

WISCONSIN REALTORS® ASSOCIATION
4801 Forest Run Road, Madison, WI 53704

SELLER REFUSAL/STATEMENT REGARDING CONDITION OR DISCLOSURE REPORT

1 Seller's/Owner's Name(s): Niemuth Steak & Chop, Inc., Holly Niemuth
 2 Entity Name (if any): Probate Services, LLC
 3 Name & Title of Authorized Representative for Seller Entity: Mary Kudick / Owner
 4 Property Address: 715 Redfield Street, Waupaca, WI 54981

5 Listing Agent and Listing Firm: Dave Forehand / Realty One Group Haven

6 Wis. Admin. Code § REEB 24.07(1) requires Listing Agent to make inquiries of Seller regarding the condition of
 7 the Property and request that Seller provide a written response to the inquiry. Wis. Stat. § 709.02 indicates that a
 8 property owner shall provide a Real Estate Condition Report (RECR) when the property includes 1-4 dwelling
 9 units and a Vacant Land Disclosure Report (VLDR) when the property does not include any buildings.

10 Listing Agent provided Seller with the following condition/disclosure report(s) and asked Seller to complete
 11 it/them: (Real Estate Condition Report) (Vacant Land Disclosure Report) (Seller Disclosure Report – Commercial)
 12 (Other: STRIKE AND COMPLETE AS APPLICABLE)

13 **CHECK LINE 14 OR LINE 20, AS APPLICABLE:**

14 ☐ **SELLER REFUSAL TO COMPLETE**

15 Seller hereby acknowledges that Seller has refused to provide Listing Agent with a completed RECR, VLDR or
 16 other seller's disclosure report for the Property. Seller understands this refusal may be disclosed to potential
 17 purchasers and has been advised that Seller's refusal to provide this report does not release Seller from any
 18 disclosure obligations under the Wisconsin Statutes or common law. Seller should consult with legal counsel
 19 regarding Seller's disclosure obligations in an "as-is" sale.

20 ☒ **SELLER NOT REQUIRED TO COMPLETE REPORT**

21 Seller hereby asserts that Seller is not required to complete a condition or disclosure report for the Property
 22 because CHECK BELOW AS APPLICABLE:

- 23 ☒ Seller is a personal representative of an estate and has never occupied the Property.
 24 ☐ Seller is a trustee and has never occupied the Property.
 25 ☐ Seller is a conservator and has never occupied the Property.
 26 ☐ Seller is a fiduciary appointed by or subject to supervision by a court and has never occupied the Property.
 27 ☐ The Property includes 1 to 4 dwelling units but has not been inhabited.
 28 ☐ The transfer is exempt from the real estate transfer fee under Wis. Stat. § 77.25.

29 Wisconsin real estate licensees have a legal duty to disclose material adverse facts and information suggesting
 30 the possibility of material adverse facts to all parties. Listing Agent shall accordingly disclose any condition Listing
 31 Agent becomes aware of to prospective purchasers.

32 This form was delivered to Seller by Dave Forehand on 02/18/2025.
 33 Agent for Firm Print Name ▲ Date ▲

34 Seller's/Owner's Signature: Mary Kudick, PR Date: 02/18/2025
 35 Seller's/Owner's Signature: _____ Date: _____
 36 Seller's/Owner's Signature: _____ Date: _____
 37 Seller's/Owner's Signature: _____ Date: _____

38 This form was delivered to Buyer by _____ on _____.
 39 Agent for Firm Print Name ▲ Date ▲

40 Acknowledgment of Receipt by Buyers: _____
 41 Initials ▲ Date ▲

42 Buyer's acknowledgment of receipt of this form does not constitute waiver of any right that Buyer may have based
 43 on not receiving a completed condition or disclosure report from Seller.