

**Disclosure Report Summary Pages  
For SANTA CRUZ County**

**Property Address:** 120 TRINITY ST  
SANTA CRUZ, SANTA CRUZ COUNTY, CA 95060  
("Property")

**APN:** 007-102-16-000  
**Report Date:** 04/24/2024  
**Report Number:** 3304509

**Statutory Natural Hazard Disclosure ("NHD") Statement  
and Acknowledgment of Receipt**

**DISCLAIMER:** This NHD Summary (a) is not valid unless delivered with the complete JCP-LGS Disclosure Report which buyer must read and acknowledge before close of escrow, and (b) is subject to the Terms and Conditions contained in that complete Disclosure Report.

The seller and seller's agent(s) or a third-party consultant disclose 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. Seller hereby authorizes any agent(s) representing any principal(s) in this action to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the Property.

The following are representations made by the seller and seller's agent(s) based on their knowledge and maps drawn by the state and federal governments. This information is a disclosure and is not intended to be part of any contract between the seller and buyer. THIS REAL PROPERTY LIES WITHIN THE FOLLOWING HAZARDOUS AREA(S):

**A SPECIAL FLOOD HAZARD AREA** (Any type Zone "A" or "V") designated by the Federal Emergency Management Agency

Yes \_\_\_ No  Do not know and information not available from local jurisdiction \_\_\_

**AN AREA OF POTENTIAL FLOODING** shown on a dam failure inundation map pursuant to Section 8589.5 of the Government Code.

Yes  No \_\_\_ Do not know and information not available from local jurisdiction \_\_\_

**A HIGH or VERY HIGH FIRE HAZARD SEVERITY ZONE (FHSZ)** as identified by the Director of Forestry and Fire Protection pursuant to Section 51178 of the Government Code or Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code. The owner of this Property is subject to the maintenance requirements of Section 51182 of the Government Code.

Yes \_\_\_ No

High FHSZ in a state responsibility area \_\_\_

Very High FHSZ in a state responsibility area \_\_\_

Very High FHSZ in a local responsibility area \_\_\_

**A WILDLAND AREA THAT MAY CONTAIN SUBSTANTIAL FOREST FIRE RISKS AND HAZARDS** pursuant to Section 4125 of the Public Resources Code. The owner of this Property is subject to the maintenance requirements of Section 4291 of the Public Resources Code. Additionally, it is not the state's responsibility to provide fire protection services to any building or structure located within the wildlands unless the Department of Forestry and Fire Protection has entered into a cooperative agreement with a local agency for those purposes pursuant to Section 4142 of the Public Resources Code.

Yes \_\_\_ No

**AN EARTHQUAKE FAULT ZONE** pursuant to Section 2622 of the Public Resources Code.

Yes \_\_\_ No

**A SEISMIC HAZARD ZONE** pursuant to Section 2696 of the Public Resources Code.

Yes (Landslide Zone) \_\_\_ Yes (Liquefaction Zone) \_\_\_

No \_\_\_ Map not yet released by state

THESE HAZARDS MAY LIMIT YOUR ABILITY TO DEVELOP THE REAL PROPERTY, TO OBTAIN INSURANCE, OR TO RECEIVE ASSISTANCE AFTER A DISASTER. THE MAPS ON WHICH THESE DISCLOSURES ARE BASED ESTIMATE WHERE NATURAL HAZARDS EXIST. THEY ARE NOT DEFINITIVE INDICATORS OF WHETHER OR NOT A PROPERTY WILL BE AFFECTED BY A NATURAL DISASTER. SELLER(S) AND BUYER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE REGARDING THOSE HAZARDS AND OTHER HAZARDS THAT MAY AFFECT THE PROPERTY.

Signature of Seller(s) \_\_\_\_\_ Date \_\_\_\_\_ Signature of Seller(s) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Seller's Agent \_\_\_\_\_ Date \_\_\_\_\_ Signature of Seller's Agent \_\_\_\_\_ Date \_\_\_\_\_

Seller(s) and their agent(s) represent that the information herein is true and correct to the best of their knowledge as of the date signed by the transferor(s) and agent(s).

Seller(s) and their agent(s) acknowledge that they have exercised good faith in the selection of a third-party report provider as required in Section 1103.7 of the Civil Code, and that the representations made in this Natural Hazard Disclosure Statement are based upon information provided by the independent third-party disclosure provider as a substituted disclosure pursuant to Section 1103.4 of the Civil Code. Neither seller(s) nor their agent(s) (1) has independently verified the information contained in this statement and Report or (2) is personally aware of any errors or inaccuracies in the information contained on the statement. This statement was prepared by the provider below:

Third-Party Disclosure Provider(s) FIRST AMERICAN REAL ESTATE DISCLOSURES CORPORATION OPERATING THROUGH ITS JCP-LGS DIVISION.

Date 24 April 2024.

Buyer represents that he or she has read and understands this document. Pursuant to Civil Code Section 1103.8, the representations made in this Natural Hazard Disclosure Statement do not constitute all of the seller(s) or agent's disclosure obligations in this transaction.

Signature of Buyer(s) \_\_\_\_\_ Date \_\_\_\_\_ Signature of Buyer(s) \_\_\_\_\_ Date \_\_\_\_\_

**BUYER(S) REPRESENTS ABOVE HE/SHE HAS RECEIVED, READ AND UNDERSTANDS THE COMPLETE JCP-LGS DISCLOSURE REPORT DELIVERED WITH THIS SUMMARY:**

- A. Additional Property-specific Statutory Disclosures: Fire Hazard Severity Zone (AB 38), Fire Hazard Severity Zone Pursuant to Gov. Code §51179, Former Military Ordnance Site, Commercial/Industrial Use Zone, Airport Influence Area, Airport Noise, San Francisco Bay Conservation and Development District Jurisdiction (in S.F. Bay counties only), California Energy Commission Duct Sealing Requirement, Notice of Statewide Right to Farm, Notice of Mining Operations, Sex Offender Database (Megan's Law), Gas and Hazardous Liquid Transmission Pipeline Database.
- B. Additional County and City Regulatory Determinations as applicable: Airports, Avalanche, Blow Sand, Coastal Zone, Dam/Levee Failure Inundation, Debris Flow, Erosion, Flood, Fault Zone, Fire, Groundwater, Landslide, Liquefaction, Methane Gas, Mines, Naturally Occurring Asbestos, Redevelopment Area, Right to Farm, Runoff Area, Seiche, Seismic Shaking, Seismic Ground Failure, Slope Stability, Soil Stability, Subsidence, TRPA, Tsunami.
- C. General advisories: Methamphetamine Contamination, Mold, Radon, Endangered Species Act, Abandoned Mines, Oil & Gas Wells, Tsunami Maps (coastal only).
- D. Additional Reports - Enclosed if ordered: (1) PROPERTY TAX REPORT (includes state-required Notices of Mello-Roos and 1915 Bond Act Assessments, and Notice of Supplemental Property Tax Bill, (2) ENVIRONMENTAL SCREENING REPORT (discloses Transmission Pipelines, Contaminated Sites, and Oil & Gas Wells). Enclosed if applicable: Local Addenda.
- E. Government Guides in Combined Booklet with Report. Refer to Booklet: (1) ENVIRONMENTAL HAZARDS: "A Guide for Homeowners, Buyers, Landlords and Tenants"; (2) EARTHQUAKE SAFETY: "The Homeowners Guide To Earthquake Safety" and included "RESIDENTIAL EARTHQUAKE HAZARDS REPORT FORM"; (3) LEAD-BASED PAINT: "Protect Your Family From Lead In Your Home"; (4) BRIEF GUIDE TO MOLD, MOISTURE AND YOUR HOME; (5) WHAT IS YOUR HOME ENERGY RATING? Government Guides are also available on the Company's "Electronic Bookshelf" at [https://orderform.disclosures.com/resources/electronic\\_bookshelf/regulatory\\_pamphlets](https://orderform.disclosures.com/resources/electronic_bookshelf/regulatory_pamphlets).



## LOCAL DISCLOSURE REGARDING PLUMBING FIXTURE RETROFIT REGULATIONS

This form shall be used when the Seller's property, whether residential, commercial, or industrial, is situated within:

- the City of Santa Cruz
- the area of unincorporated Santa Cruz County served by the Santa Cruz City water system, or
- the area of the City of Capitola served by the Santa Cruz City water system.

### Summary of Ordinance

Authority: Santa Cruz Municipal Code 16.03; Santa Cruz County Code 7.69 and Capitola Municipal Code 13.02.

All existing residential, commercial, and industrial buildings that use water in showers, toilets, and urinals, shall, at the time of sale of the property, be retrofitted exclusively with high efficiency plumbing fixtures. The Seller shall be responsible for complying with the requirements of this chapter and for obtaining a water conservation certificate from the Santa Cruz Water Department before the sale of the property.

### Low Consumption Plumbing Standards

Toilets: 1.28 gallons per flush (Existing 1.6 gallon per flush toilets do not need to be retrofitted); Showerheads: 2.0 gallons per minute; Urinals: 0.5 gallon per flush

### Verification

Prior to the time of sale, the Seller must verify compliance by one of the following methods: 1) physical inspection of the building by city staff, licensed plumbing contractor, or other authorized person, 2) documentation of retrofit from the City toilet rebate program, or 3) documentation that all structures on the property were constructed or renovated in 1994 or later. The City issues a water conservation certificate to the Seller once compliance has been verified.

### Option to Transfer Responsibility for Retrofitting to the Buyer

The Seller and Buyer may mutually agree to transfer responsibility for retrofitting to the Buyer. The Seller is required to submit a Transfer of Responsibility form to the City of Santa Cruz Water Department before the property is sold. The Buyer has ninety (90) calendar days from the date of the sale of the property to perform the retrofit and verify compliance.

### Exemptions

An exemption from these requirements may be granted if the Water Director (or, if outside the City, the County Public Works Director) determines that the building drainage system or public sewer, or both, are incompatible with high efficiency toilet specifications and require a greater quantity of water to flush the system in a manner that is consistent with public health. Sufficient evidence must be submitted to substantiate any exemption. Properties recognized by a federal, state or local historic registry are exempt from retrofit when authentic plumbing fixtures are present and they can not be replaced by matching high efficiency fixtures.

### Failure to Comply

If the seller fails to comply with the retrofit requirements, the buyer shall install the high efficiency plumbing fixtures within 90 days from the date of sale. Any seller who fails to comply with the requirements of this chapter may be liable to the buyer in the amount of two hundred and fifty dollars (\$250) for each fixture that does not comply with this chapter at the time of sale, or the actual costs of the buyer to comply with this chapter, whichever amounts are greater.

The undersigned hereby acknowledges receipt of a copy of this Addendum.

Date: \_\_\_\_\_ Date: \_\_\_\_\_

Buyer: \_\_\_\_\_ Seller: \_\_\_\_\_

Buyer: \_\_\_\_\_ Seller: \_\_\_\_\_

**See attached Disclosure Regarding Installation of Water Conservation Devised for property located in unincorporated Santa Cruz County outside the City of Santa Cruz water service area.**

**SANTA CRUZ COUNTY**  
**DISCLOSURES AND DISCLAIMERS ADVISORY**  
*(This form is intended for use with the California Association of REALTORS®  
form "Statewide Buyer and Seller Advisory")*

This Advisory is intended for use in Santa Cruz County, including all cities and unincorporated areas of the County. Please read it carefully along with any local Advisories or local disclosures and Seller or Agent Disclosures relating to the Property.

