

SELLER'S PROPERTY DISCLOSURE STATEMENT

SPD

This form recommended and approved for, but not restricted to use by, the members of the Pennsylvania Association of REALTORS®(PAR).

PROPERTY 306 Maple Creek Road, Charleroi, Pennsylvania 15022

SELLER David Sutch

INFORMATION REGARDING THE REAL ESTATE SELLER DISCLOSURE LAW

The Real Estate Seller Disclosure Law (68 P.S. §7301, et seq.) requires that before an agreement of sale is signed, the seller in a residential real estate transfer must disclose all known material defects about the property being sold that are not readily observable. A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsystem is at or beyond the end of its normal useful life is not by itself a material defect.

This property disclosure statement ("Statement") includes disclosures beyond the basic requirements of the Law and is designed to assist Seller in complying with disclosure requirements and to assist Buyer in evaluating the property being considered. Sellers who wish to see or use the basic disclosure form can find the form on the website of the Pennsylvania State Real Estate Commission. Neither this Statement nor the basic disclosure form limits Seller's obligation to disclose a material defect.

This Statement discloses Seller's knowledge of the condition of the Property as of the date signed by Seller and is not a substitute for any inspections or warranties that Buyer may wish to obtain. This Statement is not a warranty of any kind by Seller or a warranty or representation by any listing real estate broker, any selling real estate broker, or their licensees. Buyer is encouraged to address concerns about the condition of the Property that may not be included in this Statement.

The Law provides exceptions (listed below) where a property disclosure statement does not have to be completed. All other sellers are obligated to complete a property disclosure statement, even if they do not occupy or have never occupied the Property.

1. Transfers by a fiduciary during the administration of a decedent estate, guardianship, conservatorship or trust.
2. Transfers as a result of a court order.
3. Transfers to a mortgage lender that results from a buyer's default and subsequent foreclosure sales that result from default.
4. Transfers from a co-owner to one or more other co-owners.
5. Transfers made to a spouse or direct descendant.
6. Transfers between spouses as a result of divorce, legal separation or property settlement.
7. Transfers by a corporation, partnership or other association to its shareholders, partners or other equity owners as part of a plan of liquidation.
8. Transfers of a property to be demolished or converted to non-residential use.
9. Transfers of unimproved real property.
10. Transfers of new construction that has never been occupied when:
 - a. The buyer has received a one-year warranty covering the construction;
 - b. The building has been inspected for compliance with the applicable building code or, if none, a nationally recognized model building code; and
 - c. A certificate of occupancy or a certificate of code compliance has been issued for the dwelling.

COMMON LAW DUTY TO DISCLOSE

Although the provisions of the Real Estate Seller Disclosure Law exclude some transfers from the requirement of completing a disclosure statement, the Law does not excuse the seller's common law duty to disclose any known material defect(s) of the Property in order to avoid fraud, misrepresentation or deceit in the transaction. **This duty continues until the date of settlement.**

EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK

According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required to fill out a Seller's Property Disclosure Statement. **The executor, administrator or trustee, must, however, disclose any known material defect(s) of the property.**

DATE _____

Seller's Initials DS / _____ Date 04/10/2024 SPD Page 1 of 11 Buyer's Initials _____ / _____ Date _____



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REV. 3/21; REL. 7/21



Prepared with Sellers Shield

2. Do you have documentation (invoice, work order, warranty, etc.)?

(B) Repair

- 1. Was the roof or roofs or any portion of it or them replaced or repaired during your ownership?
- 2. If it or they were replaced or repaired, were any existing roofing materials removed?

(C) Issues

- 1. Has the roof or roofs ever leaked during your ownership?
- 2. Have there been any other leaks or moisture problems in the attic?
- 3. Are you aware of any past or present problems with the roof(s), attic, gutters, flashing or down-spouts?

✓			
✓			
✓			
	✓		
	✓		

Explain any "yes" answers in Section 4. Include the location and extent of any problem(s) and any repair or remediation efforts, the name of the person or company who did the repairs and the date they were done:

Roof upstairs leaked and repaired 2024

5. BASEMENTS AND CRAWL SPACES

(A) Sump Pump

- 1. Does the Property have a sump pit? If yes, how many? _____
- 2. Does the Property have a sump pump? If yes, how many? _____
- 3. If it has a sump pump, has it ever run?
- 4. If it has a sump pump, is the sump pump in working order?

