# REAL ESTATE CONDITION REPORT

THIS CONDITION REPORT CONCERNS THE REAL PROPERTY LOCATED AT_____ (STREET ADDRESS) _____ IN THE_____ (CITY) (VILLAGE) (TOWN) OF_____, COUNTY OF_____, STATE OF WISCONSIN. THIS REPORT IS A DISCLOSURE OF THE CONDITION OF THAT PROPERTY AS OF_____ (MONTH) _____ (DAY), _____ (YEAR) IN COMPLIANCE WITH SECTION 709.02 OF THE WISCONSIN STATUTES. IT IS NOT A WARRANTY OF ANY KIND BY THE OWNER OR ANY AGENTS REPRESENTING ANY PRINCIPAL IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THAT THE PRINCIPALS MAY WISH TO OBTAIN.

## OWNER'S INFORMATION

B.1. In this form, "am aware" means to have notice or knowledge. In this form, "defect" means a condition that would have a significant adverse effect on the value of the property; that would significantly impair the health or safety of future occupants of the property; or that if not repaired, removed or replaced would significantly shorten or adversely affect the expected normal life of the premises.

B.2. The owner discloses the following information with the knowledge that even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the property. The owner hereby authorizes any agent representing any principal in this transaction to provide a copy of this statement, and to disclose any information in the statement, to any person in connection with any actual or anticipated sale of the property.

B.3. The owner represents that to the best of his or her knowledge the responses to the following statements have been accurately noted as "yes", "no" or "not applicable" to the property being sold. If the owner responds to any statement with ''yes", the owner shall provide, in the additional information area of this form, an explanation of the reason why the response to the statement is "yes".

B.4. If the transfer is of a condominium unit, the property to which this form applies is the condominium unit, the common elements of the condominium and any limited common elements that may be used only by the owner of the condominium unit being transferred.

| STATEMENTS | *THE FOLLOWING OBSERVATIONS (IN BOXES) ARE MADE TO ASSIST YOU IN RESPOINDING TO THESE QUESTIONS. THESE OBSERVATIONS ARE NOT PART OF THE STATE MANDATED FORM.* | Yes | No | N/A | See Expert's Report* |
|---|---|---|---|---|---|
| C.1. I am aware of defects in the roof. | *ROOF DEFECTS: include, without limitation, rot; eaves, gutters, or shingle defects; leaks; ice or snow buildup.* | ____ | ____ | ____ | ____ |
| C.2. I am aware of defects in the electrical system. | *ELECTRICAL SYSTEM DEFECTS: include, without limitation, all household systems, also doorbells, intercom, sound and/or video systems; wiring contrary to code.* | ____ | ____ | ____ | ____ |
| C.3. I am aware of defects in part of the plumbing system (including the water heater, water softener and swimming pool) that is included in the sale. | *PLUMBING SYSTEM DEFECTS: include, without limitation, all household systems, inadequate pressure or quality, leaks, also sprinklers, hot tub; repairs contrary to code.* | ____ | ____ | ____ | ____ |
| C.4. I am aware of defects in the heating and air conditioning system (including the air filters and humidifiers). | *HVAC SYSTEM DEFECTS: include, without limitation, all household systems, inadequate or excessive temperatures; also fans, vents, solar collectors, and air filtration systems.* | ____ | ____ | ____ | ____ |
| C.5. I am aware of defects in the well, including unsafe well water. | *WELL DEFECTS: include, without limitation, abandoned or unused wells, contrary to code, periodic insufficient supply; requiring excessive maintenance.* | ____ | ____ | ____ | ____ |
| C.6. I am aware that this property is served by a joint well. | | ____ | ____ | ____ | ____ |
| C.7. I am aware of defects in the septic system or other sanitary disposal system. | *SEPTIC DEFECTS: include, without limitation, abandoned or unused tanks, contrary to code; requiring excessive maintenance; ponding (interior or exterior); overflows.* | ____ | ____ | ____ | ____ |
| C.8. I am aware of underground or aboveground fuel storage tanks on *or previously located on* the property. (If "yes", the owner, by law, may have to register the tanks with the Department of Commerce at P.O. Box 7970, Madison, Wisconsin 53707, whether the tanks are in use or not. Regulations of the Department of Commerce may require the closure or removal of unused tanks.) | | ____ | ____ | ____ | ____ |
| C.9. I am aware of an "LP" tank on the property. (If ''yes", specify in the additional information space whether or not the owner of the property either owns or leases the tank). | | ____ | ____ | ____ | ____ |
| C.10. I am aware of defects in the basement or foundation (including cracks, seepage and bulges). | *BASEMENT DEFECTS: include, without limitation, moisture or dampness; defective drain systems; bulging or walls not plumb.* | ____ | ____ | ____ | ____ |
| C.11. I am aware that the property is located in a floodplain, wetland or shoreland zoning area. | | ____ | ____ | ____ | ____ |
| C.12. I am aware of defects in the structure of the property. | *STRUCTURAL DEFECTS: include, without limitation, any deterioration, flaws, or defect in walls, ceiling, floors, partitions, shutters, foundation; also driveways, sidewalks, patio; decks, fences, window inoperable, cracked or thermopane seal broken, wood rotting.* | ____ | ____ | ____ | ____ |
| C.13. I am aware of defects in mechanical equipment included in the sale either as fixtures or personal property. | *MECHANICAL DEFECTS: include, without limitation, all appliances, stove, oven, range, microwave, refrigeration, disposal, vent fans, washer, dryer, water heater, water softener, trash compactor, garage door openers, central vacuum, incinerator, sump pump, window air conditioners, humidifier, pool & equipment, antenna, cable system, security system, and/or smoke alarms.* | ____ | ____ | ____ | ____ |
| C.14. I am aware of boundary or lot line disputes, encroachments or encumbrances (including a joint driveway). | | ____ | ____ | ____ | ____ |
| C.15. I am aware of a defect caused by unsafe concentrations of, or unsafe conditions relating to, radon, radium in water supplies, lead in paint, lead in soil, lead in water supplies or plumbing system, or other potentially hazardous or toxic substances on the premises. | | ____ | ____ | ____ | ____ |
| C.16. I am aware of the presence of asbestos or asbestos-containing materials on the premises. | | ____ | ____ | ____ | ____ |
| C.17. I am aware of a defect caused by unsafe concentrations of, unsafe conditions relating to, or the storage of, hazardous or toxic substances on neighboring properties. | | ____ | ____ | ____ | ____ |
| C.18. I am aware of current or previous termite, powder-post beetle or carpenter ant infestations. | | ____ | ____ | ____ | ____ |
| C.19. I am aware of defects in a wood burning stove or fireplace or of defects caused by a fire in a stove or fireplace or elsewhere on the property. | | ____ | ____ | ____ | ____ |
| C.20. I am aware either that remodeling affecting the property's structure or mechanical systems was done or that additions to this property were made during my period of ownership without the required permits. | | ____ | ____ | ____ | ____ |