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**INTRODUCTION**

This Advisory provides general information about selling and buying real property in Santa Cruz County and is effective as of **March 2020**. It is not intended to be a comprehensive guide to buying real estate nor is it designed to alarm Buyers and Sellers. Although this Advisory does not limit any legal duty of real estate brokers, it does point out some limitations on real estate brokers' duties. This Advisory is designed to explain that when transferring something as important and valuable as

real estate, you have a legal responsibility to protect yourselves by taking special precautions to investigate the issues detailed in this Advisory and any other issues that may impact the use, value or desirability of the Property. Consult with the appropriate experts and/or governmental agencies. Do not just rely on real estate brokers or Sellers as sources for all information. When Buyers have questions, doubts or concerns, they should conduct their own investigation with their own chosen professionals. For more information about the geographical areas covered by this Advisory, Buyers and Sellers can go online at the sites referenced at the end of this Advisory.

The information in this Advisory may change over time and/or new issues may develop due to actions taken at the federal, state, county, city and/or private, local level. Some of the issues that are covered in this Advisory are point of sale or retrofit requirements that may also get triggered by remodeling efforts or efficiency requirements. Sellers and Buyers should investigate the applicability of these requirements to the past, present and future sale, purchase, ownership and/or development of the Property.

- Sellers must understand the importance and significance of their disclosure obligations. Sellers need to take the time to carefully and fully complete all aspects of the disclosure documents. Sellers must disclose anything that is known to the Sellers that materially affects the value or desirability of the Property. Sellers who need help in meeting their disclosure obligations should consult with their own attorney; Brokers cannot determine the legal sufficiency of any disclosure.
- Sellers should conduct a diligent search of their documents to determine if they have any disclosures, reports, repair estimates and invoices (of any age) or other information that relate to the Property or the issues in this Advisory and provide a copy of that material to Buyers, preferably with the Sellers' disclosure documents, regardless of which disclosure forms are used.
- Whether documents are signed electronically or in hard copy, Sellers and Buyers should read this Advisory in conjunction with a careful review of all disclosures required by Sellers and by the real estate Brokers involved in the transaction including, without limitation, the Transfer Disclosure Statement and the Seller Property Questionnaire, if provided by Seller.
- Buyers are responsible for conducting their own investigations into the issues discussed in this Advisory as well as those issues that are not referenced below to the extent that those additional issues may affect the Buyers' determination of the use, value, desirability or development of the Property. That investigation should take place prior to the Buyers' removal or waiver of any investigation or inspection contingency. Buyers are urged to:
  - o Carefully read the information contained in any advisories, disclosures, inspections, and/or reports that Buyers receive from any source.
  - p Conduct additional/further investigations and inspections regarding any issues that concern Buyers that are raised in those advisories, disclosures, inspections, and/or reports received by Buyers from any source.
  - q Thoroughly and thoughtfully inspect and evaluate the Property and, in so doing, meet Buyers' obligation to protect themselves, including those facts that are known to or within the diligent attention and observation of the Buyers. Viewing videos, virtual tours and other online sources is not a good substitute for visiting the actual Property in person and observing the location of the Property.
- Buyers need to inquire into other or additional matters (beyond those contained in this Advisory) to the extent that those additional issues affect the Buyers' determination of the use, value, desirability or development of the Property.
- Buyers must bear in mind that a Property may suffer defects and deficiencies of which neither Sellers nor Brokers are aware. Buyers should also recognize that not all issues can be objectively determined and some issues can have varying impacts on different people since some people may be more sensitive than others.
- Buyers are urged to engage licensed professionals to evaluate all aspects of the Property and to consult all appropriate governmental agencies. Buyers' right to conduct certain types of investigations may be limited by the Purchase Agreement.

- Any representations about the issues in this Advisory made by third parties have not been verified by Brokers and need to be independently confirmed by Buyers.
- **Although licensed to list, sell and lease real estate, Brokers may not have expertise on the issues in this Advisory.**

This Advisory is not meant to be a complete source of information on all matters which can become issues in real property purchase and sale contracts. **Given Buyers' legal duty to exercise reasonable care to protect themselves regarding facts that are known to them or within their diligent attention or observation, Buyers are urged to investigate, without limitation, the items in the following paragraphs of this Advisory as well as the condition of the foundation, roof, plumbing, heating air conditioning, electrical, mechanical, energy efficiency, security, appliances/personal property, pool/spa, and all other systems and components.**

**The real estate licensees involved in the transaction do not warrant or guarantee the accuracy of the information contained in this Advisory or the adequacy of this information as it relates to a specific real property transaction.**

## A. MARKET CONDITIONS ADVISORY

Real estate markets are cyclical. It is impossible to predict what market conditions will be at any given time. The ultimate decision of how much to offer on any property rests with Buyers. Buyers need to decide what they are willing to pay in light of market conditions and their own financial resources. Buyers must also decide what type of offer to make in recognition of existing market conditions. Purchase price is not a simple calculation based upon square footage but an agreement as to what Buyers will pay and what Sellers will accept.

Real estate brokers traditionally recommend that Buyers protect themselves by conditioning their purchase on an inspection of the Property so that the Buyers can be assured that the Property meets their needs. In some markets, many Buyers are choosing to forego that sage advice so that their offer is more attractive to Sellers. If, after making an offer without an inspection contingency, Buyers become aware of an aspect of the condition of the Property that affects its value or desirability, Buyers may still be required to proceed to purchase the Property or possibly pay damages to the Seller, which may be the deposit in escrow. If this is a condition that must subsequently be repaired, Buyers may have no legal recourse against any of the parties in the transaction after escrow closes, including the Seller, the brokers or the inspectors, and then the Buyers may have to pay to correct those problems.

Waiving the right to have a contingency regarding inspection of the property does not necessarily waive the Buyers' right to access the Property, even if the Property is being sold "AS IS". Regardless of whether there is an inspection contingency, Broker recommends that prospective Buyers have the Property thoroughly inspected by their own experts prior to the close of escrow.

The lender's approval of financing includes the lender's determination that (1) Buyers are creditworthy and can afford to make the mortgage payments and (2) that the Property appraises for at least the principal amount of the loan. Even if Buyers have obtained a pre-qualification or pre-approval letter from a lender, the lender may not ultimately approve the loan if the lender's appraiser determines that the Property's fair market value is less than the amount of the purchase price or if the Buyers' financial/employment situation has changed. If there is no financing contingency and the Property does not "appraise", Buyers may not be able to afford to make up the difference between the loan amount applied for and the loan amount actually offered by the lender. Under those circumstances, Buyers may not be able to perform on Buyers' contractual obligations. This could then result in the Buyers paying damages to the Seller. **It is a serious risk for Buyers to eliminate from the purchase contract their right to have a financing and/or appraisal contingency if they intend to secure a loan.**

## B. GENERAL PROPERTY ADVISORIES

1. **EXISTING HOUSING STOCK:** Many properties have been built under different building codes and may not accommodate current or future personal property items such as electric cars. Regardless of its age, Buyers should have the Property

inspected by a competent property inspector and obtain additional inspections recommended in any inspection report, or as may be necessary for Buyers to determine the actual condition of the Property. The Property's components, appliances, fixtures, systems and materials may have varying degrees of remaining useful life and may be subject to failure without notice. In addition, not all components, improvements or fixtures of the Property may comply with current code, zoning, health and safety, setback requirements, religious or cultural preferences. Some homes contain appliances, products or manufactured materials, such as Chinese dry wall, which may be defective, create problems with the use or value of other aspects of the home and/or may be subject to manufacturer or governmental recall and/or a class action lawsuit. All homes include many components which require ongoing maintenance. Deferred maintenance will decrease the lifespan and/or functionality of many of these components. Buyers should seek reliable advice from appropriate professionals and to plan/budget for maintenance and future repairs.

**2. FLOORS AND WALLS:** The personal property of the Seller may make a visual inspection of floors and walls difficult. The existence of certain types of floor coverings, such as carpeting and rugs, as well as certain types of wall coverings, such as wallpaper and paneling, and furniture prevent inspectors and brokers from inspecting the condition of the floors and walls beneath those materials. When exposed, these areas may have a different pattern of wear or shade of color. If Buyers wish to determine the condition of the floors and walls beneath such coverings, Buyers will need to secure the written authorization of Seller to conduct investigations with appropriate professionals since removal of floor coverings may be required.

**3. TEMPERED GLASS:** Many homes contain glass that IS NOT tempered in locations where tempered glass IS required by building regulations. Buyers are advised to have a contractor's inspection to identify the presence of any glass that is not properly tempered before removing a physical inspection contingency on a prospective purchase of real property. Buyers should consider replacing any non-tempered glass with tempered glass to reduce the risk of injury.

**4. FIREPLACES; WOOD-BURNING APPLIANCES:** Due to public health concerns regarding particulate matter from wood smoke that may be affecting air quality due to use of any wood-burning appliances, Buyers should consult with appropriate experts as to the ability to use such appliances now or in the future. "Wood-burning appliances" include, but are not limited to, fireplace inserts, a free-standing wood stove, a wood heater or masonry fireplace, but does not include appliances or fireplaces that burn solely propane or natural gas or pellets as fuel.

**5. SQUARE FOOTAGE AND LOT SIZE:** Different sources of size information often provide different square footage or lot size numbers for a property. Public records may be, and often are, inaccurate and there are frequently discrepancies in the advertised sizes. Buyers are advised that square footage and/or lot size numbers, which may be obtained from various sources such as public records, MLS and others that are provided to Buyers are not, and will not be, verified by Sellers or the real estate agents. Buyers should obtain a specific disclosure regarding any known size discrepancies from Sellers and/or the real estate Brokers. **If the square footage or lot size of the property is an important consideration in Buyers' decision to purchase the Property and/or how much Buyers are willing to pay for the Property, then Buyers must independently conduct Buyers' own investigation through appropriate professionals and rely solely on that data.**

**6. FENCE MAINTENANCE:** If the Property has a fence that is located on the boundary line, Civil Code Section 841 provides that the adjoining private landowners have an equal obligation to maintain the fence. However, fences are not often located on the boundary line and when that is true, who is responsible for maintaining the fence is a legal determination. Thus, questions regarding who is responsible for repairing or maintaining a fence should be reviewed with a qualified California real estate attorney. Brokers are not qualified to make that determination.

**7. TREES AND VEGETATION: Protected Trees.** Most cities and counties have Ordinances that require property owners to obtain a permit prior to removing "*Protected Trees*" (also known as "*Heritage Trees*") from their property. The definition of *Protected Trees* varies from jurisdiction to jurisdiction. Removing or damaging any *Protected Tree* without the proper permit constitutes an infraction. In addition to the cost of the infraction, violators may be liable for damages and if those fees are not paid, a lien can be put on the Property. That lien may subsequently be added to the County property tax bill.