Yes	No	Unk	N/A
	✓		
	✓		
			✓
			✓
	✓		
			✓
	✓		

(B) Water Infiltration

- 1. Are you aware of any past or present water leakage, accumulation, or dampness within the base-ment or crawl space?
- 2. Do you know of any repairs or other attempts to control any water or dampness problem in the basement or crawl space?
- 3. Are the downspouts or gutters connected to a public sewer system?

Explain any "yes" answers in Section 5. Include the location and extent of any problem(s) and any repair or remediation efforts, the name of the person or company who did the repairs and the date they were done:

6. TERMITES/WOOD-DESTROYING INSECTS, DRYROT, PESTS

(A) Status

- 1. Are you aware of past or present dryrot, termites/wood-destroying insects or other pests on the Property?
- 2. Are you aware of any damage caused by dryrot, termites/wood-destroying insects or other pests?

(B) Treatment

- 1. Is the Property currently under contract by a licensed pest control company?
- 2. Are you aware of any termite/pest control reports or treatments for the Property?

Yes	No	Unk	N/A
	✓		
	✓		
	✓		
	✓		

Explain any "yes" answers in Section 6. Include the name of any service/treatment provider, if applicable:

7. STRUCTURAL ITEMS

- (A) Are you aware of any past or present movement, shifting, deterioration, or other problems with walls, foundations, or other structural components?
- (B) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls on the property?
- (C) Are you aware of any past or present water infiltration in the house or other structures, other than the roof(s), basement or crawl space(s)?

(D) Stucco and Exterior Synthetic Finishing Systems

- 1. Is any part of the Property constructed with stucco or an Exterior Insulating Finishing System (EIFS) such as Dryvit or synthetic stucco, synthetic brick or synthetic stone?
- 3. If "yes," indicate type(s) and location(s) _____
- 3. If "yes," provide date(s) installed _____

Yes	No	Unk	N/A
	✓		
	✓		
	✓		
	✓		
	✓		
			✓
	✓		
	✓		

- (E) Are you aware of any fire, storm/weather-related, water, hail or ice damage to the Property?
- (F) Are you aware of any defects (including stains) in flooring or floor coverings?

Explain any "yes" answers in Section 7. Include the location and extent of any problem(s) and any repair or remediation efforts, the name of the person or company who did the repairs and the date the work was done:

8. ADDITIONS/ALTERATIONS

- (A) Have any additions, structural changes or other alterations (including remodeling) been made to the Property during your ownership?

Yes	No	Unk	N/A
	✓		

11. Wall-mounted split system(s) How many and locations?		✓		
12. Other _____		✓		
13. If multiple systems, provide locations	Office and bathroom: Electric. Shop: Forced Air. Paint Room: Boiler	✓		

(C) Status

1. Are there any areas of the house that are not heated? If "yes," explain: _____		✓		
2. How many heating zones are in the Property? <u>6</u>				
3. When was each heating system(s) or zone installed? _____			✓	
4. When was the heating system(s) last serviced? <u>2023</u>				
5. Is there an additional and/or backup heating system? If "yes," Explain: _____		✓		
6. Is any part of the heating system subject to a lease, financing or other agreement? If "yes," explain: _____		✓		

(D) Fireplaces and Chimneys

1. Are there any fireplace(s)? How many? _____		✓		
2. Are all fireplace(s) working? _____				✓
3. Fireplace types(s) (wood, gas, electric, etc.): _____				✓
4. Was the fireplace(s) installed by a professional contractor or manufacturer's representative? _____				✓
5. Are there any chimney(s) (from a fireplace, water heater or any other heating system)? _____		✓		
6. How many chimney(s)? _____				✓
7. When were they last cleaned? _____				✓
8. Are the chimney(s) working? If "no," explain: _____				✓

(E) Fuel Tanks

1. Are you aware of any heating fuel tank(s) on the property? _____		✓		
2. Location(s), including underground tank(s): _____				✓
3. If you do not own the tank(s), explain: _____				✓

(F) Are you aware of any problems or repairs needed regarding any item in section 13? If "yes," explain:

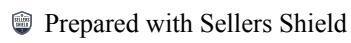
_____		✓		
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14. AIR CONDITIONING SYSTEM