| | | Yes | No | N/A | See Expert's Report* |
|---|---|---|---|---|---|
| C.21. | I am aware of federal, state, or local regulations requiring repairs, alterations or corrections of an existing condition. | ____ | ____ | ____ | ____ |
| C.22. | I have received notice of property tax increases, other than normal annual increases, or am aware of pending property reassessments. | ____ | ____ | ____ | ____ |
| C.23. | I am aware that remodeling that may increase the property's assessed value was done. | ____ | ____ | ____ | ____ |
| C.24. | I am aware of proposed or pending special assessments. | ____ | ____ | ____ | ____ |
| C.25. | I am aware of the proposed construction of a public project that may affect the use of the property. | ____ | ____ | ____ | ____ |
| C.26. | I am aware of subdivision homeowners' associations, common areas co-owned with others, zoning violations or nonconforming uses, rights-of-way, easements, or another use of a part of the property by nonowners, other than recorded utility easements. | ____ | ____ | ____ | ____ |
| C.27. | I am aware of other defects affecting the property. *OTHER DEFECTS: include, without limitation, flooding, garage defects, infestations by insects or other pests, missing storms & screen; improper drainage; flooding; soil or subsoil problems; unusual odors, sound or visual nuisances; deed restrictions; solar or subdivision restrictions.* | ____ | ____ | ____ | ____ |

ADDITIONAL INFORMATION

| | | | | | |
|---|---|---|---|---|---|
| D.1. | I am aware that a structure on the property is designated as an historic building or that part of the property is in an historic district. | ____ | ____ | ____ | ____ |

D.2. The owner has lived on the property for_____ years.

D.3. Explanation of "yes" responses. (See B.3.) _____

## OWNER'S CERTIFICATION

E. The owner certifies that the information in this report is true and correct to the best of the owner's knowledge as of the date on which the owner signs this report.

*NOTE: Wisconsin Statute 709.035 requires owners who, prior to acceptance, obtain information which would change a response on this report, to submit a new report or an amended report to the prospective buyer.*

*It is understood that the observations in the boxes were supplemental information only and the defects and conditions referenced in the questions were not limited to only those examples and observations.*

Owner_____ Date_____ Owner_____ Date_____

Owner_____ Date_____ Owner_____ Date_____

## CERTIFICATION BY PERSON SUPPLYING INFORMATION

F. A person other than the owner certifies that he or she has supplied information on which the owner relied for this report and that information is true and correct to the best of that person's knowledge as of the date on which the person signs this report.

Person_____ Items_____ Date_____ Person_____ Items_____ Date_____

Person_____ Items_____ Date_____ Person_____ Items_____ Date_____

## NOTICE REGARDING ADVICE OR INSPECTIONS

G. THE PROSPECTIVE BUYER AND THE OWNER MAY WISH TO OBTAIN PROFESSIONAL ADVICE, OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN THEM WITH RESPECT TO ANY ADVICE, INSPECTIONS, DEFECTS OR WARRANTIES.

## BUYER'S ACKNOWLEDGMENT

H.1. THE PROSPECTIVE BUYER ACKNOWLEDGES THAT TECHNICAL KNOWLEDGE SUCH AS THAT ACQUIRED BY PROFESSIONAL INSPECTORS MAY BE REQUIRED TO DETECT CERTAIN DEFECTS SUCH AS THE PRESENCE OF ASBESTOS, BUILDING CODE VIOLATIONS AND FLOODPLAIN STATUS.

H.2. I ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

Prospective Buyer_____ Date_____ Prospective Buyer_____ Date_____

Prospective Buyer_____ Date_____ Prospective Buyer_____ Date_____

*BELOW TO BE COMPLETED AT CLOSING*

*Except as noted below, there have been no significant changes in the property from these conditions as existed and were stated on _____ ,_____.*
*Explain:* _____

_____ _____
*(Seller) Upon Closing of Property.* *Date* *(Seller) Upon Closing of Property.* *Date*

*If conditions have changed, Buyer to initial here_____to acknowledge receipt of modified form.*

**NOTE: All information appearing in italics in this REAL ESTATE CONDITION REPORT is purely of a supplemental nature and is not part of the REAL ESTATE CONDITION REPORT required pursuant to Section 709.03 of the Wisconsin Statutes.*

Form pursuant to Wis. Stats. 709.02; observations and additional information drafted by Attorney Alan H. Deutch.