If the Property is located within the County's Coastal Zone, Santa Cruz County requires property owners to obtain a permit prior to removing a "Significant Tree" and the County has additional rules to protect locally unique biotic species of trees and plants including but not limited to Valley Oaks, Santa Cruz Cypress, certain indigenous pines, ancient forests, maritime chaparral and coastal scrub.

**Hazardous Trees:** Some cities define hazardous tree conditions within their Municipal Building Codes and address ways of mitigating those conditions on both private and public property. There are often stringent time frames for responding to hazardous tree claims. If hazardous tree claims are not resolved privately, a claimant may, as a last resort, pursue the claim through the court system.

**View Ordinances:** Some cities have view Ordinances that restrict the height of trees so that trees do not unreasonably obstruct the view that existed at the time of purchase of the property. Certain trees that are part of the natural habitat can be exempt from this law. Often a view property will have recently trimmed trees and shrubs revealing the view. Buyers should take note that maintaining that view could entail not only trimming foliage on their own property, but also enlisting the cooperation of their neighbor to keep their foliage trimmed, usually at the Buyers' expense. Cities do not take an active role in these issues; rather they encourage the private resolution of such disputes. Each city has a slightly different mechanism for handling these situations, and Buyer is encouraged to review the Municipal Code during their inspection period.

Buyers are encouraged to seek the advice of a licensed arborist for any questions regarding trees that are on the Property or on a neighbor's property.

**8. RIVER, CREEK AND LEVEE PROTECTION:** Many properties are impacted by creeks (a narrow channel or small stream), underground aquifers, and/or culverts (a man-made structure used to enclose a flowing body of water which is usually designed to allow water to pass underneath a road or other structures). If the Property includes, abuts or is located near a creek or culvert, Buyers should investigate the possibility of flooding and/or water intrusion or other nuisances that may result from proximity to those water sources by contacting appropriate experts. Brokers cannot determine these issues. In addition, some cities have enacted regulations regarding creeks and culverts making maintenance of these creeks and culverts the responsibility of adjacent property owners which can involve considerable expense. For example, the Santa Cruz County General Plan includes regulations to protect waterways especially those that are within the County's Coastal Zone.

**9, WILDFIRE HAZARDS:** Wildfire disasters can create health and safety concerns in the aftermath of clean-up efforts, as well as unknown and possible future concerns related to the rebuilding of infrastructure in the impacted areas. Some of the concerns and issues of wildfires include, but are not limited to: lot clearing costs; environmental clean-up concerns; local, state and/or federal regulations for issuing permits and/or for authorizing rebuilding efforts; the availability and cost of insurance (along with any insurance company retrofit requirements and/or the availability or disruption of utilities; construction-related inconvenience and delay; and the impact that federal, state or local disaster declarations may have on materials, prices, costs and rent. Local jurisdictions may impose maintenance restrictions on the height of weeds or plant growth to prevent the spread of fires. Buyers should investigate all fire-related issues to determine what impact, if any, they may have on Buyers' current and future use or development of the Property during any investigation/inspection contingency

**10. UNDERGROUND STORAGE TANKS (UST):** Many of the larger, older homes in this area built before 1935 may have or have had an Underground Storage Tank for the fuel oil that fired the Property's furnace. As natural gas became the more common standard fuel for home furnaces, virtually all of the old furnaces have been replaced. However, many [of the fuel oil tanks remain buried on the property. In residential applications, the California State Water Resources Control Board regulates all UST's in California. The licensing, inspection and regulation of UST's in residential application are currently exempt provided the tank is less than 750 gallons and was used for fuel oil only. However, this does not guarantee that the Property would be exempt from abatement if a UST is discovered upon the Property. Each municipality has very different regulations concerning UST's that may include removal and soil clean-up of any toxic material that may have leaked from the tank. Buyers and Sellers are advised to speak directly to the Public Works Department, Building Department and/or Fire Department in the pertinent city concerning specific regulations affecting UST's.](#)

**11. FLOOD MAPPING:** Flood maps and flood designations for all properties may change over time which could impact the future use, value, desirability or development of the Property as well as its insurability. Rising sea levels may also have an impact on future flooding. Under the "Homeowner Flood Insurance Affordability Act of 2014," properties in flood zones, designated in an NHD report, will experience annual premium increases which could be as much as 18% to 25% per year. For further details regarding any specific Property, go to:

<https://www.floodsmart.gov/floodsmart/> or <http://www.realtor.org/articles/senate-passes-flood-insurance-with-house-amendments>

**12. ENVIRONMENTAL MAPPING:** Some of the third-party Natural Hazards Disclosure ("NHD") companies [may provide information regarding environmental hazards that are mapped by the federal government, state or local entities such as](#) Super Fund Clean-Up sites. Buyers should consider discussing with the NHDS provider what environmental disclosures and maps may be available.

**13. CONDOMINIUMS, COMMON INTEREST DEVELOPMENTS & HOMEOWNERS' ASSOCIATIONS:**

If the Property is located in a Common Interest Development ("CID"), the Seller should request that the Homeowners' Association ("HOA") provide all required documents regarding the HOAs operation and expenses to meet the Seller's disclosure obligations under Civil Code Section 4525. Some neighborhoods have established HOAs that may charge dues and enforce their own restrictions. It is strongly recommended that Buyers receive the current HOA documents directly from the HOA rather than from any online, third party service or from an earlier transaction. Although Sellers can legally provide their own copies of the required documents, the best practice is to have the HOA provide the documents so that the most current information is provided to Buyers.

Buyers need to carefully examine all of the documents that are provided regarding the HOA and compare the documents with the list of required disclosures specified in the HOA form from the California Association of REALTORS®. If any document(s) are missing, Buyers should send a written request to the Seller that the Seller provide the missing documents and/or provide a written explanation for why the document(s) were not included with the other HOA documents. Many smaller HOAs do not prepare or keep all documents required by the law, such as reserve studies, minutes of all meetings and/or financials. As a result, Buyers may only receive a portion of the state-required documents; in which case Buyers must be aware that they are buying into an HOA without the benefit of the information those documents would provide. Buyers should retain the services of experts, such as attorneys, accountants or others who specialize in reviewing HOA documents to determine the adequacy of the reserves and whether or not the Property is suitable for the Buyers' intended uses.

Any changes or improvements to a unit generally require some form of review and approval by the HOA and the HOA may impose significant restrictions on those changes including imposing maintenance obligations and/or indemnification requirements in case of damage during installation. Buyers should review all HOA restrictions and determine the impact of those restrictions, during the contingency period, if they intend to make changes including but not limited to those which involve adding solar energy systems onto common area roofs or adding special equipment for televisions and other electronic equipment. For example, due to noise and other factors, a HOA may restrict the type of floor and/or wall material that can be used in certain units and/or the number of pets. Note that HOAs must comply with Fair Housing laws regarding service and companion animals. Buyers should directly contact the HOA Board to determine whether or not the Property can be used for Buyers' intended purposes. Buyers should also determine whether or not the Property meets Buyers' subjective personal preferences.

Many Condominiums and other Common Interest Developments have been involved in or are presently involved in litigation regarding the design, construction, maintenance and/or condition of all or a part of the Development. Whether or not these lawsuits are successful, litigation is expensive and the cost of such legal actions may impact not only the adequacy of the HOA reserves but also the amount of current or future assessments. The existence of HOA insurance does not necessarily mean that there is insurance coverage for any given single interest or unit in the Development, an owner's remodeling or upgrade efforts, and/or the owner's contents. See Insurance information below.

Occasionally issues arise in the purchase of property in a Common Interest Development regarding parking and/or storage spaces associated with a single interest or unit in the Development. Buyers should determine for themselves whether or not the allotted



parking space(s) are adequate to park the Buyers' vehicle(s) in the assigned spaces by actually parking in those spaces. Parking space(s) and storage space(s), if any, may be described in a Condominium Map or in the Preliminary Report issued by a Title Company. The actual markings, striping and numbering of these space(s) may not accurately reflect the actual spaces and may be in conflict with the space(s) designated in the recorded documents. It is therefore crucial that Buyers personally determine that the parking and storage space(s) that are designated in the recorded documents are actually being transferred to Buyers and that those space(s) are acceptable for the Buyers' intended needs and uses of the Property.

Sellers who have ever served on the HOA Board may have access to information and documentation that is not provided by the HOA and/or which is deemed "confidential" or protected by an "attorney-client privilege". Sellers should consult with their own qualified California real estate attorney to determine how they will need to disclose that additional information; Brokers are not qualified to evaluate or investigate those legal issues.

**14. PLASTIC PIPE:** Some builders in Northern California used PEX water pipes in constructing homes. This type of pipe, manufactured under the name of KITEC®, has been alleged in a class action lawsuit to be faulty and a settlement of that lawsuit has been reached. Buyers should investigate whether or not there are any plastic pipes or fittings prior to removing their inspection contingency by retaining the services of a licensed plumber who has knowledge and experience in identifying plastic pipe; licensed plumbers are also able to advise Buyers as to the current and future condition of those pipes. For additional information about this particular type of pipes and/or to learn more about the lawsuit, there is a website available at: <http://www.kitecsettlement.com/faq.cfm>. Buyers should also contact a qualified California real estate attorney to discuss any questions they may have regarding their ability to recover proceeds from this settlement.

**15. INSURANCE & C.L.U.E. REPORTS OF INSURANCE CLAIMS:** As part of Buyers investigation into their ability to obtain homeowners' insurance coverage, Buyers should ascertain if their chosen insurance company will require certain retrofit repairs, such as installation of safety glass and/or fireplace spark arresters and a gas shut-off valve. The fact that an insurance company may require these repairs does not necessarily mean that the Seller is obligated to pay for and/or make the repairs requested by the insurer. In addition, prior claims submitted by Buyers on other properties may affect the final cost of the homeowners' insurance on the property being purchased by Buyers. Buyers should investigate these matters thoroughly prior to removing their inspection contingency.

Standard real estate purchase agreement forms require Sellers to provide Buyers with insurance claims history for the property for a period of five years preceding the sale. Sellers do not always know (or remember) the insurance claims history. Natural Hazards Disclosure Statement ("NHDS") Reports had included a report used by insurance companies called C.L.U.E., but NHDS Reports no longer include those reports. Because a C.L.U.E. report itself is not required, Sellers may disclose the insurance information themselves as part of the disclosure process. For the most accurate information regarding past insurance claims, Sellers may be able to either: (a) go online to: [https://personalreports.lexisnexis.com/homesellers\\_disclosure\\_report/agent.jsp](https://personalreports.lexisnexis.com/homesellers_disclosure_report/agent.jsp) and create an account that will enable the Sellers to order a C.L.U.E. report; or (b) contact their homeowner insurance policy broker who may be able to provide a copy. Buyers can also include in their purchase contract an obligation for Sellers to provide them a C.L.U.E. report.

**16. ONLINE PHOTOS, INFORMATION & CONSUMER PRIVACY:** Effective January 1, 2020, the California Consumer Privacy Act of 2018 ("CCPA") imposes restrictions on certain types of businesses that collect "personal information" about California consumers. Not all individuals and/or entities with whom you interact are required to comply with the CCPA. Whether or not CCPA applies, photographs of the Property provided to the MLS and Brokers' websites may appear on other Brokers' sites as well as national data aggregation sites, including, but not limited to, Realtor.com, Trulia, Zillow and others. It is not possible for Brokers to remove photos from websites over which they have no control.

