

# REAL ESTATE CONDITION REPORT DISCLAIMER

A. 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 IN  
COMPLIANCE WITH SECTION 709.02 OF THE WISCONSIN STATUTES AS OF \_\_\_\_\_ (MONTH), \_\_\_\_\_ (DAY),  
\_\_\_\_ (YEAR). 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.

*A BUYER WHO DOES NOT RECEIVE A FULLY COMPLETED COPY OF THIS REPORT WITHIN 10 DAYS AFTER THE ACCEPTANCE OF THE  
CONTRACT OF SALE OR OPTION CONTRACT FOR THE ABOVE-DESCRIBED REAL PROPERTY SHALL HAVE THE RIGHT TO RESCIND THAT  
CONTRACT (WIS. STATS. SECTION 709.02), PROVIDED THE OWNER IS SUBJECT TO WISCONSIN STATUTES CHAPTER 709.\**

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

## OWNER'S INFORMATION

B.1. In this form, "am aware" means have notice or knowledge. *"Am aware" means that the owner has notice or knowledge based on an official notice  
issued by a governmental body, advice or recommendations received from a contractor, inspector or other person regarding a property condition or the  
correction of a property defect or problem, personal observation, or some other source of information.* 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.

*In this form, "owner" means that person or those persons, or the entity or organization, which is the owner of the above-described real property. If the  
property is owned by two or more individuals as joint tenants or tenants-in common, each joint owner or tenant-in common must join in the execution of this  
Real Estate Condition Report or complete a separate report based on his or her individual awareness. "Owners" include all persons who transfer real estate  
containing one to four dwelling units by sale, exchange or land contract. "Owners" do not include personal representatives, trustees, conservators and  
fiduciaries appointed by or subject to supervision by a court if they have never occupied the property transferred; and do not include persons who transfer  
property which has not been inhabited or who transfer property by conveyance exempt from the real estate transfer fee. In this form, "principal" refers either  
to the owner or the buyer.*

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.

*Instead of responding to any statement below with a "yes," "no," or "not applicable," and explaining the "yes" statements, the owner may substitute an  
answer supplied by a public or governmental agency or department (Wis. Stat. § 66.073(3)(h)); or information supplied by one of the following experts or  
professionals, provided the information is in writing, is furnished on time, and the statement to which it relates is identified: licensed engineers, land surveyors  
and structural pest control operators; contractors with respect to matters within the scope of the contractor's occupation; or other persons who the seller, buyer  
or any agent involved in the transaction reasonably believes has sufficient experience to meet the standards of practice for the kind of information provided  
(Wis. Stat. §§ 709.02 & 452.23 (2)(b)). If a statement is answered by such an expert's or professional's written information, report or document, the owner may  
place an "X" in the "See Expert's Report" column next to the statement(s) which are answered by the expert's information and attach the expert's written  
information to this Real Estate Condition Report, or provide the written information separately before the applicable deadline.*

*THE ITALICIZED LISTS OF POSSIBLE TYPES OF DEFECTS FOLLOWING EACH STATEMENT BELOW ARE EXAMPLES ONLY AND ARE NOT THE  
ONLY DEFECTS WHICH MIGHT PROPERLY BE DISCLOSED IN RESPONSE TO EACH RESPECTIVE STATEMENT.*

## PROPERTY CONDITION STATEMENTS

|  | Yes   | No    | N/A   | See<br>Expert's<br>Report |
|--|-------|-------|-------|---------------------------|
| C.1. I am aware of defects in the roof. <i>Roof defects might include, but are not limited to such things such as<br/>leakage, ice build-up, or significant problems with gutters or eaves.</i>  | _____ | _____ | _____ | _____                     |
| C.2. I am aware of defects in the electrical system. <i>Electrical defects might include, but are not limited to,<br/>electrical wiring not in compliance with applicable code, or defects in an attached antenna and cables, satellite<br/>dish, security system, doorbells or intercom.</i>  | _____ | _____ | _____ | _____                     |
| C.3. I am aware of defects in part of the plumbing system (including the water heater, water softener and<br>swimming pool) that is included in the sale. <i>Other plumbing system defects might include, but are not limited to,<br/>excessive or insufficient water pressure, leaks or other defects in pipes, toilets, interior or exterior faucets, bath<br/>tubs, showers, or any sprinkler system.</i> | _____ | _____ | _____ | _____                     |
| C.4. I am aware of defects in the heating and air conditioning system (including the air filters and<br>humidifiers). <i>Other heating and air conditioning defects might include, but are not limited to, defects in<br/>supplemental heaters, ventilating fans or fixtures, or solar collectors.</i>   | _____ | _____ | _____ | _____                     |
| C.5. I am aware of defects in the well, including unsafe well water. <i>Well defects might include, but are not limited<br/>to, an unused well not properly closed in conformance with state regulations, a well which was not constructed<br/>pursuant to state standards or local code, or a well which requires modifications to bring it into compliance with<br/>current code specifications.</i>       | _____ | _____ | _____ | _____                     |
| 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. <i>Septic system<br/>defects might include, but are not limited to, back-ups in toilets or in the basement; exterior ponding,<br/>overflows or back-ups; or defective or missing baffles.</i>   | _____ | _____ | _____ | _____                     |

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 Wisconsin Department of Agriculture, Trade and Consumer Protection at P.O. Box 8911, Madison, Wisconsin, 53708, whether the tanks are in use or not. Regulations of the Wisconsin Department of Agriculture, Trade and Consumer Protection may require the closure or removal of unused tanks.)

C.9. I am aware of an "LP" tank on the property. (If correct, specify in the additional information space whether or not the owner of the property either owns or leases the tank.)