	Yes	No	Unk	N/A
(A) Type(s). Is the air conditioning (check all that apply):				
1. Central air	✓			
a. How many air conditioning zones are in the Property? <u>3</u>	✓			
b. When was each system or zone installed? <u>Unknown</u>	✓			
c. When was each system last serviced? <u>Unknown</u>	✓			
2. Wall units	✓			
How many and the location? <u>1 in office</u>	✓			
3. Window units		✓		
How many? _____		✓		
4. Wall-mounted split units		✓		
How many and the location? _____		✓		
5. Other _____		✓		
6. None _____		✓		
(B) Status				
1. List any areas of the house that are not air conditioned: <u>Paint room</u>	✓			
(C) Are you aware of any problems with any item in section 14? If "yes," explain: _____		✓		

15. ELECTRICAL SYSTEM

	Yes	No	Unk	N/A
(A) Type(s)				
1. Does the electrical system have fuses?		✓		
2. Does the electrical system have circuit breakers?	✓			
3. Is the electrical system solar powered?		✓		



- a. If "yes," is it entirely or partially solar powered? _____
- b. If "yes," is any part of the system subject to a lease, financing or other agreement? If "yes," explain: _____
- (B) What is the system amperage? _____
- (C) Are you aware of any knob and tube wiring in the Property? _____
- (D) Are you aware of any problems or repairs needed in the electrical system? If "yes," explain: _____

	✓		
	✓		
		✓	
	✓		
	✓		

16. OTHER EQUIPMENT AND APPLIANCES

- (A) THIS SECTION IS INTENDED TO IDENTIFY PROBLEMS OR REPAIRS and must be completed for each item that will, or may, be included with the Property. The terms of the Agreement of Sale negotiated between Buyer and Seller will determine which items, if any, are included in the purchase of the Property. THE FACT THAT AN ITEM IS LISTED DOES NOT MEAN IT IS INCLUDED IN THE AGREEMENT OF SALE.
- (B) Are you aware of any problems or repairs needed to any of the following:

Item	Yes	No	N/A	Item	Yes	No	N/A
A/C window units		✓		Pool/spa heater			✓
Attic fan(s)		✓		Range/oven			✓
Awnings			✓	Refrigerator(s)		✓	
Carbon monoxide detectors		✓		Satellite dish			✓
Ceiling fans		✓		Security alarm system			✓
Deck(s)			✓	Smoke detectors			✓
Dishwasher			✓	Sprinkler automatic timer			✓
Dryer			✓	Stand-alone freezer			✓
Electric animal fence			✓	Storage shed		✓	
Electric garage door opener		✓		Trash compactor			✓
Garage transmitters			✓	Washer			✓
Garbage disposal			✓	Whirlpool/tub			✓
In-ground lawn sprinklers			✓	Other:			
Intercom			✓	1.			
Interior fire sprinklers			✓	2.			
Keyless entry			✓	3.			
Microwave oven			✓	4.			
Pool/spa accessories			✓	5.			
Pool/spa cover			✓	6.			

- (C) Explain any "yes" answers in Section 16:

17. POOLS, SPAS AND HOT TUBS

- (A) Is there a swimming pool on the Property? If "yes,":

- Above-ground or in-ground? _____
- Saltwater or chlorine? _____
- If heated, what is the heat source? _____
- Vinyl-lined, fiberglass or concrete-lined? _____
- What is the depth of the swimming pool? _____
- Are you aware of any problems with the swimming pool? _____
- Are you aware of any problems with the swimming pool? _____

Yes	No	Unk	N/A
	✓		
	✓		

- (B) Is there a spa or hot tub on the Property?:

- Are you aware of any problems with the spa or hot tub?
- Are you aware of any problems with any of the spa or hot tub equipment (steps, lighting, jets, cover, etc.)?

- (C) Explain any problems in Section 17: _____

18. WINDOWS

- (A) Have any windows or skylights been replaced during your ownership of the Property?
- (B) Are you aware of any problems with the windows or skylights?