Information regarding the Property and the neighborhood may exist online in various blogs, discussion boards, Nextdoor, Facebook pages, official neighborhood association or HOA sites and on other forms of social media. Unofficial sites written by third parties may exist with postings about the community, people and properties. Some online sites offer viewers the opportunity to express opinions and air complaints. The information available on official and unofficial sites may consist of opinion, speculation, unfounded assertions and rumors, making it difficult to determine what is and what is not true. Neither Seller nor any of the real estate licensees may be aware of, nor will they conduct a search of, any online information, even if they are using or have used those platforms to advertise goods or services. Sellers and real estate licensees are not obligated to verify, investigate, explain or remove online commentary of third parties.

**17. PROBATE SALES AND COURT CONFIRMATION:** An Executor or Administrator (the "Representative") of a probate estate may sell estate property if it is in the best interests of the estate to do so. The sale of an estate's real property is typically subject to Probate Court Confirmation. The Independent Administration of Estates Act ("IAEA") provides a simplified method of probating estates with limited court supervision. Under the IAEA, the Representative may list real property with a broker for a period not to exceed 90 days without prior court approval and to sell the Property without court confirmation, unless a person named in the will or other person who is entitled to receive a Notice of Proposed Action objects; in which case court confirmation will be required. The Representative's ability to sell without court supervision or approval under IAEA is not absolute and is conditioned upon there being no objections by interested persons (generally, the heirs). If there is any objection, Court Confirmation may be necessary.

Probate property is sold "As-Is" and certain standard disclosure forms, such as the Real Estate Transfer Disclosure Statement, are not required. However, the Representative must nonetheless disclose all actual knowledge of material facts affecting the value or desirability of the Property. The best mechanism to make those disclosures is for the Representative to fully complete and sign the *Exempt Seller Disclosure* form.

If Court Confirmation is required and is subject to open competitive bidding (which is true in probate, conservatorship, guardianship, receivership or bankruptcy sales), it is strongly recommended that Buyers personally appear in Court when their offer is scheduled for confirmation. Buyers should understand that in most sales requiring Court Confirmation, the Property may continue to be marketed and that their broker and others may represent other competitive bidders prior to and at the Court Confirmation hearing. Different types of courts have their own rules for how to handle the possibility of over-bids, including whether initial deposits need to be in a certain amount or whether an over-bid needs to be a specific percentage above the original offer. Any questions regarding the specific rules for the Court where the confirmation hearing is to be held should be directed to the clerk of that Court. It is also strongly recommended that Buyers consult a real estate attorney who is knowledgeable about Court Confirmation sales since real estate brokers/agents are not qualified to provide legal advice.

**18. WATER HEATERS:** Under State law, all water heaters must be braced, anchored or strapped to resist falling or horizontal displacement due to earthquake motion and Sellers of Property must certify to Buyers that the bracing requirement has been satisfied. In addition, water heaters which are newly installed or moved must be raised so their ignition point is 18 inches off the ground. Many other state and local plumbing code requirements may also apply, e.g. gas venting, pipe wrapping, temperature and pressure relief valves, drain valves, bollard protection in garages, and limiting the location of gas-burning water heaters.

**19. SMOKE ALARMS AND CARBON MONOXIDE DETECTORS:** California Health and Safety Code §13113.8 requires installation of smoke alarms in residential property. If a TDS is required, the Sellers certify that the Property has (or will have prior to Close of Escrow) operable smoke alarms which are approved and installed in compliance with the State Fire Marshal's regulations and applicable local standards including installation of alarms with 10-year batteries in all bedrooms before finalizing any permitted contracting work costing \$1,000 or more. State law requires carbon monoxide detectors in living areas of residential properties that have fossil fuel burning appliances, even if those appliances are several floors below, for example, furnaces in the basement of a condominium building. Some Cities have more specific requirements. For example, some cities require that, prior to the sale of any real property, Sellers shall upgrade the smoke alarm/smoke detector system to photoelectric-only devices but there are exemptions for hardships and infeasibility of compliance. For more information, contact your local Building Department.

Additional fire extinguishing systems, such as interior sprinklers, may be required for apartments. Buyer should investigate all fire protection requirements with the local Fire Chief.

**20. ANIMALS:** Current or previous owner(s) may have had domestic and/or other indoor or outdoor animals on the Property; animals can cause damage to various aspects of the Property. Odors from animal urine or waste may be dormant for long periods and then become active because of heat, humidity or other factors such as some cleaning techniques, or be temporarily masked by other odors such as fresh paint or new carpet. Animal urine and feces can also damage floors, floor coverings, walls, baseboard, or other components. Additionally, animals can attract fleas, ticks and other pests that can remain on the Property after the animal has been removed. Complete elimination of odors and other problems created by animals may not be possible even by professional cleaning efforts or replacing carpets, pads and other affected components.

Property may be subject to local Ordinances regulating the maintenance, breeding, number or type of animals permitted, or other requirements such as spaying or neutering. Buyers should investigate whether Homeowner and Common Interest Associations have imposed restrictions on animals. Neighbors may have animals that can cause problems including, but not limited to, noise or odors. Common pets such as dogs can bark, cats are not easily contained, and in some cases more unusual animals (e.g. poultry, exotic birds, and reptiles) may create issues that impact the value, use and enjoyment of the Property. California is home to a wide variety of animals, birds, reptiles and insect life, including but not limited to ants, bedbugs, bats, rodents, snakes and larger wild animals such as mountain lions and deer, some or all of which may enter or inhabit the Property and may be difficult to eliminate or control. These creatures can damage landscaping, might be a hazard to people, pets or other animals and may cause issues that impact the Buyers' use and enjoyment of the Property. Proximity to rural or open space areas increases the likelihood of this problem. Buyers should investigate these issues with licensed professionals, including local animal/pest control companies, and/or other qualified agencies or organizations during Buyers' inspection period.

**21. ARCHITECTURAL & CONSTRUCTION PLANS:** Property owners often have architectural/ construction plans and renderings, whether or not those plans were ever approved or used for any purpose. These plans and drawings do not "run with the land" even if the plans were used to build existing structures and even if they are on file with the local planning department. In most situations, Sellers's contracts with the architect specify that the plans remain the possession of the architect; the Seller is granted a limited "non-exclusive license" to use that material. Thus, Sellers generally do not have the legal right to advertise, sell or give that documentation to Buyers without the express written authorization of the architect who in all likelihood has copyrighted the plans. Buyers who want to use the Sellers' plans and drawings for any purpose should contact the creator of the plans directly for authorization to use that material.

## C. FEDERAL, STATE AND REGIONAL CONDITIONS ADVISORIES

**22. UNSTABLE HILLSIDES/EXPANSIVE SOILS:** Many hillside properties are active and potentially active landslide areas. Many of the geologic forces which have shaped California over the eons are still active today. The only way to determine the nature of the soil and bedrock under a structure, and how these forces may affect those structures, is with a geologic or geotechnical inspection and report. Some parts of Santa Cruz County have expansive, or adobe, soil which will expand and contract with the wet and dry seasons. This expansion and contraction can cause movement or shifting of structures and their foundations.

**23. HIGH WATER TABLES:** Some parts of Santa Cruz County have high water tables that can intensify mold growth and compromise the stability of soil and/or foundation. In addition, high water tables may affect the use and enjoyment of the surrounding land, particularly during months of heavy rain. Buyers should consult the appropriate experts to help evaluate the effect of high-water tables on the subject property and, when necessary, consider drainage modifications to protect the structure and improve the use and enjoyment of the surrounding landscape.

Some real property in Santa Cruz suffers from drainage and soils issues, which can lead to settlement affecting the structural integrity of the property. Occasional heavy rains, high water tables, and variations in yard elevations, can also cause standing water and poor drainage. Buyers should consult with appropriate experts regarding any concerns.

Reports from Natural Hazard Disclosure (NHD) companies may not contain all information from all sources regarding the Property and surrounding conditions, and cannot be relied on for all information regarding natural hazards which may affect the Property. Brokers recommend that Buyers have any Property they are purchasing inspected by a qualified geologist, geologic or geotechnical engineer, and/or other qualified professionals.

**24. WET WEATHER CONDITIONS:** At times, Santa Cruz County may have months with heavier than usual rainfall. During these times, hillside properties may be more susceptible to earth movement and drainage problems. Properties on flatlands may be susceptible to flooding. Properties which may not have experienced water intrusion into or under the property in the past may experience these conditions as a result of weather-related phenomena. Sellers are obligated to disclose to Buyers those

material defects or conditions known to them which affect the value or desirability of the property; however, not all Sellers may be aware of recent changes in the conditions of the property or its improvements caused by unusually wet weather. Because of these factors, it is recommended that, in addition to a home inspection, Buyers have such additional inspections by inspectors or engineers regarding these conditions as Buyers may desire.

**25. CLIMATE CONDITIONS:** Santa Cruz County exhibits several micro climates. Buyers are advised that these areas are subject to frequent strong winds, wind-driven rain, fog and mist, and direct sunlight, any of which, alone or in combination, can impact the condition of the land as well as prematurely age the interior and exterior of structures. Erosion, warping and cracking of surfaces, failed seals on dual-paned windows, loss of roof shingles, and water intrusion, among other problems, are not uncommon with such properties, and thus these properties require regular, thorough maintenance. In particular, properties located near sources of water, such as the ocean, rivers and streams, may require additional maintenance and repair efforts. Buyers are advised to fully investigate these conditions and to determine for themselves the cost of any increased maintenance and repairs that may be needed for any Property located in these coastal areas.

**26. PERMIT ISSUES:** An improvement that is made without the required permit can, among other things, have a negative impact on value, require a retrofit, impact habitability, preclude insurance coverage and/or result in fees, penalties, government and/or civil enforcement actions. In some cities, there may be a lower standard applied in those circumstances where the property owner is obtaining the permits, as opposed to a contractor doing so. Obtaining and finalizing permits may trigger additional retrofit requirements that are not required as a condition of sale. Examples include but are not limited to water conserving plumbing fixtures and safety devices to prevent drowning of small children in pools and spas. See Paragraphs 32 and 33.

**27. NONCONFORMING USES, ROOMS, ALTERATIONS OR ADDITIONS:** Any rooms, alterations or additions to the Property which were done without necessary permits or certificates of completion ("nonconforming improvements") may be subject to fines, permit and construction costs, and other expenses to bring them into conformity. Nonconforming improvements may be subject to removal by local building inspection and code enforcement agencies. Nonconforming rental units may be required to be vacated and possibly torn down. It may not be feasible to legalize nonconforming improvements because of zoning, permit and/or other legal or regulatory limitations. Some building inspection and code enforcement agencies may conduct random inspections of properties for permit, code and other violations while the Property is being marketed. Such nonconforming improvements may also be discovered when anyone applies for a permit to do work on the property either before or after escrow closes. Whenever nonconforming uses are discovered, the then-current owner could face expensive repairs, permit fees and other costs and/or even removal of the nonconforming improvement.