C.9m. I am aware that a dam is totally or partially located on the property or that an ownership in a dam that is not located on the property will be transferred with the property because it is owned collectively by members of a homeowners association, lake district, or similar group. (If "yes," contact the Wisconsin Department of Natural Resources to find out if dam transfer requirements or agency orders apply.)

C.10. I am aware of defects in the basement or foundation (including cracks, seepage and bulges). Other basement defects might include, but are not limited to, flooding, extreme dampness or wet walls, unsafe concentrations of mold, or defects in drain tiling or sump pumps.

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 with respect to the residence or other improvements might include, but are not limited to, movement, shifting or deterioration in walls or foundation; major cracks or flaws in interior or exterior walls, siding, partitions or foundation; wood rot, and significant problems with driveways, sidewalks, patios, decks, fences, waterfront piers or walls, windows, doors, floors, ceilings, stairways or insulation.

C.13. I am aware of defects in mechanical equipment included in the sale either as fixtures or personal property. In addition to heating, ventilation, and air conditioning (HVAC) equipment defects, mechanical equipment defects might include, but are not limited to, defects in any stove, oven, hood, microwave, dishwasher, refrigerator, freezer, washer, dryer, trash compactor, garbage disposal, central vacuum, garage door opener, or incinerator which is included in the sale.

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. Such defects might also be caused by unsafe levels of mold or the production of methamphetamine (meth) or other hazardous chemicals on the property. Note: Specific Federal lead paint disclosure requirements must be complied with in the sale of most residential properties built before 1978.

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. Such defects might include, but are not limited to, environmental hazards resulting from an adjacent or nearby dump, gas station, or commercial/industrial business which improperly uses/handles toxic substances.

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 woodburning stove or fireplace or of defects caused by a fire in a stove or fireplace or elsewhere on the property or a violation of applicable state or local smoke detector laws; NOTE: State law requires operating smoke detectors on all levels of all residential properties, and operating carbon monoxide detectors on all levels of most residential properties (see Wis. Stat. §§ 101.149 & 101.647). Such defects might include, but are not limited to, defects in the chimney, fireplace flue, inserts or other installed fireplace equipment; or woodburning stoves not installed pursuant to applicable code.

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.

C.21. I am aware of federal, state or local regulations requiring repairs, alterations or corrections of an existing condition. This might include, but is not limited to, orders to correct building code violations.

C.22. I have received notice of property tax increases, other than normal annual increases, or am aware of a pending property reassessment. Abnormal property tax increases might include, but are not limited to, area assessments or other 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. Such assessments might be for planned public improvements such as, but not limited to, sidewalks, streets, curb and gutter, sewer or water mains or laterals, terrace trees, or lake improvements such as dredging.

C.24.m I am aware that the property is located within a special purpose district, such as a drainage district, lake district, sanitary district or sewer district that has the authority to impose assessments against the real property located within the district.

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, any land division involving the property for which required state or local permits had not been obtained, conservation easements, restrictive covenants, rights-of-way, easements, or another use of a part of the property by nonowners, other than recorded utility easements.

C.26.m I am aware that the property is subject to a mitigation plan required under administrative rules of the department of natural resources related to county shoreland zoning ordinances, which obligates the owner of the property to establish or maintain certain measures related to shoreland conditions and which is enforceable by the county.

C.27. I am aware of other defects affecting the property. Other defects might include, but are not limited to, diseased or dying trees or shrubs; animal, reptile or insect infestation; drainage easement or grading problems; substantial pet damage; excessive sliding, settling, earth movements, upheavals or other soil problems; environmental nuisances affecting the property such as noise, smoke, odor, or water diversion from neighboring property; high voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the property; deed restriction violations; lack of legal access; burial grounds; or any other defect or material condition.

ADDITIONAL INFORMATION

Yes No N/A See Expert's Report

- D.1. I am aware that a structure on the property is designated as a historic building or that part of the property is in a historic district.
D.1.a I am aware of a pier attached to the property that is not in compliance with state or local pier regulations.
D.1.b All or part of the land has been assessed as agricultural land under Wis. Stat. § 70.32(2r) (use-value assessment).
D.1.c The owner has been assessed a use-value assessment conversion charge under Wis. Stat. § 74.485(2).
D.1.d The payment of the use-value assessment conversion charge has been deferred under Wis. Stat. § 74.485(4).
D.1.e I am aware that the property subject to a farmland preservation agreement.
D.1.f I am aware of the presence of unsafe levels of mold, or roof, basement, window or plumbing leaks, or overflow from sinks, bathtubs or sewers, or other water or moisture intrusions or conditions that might initiate the growth of unsafe levels of mold.
D.1.g I am aware that all, or part, of the property is subject to, enrolled in or in violation of a Farmland Preservation Agreement (see D. 1.e.), Forest Crop Law, Managed Forest Law (see disclosure requirement in Wis. Stat. § 710.12), the Conservation Reserve Program or a comparable program.
D.2. The owner has lived on the property for \_\_\_\_\_ years.
D.3. Explanation of "yes" responses. (See B. 3.) \_\_\_\_\_

Note: Any sales contract provision requiring the inspection of a residential dumbwaiter or elevator must be performed by a state-licensed elevator inspector.

Notice: You may obtain information about the sex offender registry and persons registered with the registry by contacting the Wisconsin Department of Corrections on the Internet at http://www.widocoffenders.org or by phone at 608-240-5830.

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.

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 \_\_\_\_\_

\*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 content required by Wis. Stat. § 709.03. Copyright © 2014 by Wisconsin REALTORS® Association. Drafted by: Attorney Debra Peterson Conrad. No representation is made as to the legal validity of any provision or the adequacy of any provision in any specific transaction.