

Act No. 12
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 Rep. Birkholz

Reps. Basham, Bishop, Bovin, Callahan, DeHart, DeRossett, DeWeese, Faunce, Hansen, Jacobs, Jamnick, Jelinek, Jellema, Julian, Kelly, Kuipers, Kukuk, Lemmons, Lockwood, Mans, Mortimer, Neumann, O'Neil, Pappageorge, Patterson, Pestka, Price, Prusi, Raczkowski, Sanborn, Schermesser, Sheltrown, Shulman, Spade, Stallworth, Stamas, Switalski, Tabor, Toy, Van Woerkom, Vander Roest, Vear, Wojno and Woodward named co-sponsors

ENROLLED HOUSE BILL No. 4591

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

City, Village, or Township Michigan

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 range, 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.
BUYERS ARE ADVISED THAT CERTAIN
INFORMATION COMPILED PURSUANT TO THE
SEX OFFENDERS REGISTRATION ACT, 1994
PA 295, MCL 28.721 TO 28.732, IS
AVAILABLE TO THE PUBLIC. BUYERS
SEEKING THAT INFORMATION SHOULD
CONTACT THE APPROPRIATE LOCAL LAW
ENFORCEMENT AGENCY OR SHERIFF'S
DEPARTMENT DIRECTLY.

Seller _____ Date _____

Seller _____ Date _____

Buyer has read and acknowledges receipt of this statement.

Buyer _____ Date _____ Time: _____

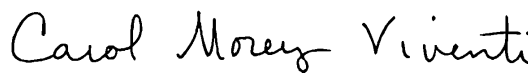
Buyer _____ Date _____ Time: _____

(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.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.