While Sellers are obligated to disclose any known nonconforming improvements, Sellers may not be aware of some or all illegal improvements or uses especially those that were made prior to Seller's ownership of the Property. Real estate brokers and agents are not required by law to inspect public records and cannot determine the legal status of improvements based solely on their required visual inspection of the property. Thus, Buyers are strongly urged to investigate possible nonconforming improvements by personally contacting the local building inspection and code enforcement agencies as well as obtaining the advice of contractors, architects, engineers or other professionals regarding the status and condition of the Property prior to removing the investigation and inspection contingencies.

**28. BALCONIES/DECKS INSPECTION & RETROFIT REQUIREMENTS:** Effective January 1, 2019, state law requires an owner of multi-family buildings with 3 or more dwelling units to conduct an inspection of and make any necessary repairs to exterior decks, balconies and other components that are elevated more than 6 feet above the ground. The inspection must be completed by January 1, 2025 and will require subsequent inspection by January 1st of every six years thereafter. The purpose of the inspection is to determine whether the decks, balconies, and exterior elevated elements and their associated water proofing elements are in a generally safe condition, adequate working order, and free from any hazardous condition caused by fungus, deterioration, decay or improper alteration. State law requires that the inspection be performed by certain qualified professionals. The law sets forth timelines for the completion of the report, delivery to the owner, and completion of any repairs or replacement. Fines, penalties and/or liens on the property can be imposed for non-compliance with this law. State law allows cities and counties to enact their own

regulations which may be stricter than the state requirements, including but not limited to extending the inspection and repair requirements to other exterior components, such as landings, exit corridors, stairway systems and other elements to determine if these structures are in safe condition, in adequate working order and free from hazards, dry rot, fungus, deterioration, decay, improper construction or hazardous conditions. Buyers are strongly urged to investigate possible inspection and retrofit requirements by personally contacting the local building inspection and code enforcement agencies as well as additional licensed professionals regarding the status and condition of any building components at the Property prior to removing any inspection contingency.

**29. CODE COMPLIANCE AND ENFORCEMENT:** Even If the Property is new construction, not all aspects, components and structures on the Property may comply with current code. This may be because code requirements have changed since the improvements were first constructed or, in some cases, noncompliant improvements may have been made by the current owner, or even by prior owners without the knowledge of the current owner. Real estate brokers are not qualified to identify code violations. If the applicable city or county building department discovers the code violations, the current owner may be required to bring the property into current code compliance or remove or demolish the portion of the property that is in violation. Various building departments take different approaches to enforcement; some are stricter than others. Prior to removal of the inspection contingency, Buyers should have the home inspected by a qualified home inspector who can identify code violations and comment on local codes, regulations and practices regarding enforcement.

**30. UNDERGROUND UTILITIES:** Some towns and cities have begun the process of burying utility lines underground in order to remove the utility poles in the neighborhood. These projects can result in special tax assessments and set-up costs for the individual homeowners. It is recommended that Buyers investigate this issue with Pacific Gas and Electric Company ("PG&E").

**31. CRIME:** The existence of crime is a fact of urban life. Some areas experience more crime than others. Crime statistics for various areas and municipalities may rise and fall over time and the incidence of various types of criminal activity may also increase or decrease. At times, local law enforcement agencies may target designated areas for special but temporary enforcement measures. Individual criminal acts may occur in any neighborhood or may occur close to a property that is being sold while other criminal acts may occur far away. Some crimes may be reported in the local news while others are ignored by the media. Because of the ever-changing nature of the statistics and information regarding crimes, neither Seller nor brokers will independently investigate crime or criminal activity in the area of any property being purchased by any means including, but not limited to, contacting the police or reviewing any internet data bases. If criminal activity is a factor in the decision to purchase a particular property, or in a particular neighborhood, Buyers are urged to check with the local law enforcement agencies and online information, prior to removing their investigation contingency.

**32. WATER-CONSERVING PLUMBING FIXTURES:** California law requires property owners of single family, multi-family and commercial properties (built before 1994) to install water-conserving plumbing fixtures. Additionally, if any property (built before 1994) is altered or improved after 2014, then water-conserving plumbing fixtures must be installed as a condition of final permit approval.

A **noncompliant plumbing fixture** means: (1) any toilet manufactured to use more than 1.6 gallons of water per flush; (2) any urinal manufactured to use more than one gallon of water per flush; (3) any showerhead manufactured to have a flow capacity of more than 2.5 gallons of water per minute; and (4) any interior faucet that emits more than 2.2 gallons of water per minute.

**(a) STATE LAW: Sellers must disclose to Buyers, in either the Seller Property Questionnaire (SPQ) or the Exempt Seller Disclosure (ESD) form, if Sellers are aware of whether the Property has any non-compliant plumbing fixtures.** If a Seller answers "No" to that question, Buyers should not assume that the Property is fully compliant since the "No" response may merely mean that Seller is unaware or is uncertain as to whether or not any such fixtures are non-compliant. For this reason, as a part of their property inspection of properties subject to this law, Buyers are urged to have all plumbing fixtures inspected by a qualified professional to determine whether all plumbing fixtures are actually compliant with this law. Sellers and Buyers are advised to determine, prior to Acceptance of the Purchase Agreement, which Party will be responsible for the cost of any required water-conserving plumbing fixtures retrofit.

**(b) ADDITIONAL LOCAL REQUIREMENTS:** In addition to the forms created by Brokers and real estate organizations, some areas, such as the **City of Santa Cruz and Santa Cruz County**, as well as some local water districts, such as the **Soquel Creek Water District**, **require use of their own Addendum to the Real Estate Transfer Disclosure Statement regarding this topic as well as having the Buyer and Seller agree who is to be responsible for any retrofit of the non-compliant fixtures. The Cities of Capitola & Santa Cruz and the County of Santa Cruz have also enacted Plumbing Fixture Retrofit Ordinances.** High Efficiency Toilet Rebate Programs may also be available.

Regardless of where the Property is located, Sellers and Buyers are advised to determine, prior to contract acceptance, which Party will be responsible for the cost of the water-conserving plumbing fixtures retrofit and precisely what local forms need to be completed as a requirement of sale.

**33. POOL AND SPA SAFETY:** All home inspection reports used in the sale of a single-family residence must indicate whether or not a Property with a pool and/or spa has any of the 7 drowning prevention safety features described in Health & Safety Code Section 115925. Neither home inspectors nor Buyers and Sellers can agree to waive this requirement if there is a home inspection report but the new law does not obligate Sellers or Buyers to obtain a home inspection report. Real estate professionals are not obligated to and are not qualified to determine if the Property meets current safety requirements.

Although it is important to have appropriate safety measures in place to prevent drowning of small children, this law is not a retrofit requirement that must be completed as a condition of sale. At the time that a single-family residence is altered or improved, the installation of 2 pool/spa safety features must be a condition of final permit approval. Therefore, Sellers and Buyers are advised to determine, prior to contract acceptance, which Party will be responsible for the cost of adding any required pool/spa safety features. **Some jurisdictions have their own separate requirements on this topic. See Paragraphs 51 and 52 below.**

**34. GARAGE DOOR SAFETY REQUIREMENTS:** As of July 1, 2019, in addition to existing safety standards regarding automatic reversing device standards, all new automatic garage door openers sold or installed in California must have a battery-operated back-up system to function during electrical outages.

**35. REAL PROPERTY TAXES ON VACANT LAND:** Some cities have imposed or are contemplating imposing an annual tax on vacant property. Vacant land and developments are subject to imposition of different fees in different jurisdictions, usually based upon the length of time the land is left vacant. Unpaid fees can become a lien on the property. Buyers should determine the extent of any unpaid fees and other restrictions by contacting the relevant city. Real estate brokers and agents are not qualified to make these determinations.

**36. GENERAL RENTAL PROPERTY INFORMATION:** Landlords must provide various disclosures and advisories to Tenants and comply with state and local Landlord-Tenant regulations. For example, commencing July 1, 2020, Landlords must disclose, in writing, if the Property is exempt from the Just Cause Eviction requirements. Other statewide Landlord notice requirements include, but are not limited to, providing Tenants with a statutory flood hazard disclosure and a bedbug notice to all Tenants. Landlords must also comply with other regulations to eradicate bedbugs. Sellers and Buyers of tenant-occupied property should consult with their own Local Landlord-Tenant Attorney to determine the legal viability of entering into an agreement that the Property shall be vacant prior to the Close of Escrow. Buyers intending to use some or all of a Property for rental purposes should investigate all rental property issues with appropriate governmental authorities, the relevant HOAs, and a Local Landlord-Tenant Attorney during Buyers' investigation/inspection contingency period, if any. Each local jurisdiction can impose regulations on various habitability issues such as heat supply. Brokers are not qualified to provide legal advice and they are not qualified to determine which Landlord-Tenant laws apply to any given Property or Tenancy.

State law prohibits Landlords from refusing to rent to Tenants who intend to operate a day care facility; a residence with up to 14 children is deemed to be a legitimate residential use. State law also prohibits Landlords from discriminating against Tenants on the basis of their source of income, such as "Section 8", the informal name for the federal housing choice voucher program administered by HUD.

Several HOAs already have or are considering imposing restrictions on new owners who intend to rent out some or all of their Property which may differ from rules for existing owners in an effort to limit the percentage of non-owner-occupied units which can impact the ability to obtain financing.

Although state law encourages construction of secondary housing units (accessory dwelling unit “ADU”) and prohibits HOAs from unreasonably restricting building an ADU on an owner’s separate interest, the ability to construct those units and/or to rent those units to Tenants is still subject to local jurisdiction regulations and approvals. If Buyers intend to construct or use secondary units for rental purposes, they should investigate the financial and legal feasibility of those improvements and uses with appropriate experts during Buyers’ investigation/inspection contingency period.

**Buyers who intend to use some portion or all of the Property for any type of rental purposes should consult with a qualified local Landlord-Tenant Attorney and contact the relevant City or County to ascertain all governmental requirements that may impact the ability to use the Property for rental purposes, including, but not limited to, any local rent control or eviction requirements and/or any [special permits, inspections, retrofit or disclosure obligations, prior to removing any](#) inspection contingencies. Brokers are not qualified to make those determinations.**

**37. RENTAL PROPERTY/FAIR HOUSING:** When rental properties are offered to the public, the owner and real estate agent must act in compliance with all Fair Housing laws and regulations including, but not limited to, providing unrestricted access to potential tenants with service/companion animals. Landlords are required under Fair Housing laws to provide a “reasonable accommodation” for tenants with disabilities; in the case of tenants with disabilities, this includes allowing the tenant to occupy the rented residence with the service/ companion animal. The landlord may not charge a “pet deposit” or otherwise charge the tenant for the service/ companion animal in any manner that is different from a tenant without such an animal. Any property owner renting their property should consult with a local California real estate attorney specializing in landlord/tenant and Fair Housing issues for advice on any matters related to Fair Housing and service/companion animals.

The California Department of Fair Employment and Housing (“DFEH”) has issued new regulations effective January 1, 2020 for housing providers, landlords and property managers which expands the categories of protected classes and limits the use of criminal records in tenant selection. The blanket use of criminal records to refuse to rent can be a Fair Housing violation. Discrimination does not have to be intentional to constitute a violation if it results in a “disparate impact” on protected classes. Landlords are urged to consult with a local California landlord tenant attorney regarding the use of criminal records in the tenant selection process.

