

2000 PUBLIC AND LOCAL ACTS

[No. 13]

(HB 5014)

AN ACT to amend 1993 PA 92, entitled "An act to require certain disclosures in connection with transfers of residential property," by amending section 7 (MCL 565.957), as amended by 1996 PA 92.

The People of the State of Michigan enact:

565.957 Disclosure; form. [M.S.A. 26.1286(57)]

Sec. 7. (1) The disclosures required by this act shall be made on the following form:

SELLER'S DISCLOSURE STATEMENT

Property Address: _____

Street

_____ Michigan

City, Village, or Township

Purpose of Statement: This statement is a disclosure of the condition of the property in compliance with the seller disclosure act. This statement is a disclosure of the condition and information concerning the property, known by the seller. Unless otherwise advised, the seller does not possess any expertise in construction, architecture, engineering, or any other specific area related to the construction or condition of the improvements on the property or the land. Also, unless otherwise advised, the seller has not conducted any inspection of generally inaccessible areas such as the foundation or roof. This statement is not a warranty of any kind by the seller or by any agent representing the seller in this transaction, and is not a substitute for any inspections or warranties the buyer may wish to obtain.

Seller's Disclosure: The seller discloses the following information with the knowledge that even though this is not a warranty, the seller specifically makes the following representations based on the seller's knowledge at the signing of this document. Upon receiving this statement from the seller, the seller's agent is required to provide a copy to the buyer or the agent of the buyer. The seller authorizes its agent(s) to provide a copy of this statement to any prospective buyer in connection with any actual or anticipated sale of property. The following are representations made solely by the seller and are not the representations of the seller's agent(s), if any. **This information is a disclosure only and is not intended to be a part of any contract between buyer and seller.**

Instructions to the Seller: (1) Answer ALL questions. (2) Report known conditions affecting the property. (3) Attach additional pages with your signature if additional space is required. (4) Complete this form yourself. (5) If some items do not apply to your property, check NOT AVAILABLE. If you do not know the facts, check UNKNOWN. **FAILURE TO PROVIDE A PURCHASER WITH A SIGNED DISCLOSURE STATEMENT WILL ENABLE A PURCHASER TO TERMINATE AN OTHERWISE BINDING PURCHASE AGREEMENT.**

Appliances/Systems/Services: The items below are in working order (the items below are included in the sale of the property only if the purchase agreement so provides):

	Yes	No	Unknown	Not Available
Range/Oven	_____	_____	_____	_____
Dishwasher	_____	_____	_____	_____
Refrigerator	_____	_____	_____	_____

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Hood/fan	_____	_____	_____	_____
Disposal	_____	_____	_____	_____
TV antenna, TV rotor & controls	_____	_____	_____	_____
Electrical system	_____	_____	_____	_____
Garage door opener & remote control	_____	_____	_____	_____
Alarm system	_____	_____	_____	_____
Intercom	_____	_____	_____	_____
Central vacuum	_____	_____	_____	_____
Attic fan	_____	_____	_____	_____
Pool heater, wall liner & equipment	_____	_____	_____	_____
Microwave	_____	_____	_____	_____
Trash compactor	_____	_____	_____	_____
Ceiling fan	_____	_____	_____	_____
Sauna/hot tub	_____	_____	_____	_____
Washer	_____	_____	_____	_____
Dryer	_____	_____	_____	_____
Lawn sprinkler system	_____	_____	_____	_____
Water heater	_____	_____	_____	_____
Plumbing system	_____	_____	_____	_____
Water softener/conditioner	_____	_____	_____	_____
Well & pump	_____	_____	_____	_____
Septic tank & drain field	_____	_____	_____	_____
Sump pump	_____	_____	_____	_____
City Water System	_____	_____	_____	_____
City Sewer System	_____	_____	_____	_____
Central air conditioning	_____	_____	_____	_____
Central heating system	_____	_____	_____	_____
Wall furnace	_____	_____	_____	_____
Humidifier	_____	_____	_____	_____
Electronic air filter	_____	_____	_____	_____
Solar heating system	_____	_____	_____	_____
Fireplace & chimney	_____	_____	_____	_____
Wood burning system	_____	_____	_____	_____

Explanations (attach additional sheets if necessary):

UNLESS OTHERWISE AGREED, ALL HOUSEHOLD APPLIANCES ARE SOLD IN WORKING ORDER EXCEPT AS NOTED, WITHOUT WARRANTY BEYOND DATE OF CLOSING.

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Property conditions, improvements & additional information:

1. Basement/crawl space: Has there been evidence of water?

yes ___ no ___

If yes, please explain: _____

2. Insulation: Describe, if known _____

Urea Formaldehyde Foam Insulation (UFFI) is installed?

unknown ___ yes ___ no ___

3. Roof: Leaks?

yes ___ no ___

Approximate age if known _____

4. Well: Type of well (depth/diameter, age, and repair history, if known): _____

Has the water been tested? yes ___ no ___

If yes, date of last report/results: _____

5. Septic tanks/drain fields: Condition, if known: _____

6. Heating System: Type/approximate age: _____

7. Plumbing system: Type: copper ___ galvanized ___ other ___

Any known problems?

8. Electrical system: Any known problems? _____

9. History of infestation, if any: (termites, carpenter ants, etc.) _____

10. Environmental Problems: Are you aware of any substances, materials, or products that may be an environmental hazard such as, but not limited to, asbestos, radon gas, formaldehyde, lead-based paint, fuel, or chemical storage tanks and contaminated soil on the property? unknown ___ yes ___ no ___

If yes, please explain: _____

11. Flood insurance: Do you have flood insurance on the property?

unknown ___ yes ___ no ___

12. Mineral rights: Do you own the mineral rights?

unknown ___ yes ___ no ___

Other Items: Are you aware of any of the following:

1. Features of the property shared in common with the adjoining landowners, such as walls, fences, roads, and driveways, or other features whose use or responsibility for maintenance may have an effect on the property?

unknown ___ yes ___ no ___

2. Any encroachments, easements, zoning violations, or nonconforming uses?

unknown ___ yes ___ no ___

3. Any "common areas" (facilities like pools, tennis courts, walkways, or other areas co-owned with others), or a homeowners' association that has any authority over the property?

unknown ___ yes ___ no ___

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OTHER REAL PROPERTY TAX INFORMATION
IS AVAILABLE FROM THE APPROPRIATE
LOCAL ASSESSOR'S OFFICE. BUYER
SHOULD NOT ASSUME THAT BUYER'S
FUTURE TAX BILLS ON THE PROPERTY
WILL BE THE SAME AS THE SELLER'S
PRESENT TAX BILLS. UNDER MICHIGAN
LAW, REAL PROPERTY TAX OBLIGATIONS
CAN CHANGE SIGNIFICANTLY WHEN
PROPERTY IS TRANSFERRED.

Seller _____ Date _____

Seller _____ Date _____

Buyer has read and acknowledges receipt of this statement.

Buyer _____ Date _____ Time: _____

Buyer _____ Date _____ Time: _____

(2) A form described in subsection (1) printed before the effective date of the 2000 amendatory act that amended this subsection that was in compliance with this section at that time may be utilized and shall be considered in compliance with this section until 90 days after the effective date of the 2000 amendatory act that amended this subsection.

This act is ordered to take immediate effect.

Approved March 7, 2000.

Filed with Secretary of State March 8, 2000.
