

Act No. 106
Public Acts of 1995
Approved by the Governor
June 20, 1995
Filed with the Secretary of State
June 20, 1995

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1995**

**Introduced by Reps. Gnodtke, Gernaat, Randall, Llewellyn, Green, McManus, Lowe, McBryde, Dalman,
Hammerstrom and Hill
Rep. Goschka named co-sponsor**

ENROLLED HOUSE BILL No. 4301

AN ACT to amend section 7 of Act No. 92 of the Public Acts of 1993, entitled "An act to require certain disclosures in connection with transfers of residential property," being section 565.957 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 7 of Act No. 92 of the Public Acts of 1993, being section 565.957 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 7. 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 N/A (nonapplicable). 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:

	Yes	No	Unknown	N/A
Range/Oven	___	___	___	___
Dishwasher	___	___	___	___
Refrigerator	___	___	___	___
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	___	___	___	___
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	___	___	___	___
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.

Property conditions, improvements & additional information:

1. **Basement:** 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:** 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: _____

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 ___
4. Structural modifications, alterations, or repairs made without necessary permits or licensed contractors? unknown ___ yes ___ no ___
5. Settling, flooding, drainage, structural, or grading problems? unknown ___ yes ___ no ___
6. Major damage to the property from fire, wind, floods, or landslides? unknown ___ yes ___ no ___
7. Any underground storage tanks? unknown ___ yes ___ no ___
8. Farm or farm operation in the vicinity or proximity to a landfill, airport, shooting ranges, etc.? unknown ___ yes ___ no ___

If the answer to any of these questions is yes, please explain. Attach additional sheets, if necessary: _____

The most recent state equalized valuation of the property provided by the local taxing unit to the seller was \$ _____ as of _____ (date). The seller has lived in the residence on the property from _____ (date) to _____ (date). The seller has owned the property since _____ (date) and makes representation only since that date. The seller has indicated above the history and condition of all the items based on that information known to the seller. If any changes occur in the structural/mechanical/appliance systems of this property from the date of this form to the date of closing, seller will immediately disclose the changes to buyer. In no event shall the parties hold the broker liable for any representations not directly made by the broker or broker's agent.

Seller certifies that the information in this statement is true and correct to the best of seller's knowledge as of the date of seller's signature.

BUYER SHOULD OBTAIN PROFESSIONAL
ADVICE AND INSPECTIONS OF THE
PROPERTY TO MORE FULLY DETERMINE THE
CONDITION OF THE PROPERTY.

Seller _____ Date _____

Seller _____ Date _____

Buyer has read and acknowledges receipt of this statement.

Buyer _____ Date _____ Time: _____

Buyer _____ Date _____ Time: _____

Section 2. This amendatory act shall take effect January 1, 1996.

Section 3. This amendatory act shall not take effect unless all of the following bills of the 88th Legislature are enacted into law:

(a) House Bill No. 4299.

(b) House Bill No. 4300.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.