**38. RENT CAPS & JUST CAUSE EVICTION:** Effective January 1, 2020, with certain exemptions, California law limits the amount of rent increases that can be made by Landlords during any 12 month period of time and establishes “Just Cause” requirements for evicting Tenants who have continuously and lawfully occupied the Property for 12 months or more. This state law establishes criteria and procedures for At-Fault Just Cause Evictions, No-Fault Just Cause Evictions as well as Tenant payments for No-Fault Just Cause Evictions. Existing and future local ordinances may also apply to the frequency and amount of any rent increases as well as the ability to evict Tenants depending upon whether or not the local law is more restrictive on the Landlord than the state law. Real estate Brokers and Agents are not qualified to make these determinations. Landlords are urged to consult with a local California landlord tenant attorney regarding the ability to increase rents, the timing of any notices regarding rent increases and/or the ability to evict a Tenant.

**39. RENTAL PROPERTY INSPECTION & MAINTENANCE:** Some areas, such as the City of Santa Cruz, require that Property which is or will be rented or leased to tenants undergo a specific rental property inspection and the rental unit needs to be registered with the City. Buyers who intend to use the Property for rental purposes should contact the relevant City or County to ascertain all governmental requirements that may impact the ability to use the Property for rental purposes prior to removing any inspection contingencies. Although state law allows for the construction of secondary housing units, the ability to construct those units and/or to rent those units is subject to local jurisdiction regulations and approvals. If Buyers intend to construct or use secondary units for rental purposes, they should investigate the feasibility of those improvements and uses with appropriate experts during Buyers’ inspection contingency period, if any.

**40. SHORT-TERM & VACATION RENTAL:** With the increased popularity of short-term and vacation rental services and websites such as Airbnb and VBRO, various local governmental entities and homeowner associations (“HOA”) have enacted, or are

considering enacting, regulations on the ability of owners to rent out some portion or all of their property on either a short-term or long-term basis. Existing and proposed regulations may include a complete prohibition against certain types of rentals, licensing, permit requirements, special health and safety inspections, taxation and/or restrictions such as a limitation on the number of nights per month, total number of renter occupants, parking requirements and noise restriction. Renting out one's property may also be impacted by subdivision and HOA Covenants, Conditions, and Restrictions ("CC&Rs"). In some areas, HOAs and/or governmental entities are classifying short-term and vacation rentals as constituting the running of a business out of a residence which is often prohibited in CC&Rs and/or requires approval of a home occupation permit from the local governmental entity.

In 2011, the County of Santa Cruz enacted a Vacation Rental Ordinance which includes a registration and permit process, limitations on use and occupancy as well as sign requirements and a transient occupancy tax. Neither Sellers nor Brokers can predict if, or when, any jurisdiction or HOA will adopt regulations, limitations or prohibitions on rentals in the future and/or what changes may be implemented with existing Vacation Rental Ordinances. Buyers who are considering using their property for short-term or vacation rentals are strongly encouraged to investigate current and pending governmental and/or HOA rules and regulations related to rentals, insurance coverage, and the existence of taxation such as a Transient Occupancy Tax ("TOT") and to review that documentation with a qualified California real estate attorney as well as their own insurance broker prior to the close of escrow.

**41. PUBLIC SERVICES:** Public services (schools, fire, law enforcement, emergency response, etc.) may have been impacted by financial difficulties which can lead to changes in the level of service. For example, some school districts have experienced financial and academic achievement difficulties and, as a result, may face bankruptcy, reorganization or takeover by a state administrator. Each school district has its own rules regarding school assignments, and these rules may change at any time with little notice. For these reasons, brokers cannot represent or guarantee that anyone who resides in any particular property will be able to attend any particular school or school district. If Buyers have any concerns regarding the quality and/or financial viability of public services, Buyers should investigate to their satisfaction prior to removing any applicable contingencies.

**42. NEW CONSTRUCTION WARRANTIES, DEFECTS AND LAWSUITS:** The Real Estate Transfer Disclosure Statement ("TDS") requires Sellers to disclose if there are any lawsuits by or against the Sellers threatening or affecting the real property along with questions related to construction defects, citing Civil Code Sections 900, 903, 910 and 914. These codes are part of a law that is often referred to as SB800 or Title 7, which generally applies to residential real property built by a "Builder" (as defined in Section 911) and sold for the first time after January 1, 2003. Section 900 provides for a limited one-year warranty from the Builder and Builders may provide "enhanced protection agreements" which may extend the warranty period. Homeowners are required to follow all reasonable maintenance obligations and schedules communicated in writing by the Builder and product manufacturers, as well as commonly accepted maintenance practices. Failure to do so may provide a defense against a homeowner claim and Builders often require specific pre-litigation procedures and remedies in the event of a claim against the Builder. Sellers who have questions about how to answer this TDS question should consult with a California real estate attorney for advice. If the Sellers disclose any lawsuits or claims, Buyers should investigate such disclosures with a California real estate attorney. Brokers are not qualified to provide advice on these matters.

**43. PRIVATE ROADS:** If the Property is assessed or affected by a private road that is shared with one or more other properties, Buyers need to determine the existence of a recorded private road maintenance agreement and compliance with that document. If no such agreement exists, Civil Code Section 845(s) provides that "the cost shall be shared proportionately to the use made of the easement by each owner." Buyers should contact city/county officials and/or their attorney to evaluate their potential responsibilities.

**44. SMARTMETERS™:** A controversy exists statewide about SmartMeters™ and other types of utility meters that record consumption of energy and communicate that information to the utility for monitoring and billing purposes. Some public agencies and governmental bodies have placed moratoriums on the installation of these meters. Buyers are advised to fully investigate and satisfy themselves regarding the health, safety and security of such meters. Brokers cannot and will not investigate or verify whether or not there are risks associated with SmartMeters™ or other similar meters. PG&E has developed a SmartMeter™ "Opt-Out" program



pursuant to the requirements of the California Public Utilities Commission. For further information regarding PG&E's "Opt-Out" program, call PG&E at 866-743-0263 or visit their Web site at: <http://www.pge.com/myhome/customerservice/smartmeter/optout>

**45. COASTAL COMMISSION AND OTHER RESTRICTIONS ON IMPROVEMENTS & LAND USE:** The Property may be located within the jurisdiction of the California Coastal Commission or other government agency, or subject to a contract preserving use of all or part of the Property for agriculture or open space. Specific structures, sites, trails, roads and natural features may be identified in a General Plan or local Specific Plan as requiring special treatment and/or various types of permits and other fees especially if the Property is located along the California coastline. If the Property is specially designated on any governmental entity's list or map, there may be severe restrictions on Buyers' ability to retain existing features of the Property, develop, remodel, improve, remove, build or rebuild any of the structures and/or remove or trim trees or landscaping. Buyers should investigate these issues during Buyers' inspection period, if any, by retaining the services of a land use consultant and/or contacting all of the applicable governmental agencies including, but not limited to, local city and/or county planning departments, the California Coastal commission at [www.coastal.ca.gov](http://www.coastal.ca.gov). Buyers should also check with the California Department of Fish and Wildlife at [www.wildlife.ca.gov](http://www.wildlife.ca.gov) and the U.S. Army Corps of Engineers at [www.spn.usace.army.mil](http://www.spn.usace.army.mil). Brokers have not and will not verify any of the issues detailed in this Paragraph and thus cannot determine the ability of Buyers to preserve, maintain, change or develop the Property.

**46. MARIJUANA (Cannabis):** Effective January 1, 2018, California has legalized certain uses of cannabis; however, this statewide law requires local cities and counties to enact regulations for the issuance of permits and licenses prior to anyone using, cultivating, distributing and/or selling cannabis. Those regulations may include but are not limited to an inspection of the property and/or a determination as to the availability of water and other resources to grow cannabis. However, there are still federal laws that may make those activities illegal and the federal government's position on enforcement of those restrictions in states such as California that have passed contrary legislation is still possible.

If Buyers are intending to purchase property that has been used for cultivation, distribution and/or sale of cannabis or if Buyers are intending to purchase property for those same purposes, Buyers should consult with a local, qualified California real estate attorney who has expertise in this area. Cultivation or storage of marijuana may cause damage or alteration to the Property which may not be visibly apparent. Brokers are not qualified to make any determinations regarding these issues.

State law allow landlords to prohibit/regulate smoking of marijuana in or on the Landlord's property as well as to allow Landlords to prohibit the cultivation, distribution and sale of marijuana for any purpose.

## D. COUNTY AND CITY ADVISORIES

**47. ACCESS TO SANTA CRUZ COUNTY FILES:** Files maintained by the County of Santa Cruz Assessor can only be accessed if the Owner provides specific written Authorization to the person seeking to review and/or copy documents from those files by means of a form created by the County of Santa Cruz.

**48. AGRICULTURAL LAND PRESERVATION AND PROTECTION ORDINANCE NOTIFICATION AND DISCLOSURE STATEMENT REQUIREMENT: Santa Cruz County Code §15.50.090(a):** "Santa Cruz County has a strong rural character and an active historical agricultural sector. As a property owner or lessee, you should be prepared to accept properly-conducted agricultural practices that are allowed for in Federal, State and County laws and regulations, are consistent with accepted customs and standards and are operated in a non-negligent manner. Accepted agricultural practices that may cause inconveniences to property owners during any 24-hour period may include, but are not limited to: noise, odors, fumes, dust, smoke, pests, operation of farm equipment, storage, application and/or disposal of manure and the application of pesticides and fertilizers by ground or air. The County of Santa Cruz will not consider any agricultural practice to be a nuisance if it is implemented in accordance with Federal, State and local law. Nothing herein is intended to limit rights under Federal, State, and local regulations governing pesticide use."

**49. SANTA CRUZ COUNTY SANITATION DISTRICTS:** Santa Cruz County administers and manages three Sanitation Districts: (1) Santa Cruz County Sanitation District; (2) Freedom Sanitation District; and (3) Davenport Sanitation District. The County

Sanitation District Code requires Property Owners whose properties are serviced by these Districts to maintain their sewer systems to prevent overflows; Property Owners are financially responsible for any repairs made by the Districts. If there are more than 2 overflows within a 12-month period, the system must be televised and repaired or replaced and certified, in writing, by a licensed plumber. As a condition of sale for property connected to a sanitary sewer main constructed more than 20 years before the date of sale which has not been inspected within the past 20 years, the Owner shall have the sanitary system inspected and certified by a licensed plumber to be in good working order (free of obstructions and breaks) before Close of Escrow. Sellers are responsible for the testing/inspection and repair where required and cannot transfer that obligation to the Buyer. The County also requires the installation of a clean-out and an overflow device by and at the sole expense of the Owner on all sewer systems. This installation shall occur prior to the Close of Escrow or as a condition of approval of any major remodel estimated by the District to cost \$50,000 or more. For further information contact the County Sanitation District at (831) 454-2160.

There are eight other County service areas and other individual Sanitation Districts [that have their own rules](#) and [regulations on these](#) subjects. The County Sanitation Districts, County service areas, and individual Sanitation Districts are mapped on the County Geographic Information Systems website - <https://gis.santacruzcounty.us/gisweb/>. Once on that site, click "Legend," then "Special Districts," then "Sanitation District."

