



**Property Condition Disclosure Statement**

Name of seller or sellers: Fran Bennett

Property address: 113 Clinton Pl.

The Property Condition Disclosure Act requires the seller of residential real property to cause this disclosure statement or a copy thereof to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract of sale.

**Purpose of Statement:**

This is a statement of certain conditions and information concerning the property known to the seller. This disclosure statement is not a warranty of any kind by the seller or by any agent representing the seller in this transaction. It is not a substitute for any inspections or tests and the buyer is encouraged to obtain his or her own independent professional inspections and environmental tests and also is encouraged to check public records pertaining to the property.

**A KNOWINGLY FALSE OR INCOMPLETE STATEMENT BY THE SELLER ON THIS FORM MAY SUBJECT THE SELLER TO CLAIMS BY THE BUYER PRIOR TO OR AFTER THE TRANSFER OF TITLE. IN THE EVENT A SELLER FAILS TO PERFORM THE DUTY PRESCRIBED IN THIS ARTICLE TO DELIVER A DISCLOSURE STATEMENT PRIOR TO THE SIGNING BY THE BUYER OF A BINDING CONTRACT OF SALE, THE BUYER SHALL RECEIVE UPON THE TRANSFER OF TITLE A CREDIT OF FIVE HUNDRED DOLLARS AGAINST THE AGREED UPON PURCHASE PRICE OF THE RESIDENTIAL REAL PROPERTY.**

"Residential real property" means real property improved by a one to four family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of one or more persons, but shall not refer to (a) unimproved real property upon which such dwellings are to be constructed or (b) condominium units or cooperative apartments or (c) property on a homeowners' association that is not owned in fee simple by the seller.

**Instructions to the seller:**

- (a) Answer all questions based upon your actual knowledge.
- (b) Attach additional pages with your signature if additional space is required.
- (c) Complete this form yourself.
- (d) If some items do not apply to your property, check "NA" (non-applicable). If you do not know the answer check "UNKN" (unknown).

**Seller's Statement:**

The seller makes the following representations to the buyer based upon the seller's actual knowledge at the time of signing this document. The seller authorizes his or her agent, if any, to provide a copy of this statement to a prospective buyer of the residential real property. The following are representations made by the seller and are not the representations of the seller's agent.

**General Information**

- 1. How long have you owned the property? 25 years
- 2. How long have you occupied the property? -
- 3. What is the age of the structure or structures? UN

**Note to buyer** – If the structure was built before 1978 you are encouraged to investigate for the presence of lead based paint.

- 4. Does anybody other than yourself have a lease, easement or any other right to use or occupy any part of your property other than those stated in documents available in the public record, such as rights to use a road or path or cut trees or crops? Yes  No  UNKN  NA

23. Has the property been tested for termite, insect, rodent or pest infestation or damage?  Yes  No UNKN NA (if yes, explain below)

24. What is the type of roof/roof covering ( slate, asphalt, other.)? \_\_\_\_\_  
Any known material defects? None  
How old is the roof? 10-12  
Is there a transferable warranty on the roof in effect now? Yes  No UNKN NA(if yes, explain below)

25. Are there any known material defects in any of the following structural systems: footings, beams, girders, lintels, columns or partitions. Yes  No UNKN NA (if yes, explain below)

### Mechanical Systems & Services

26. What is the water source (circle all that apply – well, private, municipal, other)? If municipal, is it metered?  
Yes No UNKN NA

27. Has the water quality and/or flow rate been tested? Yes No  UNKN NA (if yes, describe below)

28. What is the type of sewage system (circle all that apply – public sewer, private sewer, septic or cesspool)?  
If septic or cesspool, age? \_\_\_\_\_  
Date last pumped? \_\_\_\_\_  
Frequency of pumping? \_\_\_\_\_  
Any known material defects? Yes No UNKN NA (if yes, explain below)

29. Who is your electric service provider? Natl Grid  
What is the amperage? \_\_\_\_\_  
Does it have circuit breakers or fuses? \_\_\_\_\_  
Private or public poles? \_\_\_\_\_  
Any known material defects? Yes No UNKN NA (if yes, explain below)

30. Are there any flooding, drainage or grading problems that resulted in standing water on any portion of the property?  
Yes  No UNKN NA (if yes, state locations and explain below)

31. Does the basement have seepage that results in standing water? Yes  No UNKN NA (if yes, explain below)

Are there any known material defects in any of the following (if yes, explain below. Use additional sheets if necessary):

