

Act No. 13
Public Acts of 2000
Approved by the Governor
March 7, 2000
Filed with the Secretary of State
March 8, 2000
EFFECTIVE DATE: March 8, 2000

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Reps. Middaugh, Cassis, Bisbee, Cameron Brown, Ruth Johnson, Jellema, Pestka, Spade, DeRossett, Frank, Jelinek, Mead, Sheltroun, LaSata, Kukuk, Neumann, Rivet, Tabor, Toy, Bishop, DeWeese, Allen, Gosselin, Mortimer, Hager, Richardville, Vander Roest, Kowall, Ehardt, Rocca, Kuipers, Sanborn, Hale, Van Woerkom, Faunce, Jansen, Stamas, Kilpatrick, Birkholz and Raczkowski Reps. Basham, Bovin, Brewer, Callahan, Daniels, DeHart, Dennis, DeVuyst, Gilbert, Hansen, Howell, Jacobs, Jamnick, Rick Johnson, Julian, Kelly, Koetje, Lemmons, Mans, O'Neil, Pappageorge, Patterson, Price, Prusi, Pumford, Richner, Schauer, Shackleton, Shulman, Vear, Wojno and Woodward named co-sponsors

ENROLLED HOUSE BILL No. 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:

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 | _____ | _____ | _____ | _____ |
| 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.

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 ___

4. Structural modifications, alterations, or repairs made without necessary permits or licensed contractors? unknown ___ yes ___ no ___

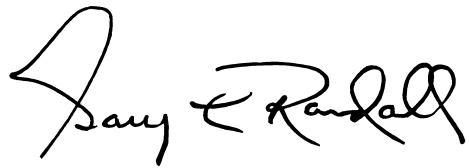
5. Settling, flooding, drainage, structural, or grading problems? unknown ___ yes ___ no ___

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 range, etc.? unknown ___ yes ___ no ___

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.