**50. COUNTY OF SANTA CRUZ SWIMMING POOL ENCLOSURE ORDINANCE:** The County requires that all new and modified residential one and two-family dwellings (R-3) that have swimming pools meet the requirements of the Swimming Pool Enclosure Ordinance ("Ordinance"). The Ordinance applies to all swimming pools, spas and hot tubs, including in-ground, above-ground, on-ground and fixed-in-place swimming pools in the unincorporated areas of Santa Cruz County. The Ordinance also requires Sellers of such dwellings to provide written certification of compliance with the Ordinance to the Buyer upon transfer of the property to the Buyer. Certification can only be issued by a Certified Home Inspector or County Building Inspector. A real estate licensee cannot determine compliance nor issue the requisite Certification.

**51. CITY OF SANTA CRUZ SWIMMING POOLS, SPAS AND HOT TUB ENCLOSURES:** Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall comply with Santa Cruz Municipal Code Chapter 18.32. Every outdoor swimming pool must be completely surrounded by a fence or wall not less than 5 feet in height with self-closing access gates that must open away from the pool area. More information about these requirements is available online at <http://www.cityofsantacruz.com/>

**52. CITY OF SANTA CRUZ LARGE RENT INCREASE ORDINANCE:** Enacted in February 2019, the City of Santa Cruz Large Rent Ordinance is not a rent control or just cause eviction law. The ordinance states that if a tenant needs to vacate a residence due to a large rent increase (more than 5% in one year or cumulatively more than 7% in any two consecutive years), then the landlord is required to provide the tenant with relocation assistance to help them move. Because the language of this Ordinance is not consistent with state law (see **paragraph 38**), Landlords should consult with a local Landlord-Tenant Attorney regarding the impact of any large rent increases.

**53. CITY OF SANTA CRUZ SEWER SYSTEM ORDINANCE:** In the City of Santa Cruz, Property Owners are responsible for maintaining the sewer laterals which connect their Property to the public sanitary sewer collection system as well as any Private Sewer System. Property Owners are also responsible for the prevention of and correction of any sewer overflows and must use City-certified inspectors to inspect and correct problems. Upon transfer of title, unless the sanitary sewer was constructed or completely replaced after 2020 and twenty years or less prior to the sale date or the sewer was inspected less than five years prior to the sale date, the sewer lateral must be inspected by a City-certified inspector. The Seller must be responsible for the cost of the inspection and the filing of a Time of Sale Sewer Lateral Inspection Form. The Seller may transfer responsibility for any required repairs to the Buyer but only if both Parties agree and they complete and sign a Transfer of Responsibility to Repair Form. Private systems must also be inspected. More information, including the list of certified inspectors, is available online at <http://www.cityofsantacruz.com/government/city-departments/public-works/wastewater-system/wastewater-and-storm-water-collections/sewer-lateral-information-and-forms>.

**54. WATSONVILLE SEWER LATERAL ORDINANCE:** In the City of Watsonville, Property Owners are responsible for maintaining the sanitary sewer laterals which connect their Property to the public sanitary sewer collection system as well

as any Private Sanitary Sewer Collection System. Property Owners are also responsible for the prevention of and correction of any sewer overflows. Upon change of ownership and before the Close of Escrow, the Property Owner must have the sewer lateral inspected (using a video camera) by a licensed plumber with a current business license in the City of Watsonville if the sewer lateral was constructed or inspected more than 25 years before the sale. The lateral is to be certified to be in good working order and, if not, repairs must be completed before the Close of Escrow. At Time of Sale Sewer Lateral Inspection Form must be filed with the inspection video and appropriate City fee. Private systems must also be inspected. More information and the required Inspection Form are available online at <https://www.cityofwatsonville.org/1953/Private-Sewer-Laterals>

**55. WATSONVILLE SIDEWALKS, DRIVEWAYS, CURBS & GUTTERS ORDINANCES:** In the City of Watsonville, Property Owners are responsible for maintaining the sidewalk, driveway, curb and gutter adjacent to their property in good condition so as to not interfere with public safety and use. If any of these areas become “deficient” (such as a tripping hazard), the Property Owner must make the necessary repairs. Once the City becomes aware of a deficiency, the Property Owner is sent a “Notice to Repair” and given 30 days in which to complete those repairs identified in the Notice which includes a cost estimate. A city permit is required to complete the work which must be done by a bonded contractor with an “A” or C-8” license. More information, including the options available if a “Notice to Repair” is issued and appeal rights, is available online at: [www.cityofwatsonville.org](http://www.cityofwatsonville.org) and/or contact the Public Works & Utilities Department at 831-768-3110.

## **E. SOURCES OF INFORMATION: COUNTY AND MUNICIPAL WEBSITES:**

County and municipal websites can be a useful source of information about their communities including, but not limited to, representatives, services, ordinances, demographics and local news. These websites may also have links to other resources such as governmental agencies, non-profit community-based organizations, and for-profit entities. While these links are provided for your convenience in accessing the information, this Advisory does not warrant or guarantee the accuracy of the information provided by these sites and resources.

COUNTY OF SANTA CRUZ: <http://www.co.santa-cruz.ca.us>

CITY OF CAPITOLA: <http://www.cityofcapitola.org/>

CITY OF SANTA CRUZ: <http://www.cityofsantacruz.com/>

CITY OF SCOTTS VALLEY: <http://www.scottsvalley.org/>

CITY OF WATSONVILLE: <http://www.cityofwatsonville.org/>

## **F. ATTORNEY AND ACCOUNTANT RECOMMENDATIONS:** In addition to the

professional service providers Buyers will retain to inspect and analyze the property being purchased or sold, a situation may arise during the course of Buyers’ purchase transaction that requires Buyers to either make an important decision or select a plan of action that could result in significant legal consequences and/or have a substantial impact on Buyers’ personal finances. The most prudent and best plan is to identify a certified public accountant and a qualified California real estate attorney in advance of the sale or purchase of the property so that Buyers and Sellers can quickly contact and seek the proper financial and/or legal advice and guidance if needed during the transaction. If a 1031 exchange is contemplated, also contact an exchange accommodator to discuss the proper method and timing of the exchange.

## **G. THE PARTIES ACKNOWLEDGE THE FOLLOWING REGARDING BROKER:**

- Broker does not warrant or guarantee the condition of the Property.
- Broker shall not be responsible for failure to disclose to Buyer facts regarding the condition of the property where the condition (i) is unknown to Broker or (ii) is not capable of being seen by Broker because it is in an area of the property that is reasonably and normally inaccessible to a Broker;
- **Broker has not verified square footage, size of structures, acreage or boundary lines of the property; representations made by others; information received from public records, Seller or other third parties; information contained in inspection reports or in the Multiple Listing Service, or that has been copied therefrom; or statements in advertisements, flyers or other promotional material; or any other matters described in this Disclosures and Disclaimers Advisory; unless otherwise agreed in writing;**

- Broker does not guarantee, and shall not be responsible for, the labor or services or products provided by others to or on behalf of Buyers or Seller and does not guarantee, and shall not be responsible for, the quality, adequacy, completeness or code compliance of repairs made by Seller or by others;
- Broker does not decide what price Buyers should pay or Seller should accept;
- Broker is not qualified to give legal, tax, insurance or title advice; Brokers lack expertise in these other professional services. Broker does not verify the results of any inspections or guarantee the performance or reports of any inspection or professional services provided by third parties.
- **Buyers and Sellers should investigate and choose their own service providers to conduct investigations to provide advice on all matters related to the sale and purchase of real property. Buyers and Sellers are advised to seek any desired assistance from appropriate qualified professionals. Nothing any real estate licensee may say changes the terms or effect of this Advisory.**

**WIRE FRAUD SCAM ALERT**

Recently there is a small but growing scheme in which Buyers and Sellers have received e-mails from their agent or an escrow company providing wire transfer information for money from Buyer to Escrow, or to Seller for proceeds from Escrow. Hackers intercept these e-mails and then alter the wire transfer instructions to re-direct the funds to the hacker's account with an off-shore bank. **DO NOT EVER WIRE FUNDS PRIOR TO CALLING THE ESCROW OFFICER AT THE NUMBER PREVIOUSLY PROVIDED TO YOU and confirming verbal wire transfer instructions before taking steps to have the funds transferred.** If you have received questionable wiring instructions, notify your bank, real estate agent and the Escrow holder, as well as the FBI at: <https://www.fbi.gov/> and the Internet Crime Complaint Center at: <http://www.ic3.gov/>

**THE UNDERSIGNED ACKNOWLEDGE RECEIPT OF ALL 18 PAGES OF THIS SANTA CRUZ COUNTY DISCLOSURES AND DISCLAIMERS ADVISORY WHICH CAN BE SIGNED IN COUNTERPART**

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Buyer

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Buyer

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Seller

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Seller

## City of Santa Cruz Sewer Lateral Time of Sale Disclosure

The City of Santa Cruz City Council, in order to protect the environment and local waterways from bacteria-laden human waste coming from undetected sewer leaks or sanitary sewer spills, adopted changes to the Sanitary Sewer System Ordinance on June 26, 2018. The changes to the Sanitary Sewer System Ordinance are three-fold:

**Part 1: Sewer Spills (Sewer Overflows):** A property owner with a sewer spill is responsible for stopping the spill immediately and will be subject to fines and penalties if inspections and repairs are not made in a timely manner.

**Part 2: Private Sewer System Inspection and Cleaning:** Private sanitary sewer collection systems and pumps (at apartment buildings, homeowner associations and businesses) must pass inspection every 10 years and undergo regular cleaning.

**Part 3: Time of Sale (Sale of Property):** Prior to the sale of a property, the property owner must have the sewer lateral inspected by an authorized inspector on the City's list of "Certified Sewer Inspectors", make any needed repairs, and submit the "Time of Sale Sewer Lateral Inspection Form" (copy attached) to the City of Santa Cruz Public Works Department to verify compliance before the property is sold.

To facilitate compliance with Part 3 the attached City of Santa Cruz "Transfer of Responsibility to Repair Form" is to be completed by the seller and buyer of a property with an existing sewer line if the buyer accepts responsibility for sewer lateral repairs, if any, as required under Chapter 16.08 of the City of Santa Cruz Municipal Code. The seller must file this completed form and the completed inspection form with the City of Santa Cruz Public Works Department before the property is sold.

### Time of Sale Sewer Lateral Inspection Form

(1) Effective 1 July 2019 all residential, commercial, and industrial buildings shall have the building sanitary sewer inspected for any defects and any repairs needed shall be completed prior to the sale of property to meet the city's standards as specified by the sanitary sewer inspection form, unless otherwise specified or exempted under Municipal Code Section 16.08.066.