32. Plumbing system?	Yes	<input checked="" type="radio"/> No	UNKN	NA
33. Security system?	Yes	<input type="radio"/> No	UNKN	NA
34. Carbon monoxide detector?	Yes	<input checked="" type="radio"/> No	UNKN	NA
35. Smoke detector?	Yes	<input type="radio"/> No	UNKN	NA
36. Fire sprinkler system?	Yes	<input checked="" type="radio"/> No	UNKN	NA
37. Sump pump?	Yes	<input type="radio"/> No	UNKN	NA
38. Foundation/slab?	Yes	<input checked="" type="radio"/> No	UNKN	NA
39. Interior walls/ceilings?	Yes	<input type="radio"/> No	UNKN	NA
40. Exterior walls or siding?	Yes	<input type="radio"/> No	UNKN	NA
41. Floors?	Yes	<input checked="" type="radio"/> No	UNKN	NA
42. Chimney/fireplace or stove?	Yes	<input type="radio"/> No	UNKN	NA
43. Patio/deck?	Yes	<input type="radio"/> No	UNKN	NA
44. Driveway?	Yes	<input checked="" type="radio"/> No	UNKN	NA
45. Air conditioner?	Yes	<input type="radio"/> No	UNKN	NA
46. Heating system?	Yes	<input type="radio"/> No	UNKN	NA
47. Hot water heater?	Yes	<input checked="" type="radio"/> No	UNKN	NA

48. The property is located in the following school district UTICA UNKN

Note: Buyer is encouraged to check public records concerning the property (e.g. tax records and wetland and flood plain maps)

The seller should use this area to further explain any item above. If necessary, attach additional pages and indicate here the number of additional pages attached.

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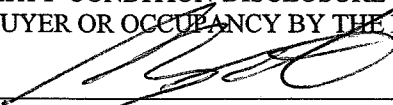
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**Seller's Certification:**

SELLER CERTIFIES THAT THE INFORMATION IN THIS PROPERTY CONDITION DISCLOSURE STATEMENT IS TRUE AND COMPLETE TO THE SELLER'S ACTUAL KNOWLEDGE AS OF THE DATE SIGNED BY THE SELLER, IF A SELLER OF RESIDENTIAL REAL PROPERTY ACQUIRES KNOWLEDGE WHICH RENDERS MATERIALLY INACCURATE A PROPERTY CONDITION DISCLOSURE STATEMENT PROVIDED PREVIOUSLY, THE SELLER SHALL DELIVER A REVISED PROPERTY CONDITION DISCLOSURE STATEMENT TO THE BUYER AS SOON AS PRACTICABLE. IN NO EVENT, HOWEVER, SHALL A SELLER BE REQUIRED TO PROVIDE A REVISED PROPERTY CONDITION DISCLOSURE STATEMENT AFTER THE TRANSFER OF TITLE FROM THE SELLER TO THE BUYER OR OCCUPANCY BY THE BUYER, WHICHEVER IS EARLIER.

Seller  date 12/18/07

Seller \_\_\_\_\_ date \_\_\_\_\_

**Buyer's Acknowledgement:**

Buyer acknowledges receipt of a copy of this statement and buyer understands that this information is a statement of certain conditions and information concerning the property known to the seller. It is not a warranty of any kind by the seller or seller's agent and is not a substitute for any home, pest, radon or other inspections or testing of the property or inspection of the public records.

Buyer \_\_\_\_\_ date \_\_\_\_\_

Buyer \_\_\_\_\_ date \_\_\_\_\_




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ADDENDUM TO PROPERTY CONDITION DISCLOSURE STATEMENT

This is a certify that a functioning carbon monoxide detector is installed in our home, as required by Part 1225 of Title 19 of the Official Compilation of Codes, Rules & Regulations of the State of New York (amended by the addition of section 1225.2 attached).

  
\_\_\_\_\_  
(Seller's Signature)

12/18/07  
\_\_\_\_\_  
Date

\_\_\_\_\_  
(Seller's Signature)

\_\_\_\_\_  
Date




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**PROPERTY CONDITION DISCLOSURE STATEMENT**

**NOTICE TO SELLERS OF RESIDENTIAL REAL PROPERTY**

As the seller of residential real property, you are required by law to complete and sign a Property Condition Disclosure Statement as prescribed by Real Property Law 472(2) and cause it, or a copy thereof, to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract of sale. A copy of the Property Condition Disclosure Statement containing the signatures of both the buyer and the seller must be attached to the real estate purchase contract. If you acquire knowledge which renders materially inaccurate a Property Condition Disclosure Statement previously provided, you must deliver a revised Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, will you be required to provide a revised Property Condition Disclosure Statement after the transfer of title from you to the buyer or after the buyer has commenced occupancy of the property. If you fail to deliver a Property Condition Disclosure Statement to the buyer prior to the buyer signing a binding contract of sale, the buyer will be entitled to a credit in the amount of \$500.00 against the purchase price of the property upon the transfer of title.

Agreed to: \_\_\_\_\_  
  
\_\_\_\_\_  
(Seller's Signature(§))

Date: \_\_\_\_\_  
Date: 12-18-07