186 E. Is the Home Owners' Association or other governing entity a party to
 187 pending litigation or subject to an unsatisfied judgment?..... Yes No Unknown NA
 188 F. Is the Property in violation of recorded covenants, conditions and
 189 restrictions or in violation of other bylaws or governing rules, whether recorded or not?..... Yes No Unknown NA

190 **8. SEISMIC**

191 A. Was the house constructed before 1974? Yes No Unknown
 192 If yes, has the house been bolted to its foundation? Yes No Unknown NA

193 **9. GENERAL**

194 A. Are there problems with settling, soil, standing water or drainage on
 195 the Property or in the immediate area? Yes No Unknown
 196 B. Does the Property contain fill? Yes No Unknown
 197 C. Is there any material damage to the Property or any of the structure(s)
 198 from fire, wind, floods, beach movements, earthquake, expansive soils or landslides?..... Yes No Unknown
 199 D. Is the Property in a designated floodplain? Yes No Unknown
 200 Note: Flood insurance may be required for homes in a floodplain.
 201 E. Is the Property in a designated slide or other geologic hazard zone?..... Yes No Unknown
 202 *F. *Has any portion of the Property been tested or treated for asbestos, formaldehyde, radon, gas,*
 203 *lead-based paint, mold, fuel or chemical storage tanks or contaminated soil or water?.....* Yes* No Unknown
 204 G. Are there any tanks or underground storage tanks (e.g., septic, chemical, fuel, etc.) on the Property? Yes No Unknown
 205 H. Has the property ever been used as an illegal drug manufacturing or distribution site?..... Yes No Unknown
 206 **If yes, was a Certificate of Fitness issued?* Yes* No Unknown NA
 207 *I. *Has the Property been classified as forestland-urban interface?.....* Yes* No Unknown

208 **10. FULL DISCLOSURE BY SELLER(S)**

209 *A. *Are there any other material defects affecting this Property or its value that*
 210 *a prospective buyer should know about?.....* Yes* No
 211 *If yes, describe the defect on attached sheet and explain the frequency and extent of the problem and any insurance claims, repairs or*
 212 *remediation.*

213 Seller _____ Date _____ ← Seller _____ Date _____ ←

Buyer Initials _____ / _____ Date _____

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214 Property Address or Tax ID # _____
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VERIFICATION

216 The foregoing answers and attached explanations (if any) are complete and correct to the best of my/our knowledge and I/we have received a copy of this
 217 disclosure statement. I/we authorize my/our agents to deliver a copy of this disclosure statement to all prospective buyers of the Property or their agents.

218 _____ (complete even if zero) Number of pages of explanations are attached.

219 Seller _____ Date _____ a.m. ____ p.m.←

220 Seller _____ Date _____ a.m. ____ p.m.←

II. BUYER'S ACKNOWLEDGMENT:

221 A. As buyer(s), I/we acknowledge the duty to pay diligent attention to any material defects that are known to me/us or can be known by me/us by
 222 utilizing diligent attention and observation.

223 B. Each buyer acknowledges and understands that the disclosures set forth in this statement and in any amendments to this statement are made
 224 only by the seller and are not the representations of any financial institution that may have made or may make a loan pertaining to the Property, or
 225 that may have or take a security interest in the Property, or of any real estate licensee engaged by the seller or buyer. A financial institution or real
 226 estate licensee is not bound by and has no liability with respect to any representation, misrepresentation, omission, error or inaccuracy contained in
 227 another party's disclosure statement required by this section or any amendment to the disclosure statement.

228 C. Buyer (which term includes all persons signing the "Buyer's Acknowledgment" portion of this disclosure statement below) hereby
 229 acknowledges receipt of a copy of this disclosure statement (including attachments, if any) bearing seller's signature(s).

230 DISCLOSURES, IF ANY, CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL
 231 KNOWLEDGE OF THE PROPERTY AT THE TIME OF DISCLOSURE. IF THE SELLER HAS FILLED OUT SECTION 2 OF THIS FORM, YOU,
 232 THE BUYER, HAVE FIVE BUSINESS DAYS FROM THE SELLER'S DELIVERY OF THIS DISCLOSURE STATEMENT TO REVOKE YOUR
 233 OFFER BY DELIVERING YOUR SEPARATE SIGNED WRITTEN STATEMENT OF REVOCATION TO THE SELLER DISAPPROVING THE
 234 SELLER'S DISCLOSURE UNLESS YOU WAIVE THIS RIGHT AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT.

235 BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS SELLER'S PROPERTY DISCLOSURE STATEMENT.

236 Buyer _____ Date _____ a.m. ____ p.m.←

237 Buyer _____ Date _____ a.m. ____ p.m.←

238 Agent receiving disclosure statement on buyer's behalf to sign and date:

239 _____ Real Estate Agent Date received by Agent _____

240 _____ Real Estate Firm

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