Yes	No	Unk	N/A
	✓		
	✓		

Explain any "yes" answers in Section 18. Include the location and extent of any problem(s) and any repair, replacement or remediation efforts, the name of the person or company who did the repairs and the date the work was done:

19. LAND/SOILS

(A) Property

1. Are you aware of any fill or expansive soil on the property?
2. Are you aware of any sliding, settling, earth movement, upheaval, subsidence, sinkholes or earth stability problems that have occurred on or affect the property?
3. Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or have you received written notice of sewage sludge being spread on an adjacent property?
4. Have you received written notice of sewage sludge being spread on an adjacent property?
5. Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations on the Property?

Note to Buyer: The Property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence damage may occur and further information on mine subsidence insurance are available through Department of Environmental Protection Mine Subsidence Insurance Fund, (800) 922-1678 or ra-epmsi@pa.gov.

Yes	No	Unk	N/A
	✓		
	✓		
	✓		
	✓		
	✓		

(B) Preferential Assessment and Development Rights

Is the Property, or a portion of it, preferentially assessed for tax purposes, or subject to limited development rights under the:

1. Farmland and Forest Land Assessment Act - 72 P.S. §5490.1 et seq. (Clean and Green Program)
2. Open Space Act - 16 P.S. §11941 et seq
3. Agricultural Area Security Law - 3 P.S. §901 et seq. (Development Rights)
4. Any other law/program: _____

Note to Buyer: Pennsylvania has enacted the Right to Farm Act (3 P.S. § 951-957) in an effort to limit the circumstances under which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any agricultural operations covered by the Act operate in the vicinity of the property

		✓	
		✓	
		✓	
	✓		
	✓		
	✓		
		✓	
		✓	
	✓		

(C) Property Rights

Are you aware of the transfer, sale and/or lease of any of the following property rights (by you or a previous owner of the Property):

1. Timber
2. Coal
3. Oil
4. Natural gas
5. Mineral or other rights (such as farming rights, hunting rights, quarrying rights) Explain: _____

Explain any "yes" answers in Section 19:

20. FLOODING, DRAINAGE AND BOUNDARIES

(A) Flooding/Drainage

1. Is any part of this Property located in a wetlands area?
2. Is the Property, or any part of it, designated a Special Flood Hazard Area (SFHA)?
3. Do you maintain flood insurance on this Property?
4. Are you aware of any past or present drainage or flooding problems affecting the Property?
5. Are you aware of any drainage or flooding mitigation on the Property?
6. Are you aware of the presence on the Property of any man-made feature that temporarily or permanently conveys or manages storm water, including any basin, pond, ditch, drain, swale, culvert, pipe or other feature?
7. If "yes," are you responsible for maintaining or repairing that feature which conveys or manages storm water for the Property?

Explain any "yes" answers in Section 20(A). Include dates, the location and extent of flooding and the condition of any man-made storm water management features:

Yes	No	Unk	N/A
	✓		
	✓		
	✓		
	✓		
	✓		
	✓		
	✓		
	✓		
	✓		

(B) Boundaries

1. Are you aware of any encroachments, boundary line disputes, or easements affecting the Property?
2. Is the Property accessed directly (without crossing any other property) by or from a public road?

Seller's Initials DS / **Date** 04/10/2024 **SPD Page 9 of 11** **Buyer's Initials** / **Date**

3. Can the Property be accessed from a private road or lane?
 a. If "yes," is there a written right of way, easement or maintenance agreement?
 b. If "yes," has the right of way, easement or maintenance agreement been recorded?
 4. Are you aware of any shared or common areas (driveways, bridges, docks, walls, etc.) or maintenance agreements?

	✓		
	✓		

Note to Buyer: Most properties have easements running across them for utility services and other reasons. In many cases, the easements do not restrict the ordinary use of the property, and Seller may not be readily aware of them. Buyers may wish to determine the existence of easements and restrictions by examining the property and ordering an Abstract of Title or searching the records in the Office of the Recorder of Deeds for the county before entering into an agreement of sale.

Explain any "yes" answers in Section 20(B):

21. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES

(A) Mold and Indoor Air Quality (other than radon)

1. Are you aware of any tests for mold, fungi, or indoor air quality in the Property?
 2. Other than general household cleaning, have you taken any efforts to control or remediate mold or mold-like substances in the Property?

Yes	No	Unk	N/A
	✓		
	✓		

Note to Buyer: Individuals may be affected differently, or not at all, by mold contamination. If mold contamination or indoor air quality is a concern, buyers are encouraged to engage the services of a qualified professional to do testing. Information on this issue is available from the United States Environmental Protection Agency and may be obtained by contacting IAQ INFO, P.O. Box 37133, Washington, D.C. 20013-7133, 1-800-438-4318.

(B) Radon

1. Are you aware of any tests for radon gas that have been performed in any buildings on the Property?
 2. If "yes," provide test date and results: _____
 3. Are you aware of any radon removal system on the Property?

	✓		
	✓		
	✓		

(C) Lead Paint

If the Property was constructed, or if construction began, before 1978, you must disclose any knowledge of, and records and reports about, lead-based paint on the Property on a separate disclosure form.

1. Are you aware of any lead-based paint or lead-based paint hazards on the Property?
 2. Are you aware of any reports or records regarding lead-based paint or lead-based paint hazards on the Property?

	✓		
	✓		

(D) Tanks

1. Are you aware of any existing or removed underground tanks? Size: _____
 2. Are you aware of any underground tanks that have been removed or filled?

	✓		
	✓		

(E) Dumping

Has any portion of the Property been used for waste or refuse disposal or storage? If "yes," location: _____

	✓		
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(F) Other

1. Are you aware of any past or present hazardous substances on the Property (structure or soil) such as, but not limited to, asbestos or polychlorinated biphenyls (PCBs)?
 2. Are you aware of any other hazardous substances or environmental concerns that may affect the Property?
 3. If "yes," have you received written notice regarding such concerns?
 4. Are you aware of testing on the Property for any other hazardous substances or environmental concerns?

	✓		
	✓		
	✓		

Explain any "yes" answers in Section 21. Include test results and the location of the hazardous substance(s) or environmental issue(s):

22. MISCELLANEOUS

(A) Deeds, Restrictions and Title

1. Are there any deed restrictions or restrictive covenants that apply to the Property?
 2. Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the Property?
 3. Are you aware of any reason, including a defect in title or contractual obligation such as an option or right of first refusal, that would prevent you from giving a warranty deed or conveying title to the Property?

Yes	No	Unk	N/A
	✓		
	✓		
	✓		

(B) Financial

Seller's Initials DS / _____ Date 04/10/2024 SPD Page 10 of 11 Buyer's Initials _____ / _____ Date _____

Are you aware of any public improvement, condominium or homeowner association assessments against the Property that remain unpaid or of any violations of zoning, housing, building, safety or fire ordinances or other use restriction ordinances that remain uncorrected?

2. Are you aware of any mortgage, judgment, encumbrance, lien, overdue payment on a support obligation, or other debt against this Property or Seller that cannot be satisfied by the proceeds of this sale?

3. Are you aware of any insurance claims filed relating to the Property during your ownership?

	✓		
	✓		
	✓		
	✓		
	✓		
	✓		

(C) Legal

1. Are you aware of any violations of federal, state, or local laws or regulations relating to this Property?

2. Are you aware of any existing or threatened legal action affecting the Property?

(D) Additional Material Defects

1. Are you aware of any material defects to the Property, dwelling, or fixtures which are not disclosed elsewhere on this form?

Note to Buyer: A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsystem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by itself a material defect.

2. After completing this form, if Seller becomes aware of additional information about the Property, including through inspection reports from a buyer, the Seller must update the Seller's Property Disclosure Statement and/or attach the inspection(s) report(s). These inspection reports are for informational purposes only.

Explain any "yes" answers in Section 22:

23. ATTACHMENTS

(A) The following are part of this Disclosure if checked:

Seller's Property Disclosure Statement Addendum (PAR Form SDA)

The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the property and to other real estate licensees. SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED IN THIS STATEMENT. If any information supplied on this form becomes inaccurate following completion of this form, Seller shall notify Buyer in writing.

SELLER David Sutch DATE 04/10/2024

SELLER _____ DATE _____

RECEIPT AND ACKNOWLEDGEMENT BY BUYER

The undersigned Buyer acknowledges receipt of this Disclosure Statement. "Buyer acknowledges that this Statement is not a warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. "It is Buyer's responsibility to satisfy himself or herself as to the condition of the property." Buyer may request that the property be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components.

BUYER _____ DATE _____

BUYER _____ DATE _____

BUYER _____ DATE _____