- (a) Responsibilities of Seller. The seller, prior to the sale of property, shall be responsible for complying with the requirements of this chapter and for obtaining a sanitary sewer inspection certificate for sale of property before the conclusion of the sale of property, unless otherwise specified in this section.
- (b) Option to Transfer Seller's Responsibility to Buyer. Before the sale of property, the seller and buyer of any property may mutually agree to transfer responsibility for making any needed repairs to the building sanitary sewer in compliance with this chapter to the buyer. In the event the buyer agrees to assume responsibility for repairing the building sanitary sewer, the seller shall provide proof of inspection of the building sanitary sewer to the buyer, which indicates the repairs needed to meet the city's standards. The buyer shall then complete the repairs to meet the city's standards no later than ninety calendar days after the date of the sale. Before the time of sale, the seller and buyer shall complete the following procedures:
  - (i) Both the seller and buyer shall sign a transfer of responsibility to repair form certifying that the seller has completed an inspection and that the buyer has assumed responsibility for any repairs.
  - (ii) The signed transfer of responsibility to repair form must be submitted to the public works department before the sale of property and included in the real estate transfer documentation.
- (c) Verification of Compliance. The seller (or buyer only if based on a valid transfer of responsibility to repair form) shall verify compliance with this chapter by submitting a completed sanitary sewer inspection form within the time limit specified above. Once compliance with the requirements of this chapter has been verified, a sanitary sewer inspection certificate for sale of property will be issued within five business days.

(2) Before any new building is connected to an existing building sanitary sewer, the property owner must have the building sanitary sewer inspected to satisfy the requirements of this chapter as a condition of the building permit and before a certificate of occupancy is issued, unless exempted under Section 16.08.068.

For more information and guidance please visit the City's Sewer Lateral Information and Forms website at:

<http://www.cityofsantacruz.com/government/city-departments/public-works/wastewater-system/wastewater-and-storm-water-collections/sewer-lateral-information-and-forms>

# Time of Sale Sewer Lateral Inspection Form

This form must be completed by a licensed contractor who is on the City of Santa Cruz list of "Certified Sewer Inspectors". The inspection is to be completed and this form is to be submitted prior to the sale of any property with an existing sewer lateral. This form shall be submitted to:



City of Santa Cruz Public Works Department  
809 Center Street, Room 201  
Santa Cruz, CA 95060  
831-420-5160

## Property Information:

Property Address: \_\_\_\_\_  
Property Owner(s) name: \_\_\_\_\_  
Mailing address of owner (if different from above): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Owner Contact Phone Number: \_\_\_\_\_

## Inspector Information:

Company Name: \_\_\_\_\_ Inspector Name: \_\_\_\_\_  
Contact Phone: \_\_\_\_\_  
Email address (print) \_\_\_\_\_

## Lateral Inspection Information

Inspection Date: \_\_\_/\_\_\_/\_\_\_ Pipe Size: \_\_\_\_\_ Pipe Material: \_\_\_\_\_  
Length (from cleanout to sewer main): \_\_\_\_\_  
Other information: \_\_\_\_\_

Were any corrections required to bring the lateral up to "passing" condition?  Yes  No

- If "Yes", please select all that apply:
- Full lateral replacement
  - Spot repair
  - New connection to main
  - Old P-trap removed / New cleanout installed
  - Cleaning - Jet to remove debris/deposits/blockage
  - Cleaning - Root removal
  - Other: \_\_\_\_\_

### Please answer ALL of the questions below:

- Yes\_\_\_ No\_\_\_ There is a standard clean-out in the sidewalk area  
Yes\_\_\_ No\_\_\_ There is a sewer lift station (pump) at this property  
Yes\_\_\_ No\_\_\_ Property should have a backwater valve  
Yes\_\_\_ No\_\_\_ Property has a working backwater valve  
Yes\_\_\_ No\_\_\_ Property has outside drains or sump pumps connected to building sanitary sewer

**NOTE:** To pass a Time of Sale Sewer Lateral inspection, each of the following requirements must be met:

1. Pipe shall have a standard clean-out in the sidewalk area (P-traps are not allowed).
2. The Building Sanitary Sewer shall not have any connections to outside drains or sump pumps.
3. The Building Sanitary Sewer shall not have a grade (5) structural defect.
4. The Building Sanitary Sewer shall not have a grade (4) or grade (5) operational condition.
5. The sum of all defect grades is less than thirteen (13) (see inspection sheet for grading scores).
6. All internal pipe surface area shall be visible in the inspection video.

### Please see the reverse page for inspection notes

As the inspector for the above-mentioned property, I certify under penalty of law that the **information and video recording** I have provided with this form is true and correct.

Signature of Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## City of Santa Cruz - Time of Sale Sewer Lateral Inspection

### Passing Criteria

For a Time of Sale Sewer Lateral Inspection to pass, the lateral shall have **no pipe structural grade 5 defects and no operational grade 4 or 5 defects, and the sum of all defect grades shall be less than thirteen (13).**

Please note that structural defects are counted on a per pipe section basis (i.e. two separate cracks in a given pipe section will only be scored as "2" and not "4"), while operational defects are counted on a per incident basis.

### Scoring System

#### Structural Defects

- Crack = 2
- Fracture = 3
- Broken/Hole/Deformed/Collapsed = 5
- Medium offset or Separation = 3  
(≤ 1 pipe thickness)
- Large offset or Separation = 4  
(> 1 pipe thickness)

#### Structural Defects (Continued)

- Sag - Shallow (< 30%) = 3
- Sag - Medium (30% - 50%) = 4
- Sag - Deep (> 50%) = 5

#### Operational Defects

- Roots - Fine (< 5%) = 1
- Roots - Medium (5% - 50%) = 3
- Roots - Ball (> 50%) = 4
- Deposits (<20%) = 2
- Deposits (20%-30%) = 4
- Deposits (>30%) = 5

### Initial Inspection:

Distance (ft)	Defect	Grade	Remarks
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
<b>Sum of Grades:</b>		_____	<input type="checkbox"/> Pass <input type="checkbox"/> Fail

### Post-correction Inspection (if needed):

Distance (ft)	Defect	Grade	Remarks
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
<b>Sum of Grades:</b>		_____	<input type="checkbox"/> Pass <input type="checkbox"/> Fail

Please give your professional opinion on the condition of the building sanitary sewer or sanitary sewer collection system: \_\_\_\_\_

\_\_\_\_\_

**For City Use Only**

Date Received: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



# City of Santa Cruz

## Transfer of Responsibility to Repair

The responsibility for inspecting the building sanitary sewer is the sole duty of the seller and may not be transferred to the buyer. If the inspection shows that repairs are necessary, the responsibility to repair may be transferred from the seller to the buyer before the time of sale, if both parties mutually agree to do so.

**Important: This completed form and the completed Time of Sale inspection form must be submitted to the City of Santa Cruz Public Works Department before the property is sold.**

### 1. Property Information

Street Address: \_\_\_\_\_

Assessor's Parcel No: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

### 2. Inspection Information

Inspector: \_\_\_\_\_

Inspection Date: \_\_\_\_\_

Was the inspector able to video inspect the entire segment of line from the cleanout (or sidewalk area) to the main in the street? (Note: the required inspection zone does not include the portion of lateral on private property)

YES  NO

Was the inspector able to fully define the scope of work for the repairs that will be required to bring the sewer lateral up to City standards and pass inspection?

YES  NO

### 3. Seller's Signature:

By signing below, I, the seller, declare that an inspection of the sanitary sewer at the above-referenced property has been completed and a copy of that inspection form has been made available to the buyer. I declare that the buyer has agreed to assume the responsibility for correcting any defects in the building sanitary sewer at the above-referenced property.

\_\_\_\_\_  
*Seller's name (please print)*

\_\_\_\_\_  
*Seller's signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Telephone*

Estimated Escrow Closing Date: \_\_\_\_\_

Seller's Mailing or Email Address: \_\_\_\_\_

See next page for Buyer's Signature and more information



#### 4. Buyer's Signature

By signing below, I, the buyer of the above-referenced property, confirm that I have received a copy of the inspection form and agree to accept the responsibility of repairing the building sanitary sewer as required in Santa Cruz Municipal Code Chapter 16.08. I understand that the initial inspection may not have been able to fully characterize the extent of the existing defects and required repairs. I understand that **I will be required to repair or correct any defects to meet the City's standards**, and to obtain a Sanitary Sewer Certificate for Sale of Property within ninety (90) calendar days following the date of change in ownership, in accordance with the procedures outlined on the back of this form.

\_\_\_\_\_  
*Buyer's name (please print)*

\_\_\_\_\_  
*Buyer's signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Telephone*

Buyer's Mailing or Email Address: \_\_\_\_\_

**THIS FORM MUST BE SIGNED BY THE PUBLIC WORKS DEPARTMENT TO BE VALID.**

City Approved Signature \_\_\_\_\_ Filing Date \_\_\_\_\_

#### Background

Prior to the time of sale, all residential, commercial and industrial buildings within the City of Santa Cruz shall have the building sanitary sewer inspected for any defects and be repaired or corrected to meet the City's standards as specified by the Public Works Time of Sale Sewer Later Inspection form unless exempted under Section 16.08.068 of the Santa Cruz Municipal Code or unless the responsibility to repair is transferred to the buyer. The buyer will then have 90 days from the time of sale to complete the repairs and submit a completed inspection form showing that the sewer has been corrected to meet the City's standards.

#### Buyers Signing the Transfer of Responsibility Form Agree to:

1. Have the property's building sanitary sewer repaired by a licensed contractor to meet the City's standards as specified on the Public Works Time of Sale Sewer Lateral Inspection form.  
Note: the buyer is not responsible for inspections, repairs, or corrections if the property sale is not completed.
2. After the repairs have been completed, have a final camera inspection performed by a City-certified sewer lateral inspector and submit the completed Time of Sale inspection form to the City of Santa Cruz Public Works Department within 90 days.

#### Instructions for the Transfer of Responsibility to Repair to the Buyer

**Step 1** – Seller completes parts 1, 2, and 3 of this form. Buyer completes part 4 of this form.

**Step 2** - Bring in or mail this completed Transfer of Responsibility form and the initial Time of Sale inspection form (provided by the seller) to:

**City of Santa Cruz  
Public Works Department  
809 Center St., Room 201  
Santa Cruz, CA 95060**

Once received at the office, the form will be signed and a copy will be returned to both parties.

**Step 3** - Keep a copy of this form for your records. One copy should be given to the seller's real estate agent to be included with documents transferring title to the property.

#### Failure to Inspect or Repair

If it is determined that the required repairs were never completed by the buyer as agreed to in this form, the City of Santa Cruz will exercise its legal remedies, including, but not limited to, a notice of violation recorded against the property, and other civil or criminal penalties in accordance with the Santa Cruz Municipal Code.

For more information, please call:

**(831) 420-5160**

**JCP-LGS Residential Resale Property Disclosure Reports**  
**Disclosure Report Summary Pages**  
**For SANTA CRUZ County**

**Property Address:** 120 TRINITY ST  
SANTA CRUZ, SANTA CRUZ COUNTY, CA 95060  
("Property")

**APN:** 007-102-16-000  
**Report Date:** 04/24/2024  
**Report Number:** 3304509

**PROPERTY DISCLOSURE SUMMARY - READ FULL REPORT**

<b>Statutory NHD Determinations</b>	<b>IN</b>	<b>NOT IN</b>	<b>Map N/A*</b>	<b>Property is:</b>	<b>NHD Report page:</b>
Flood		<b>X</b>		NOT IN a Flood Hazard Area.	8
Dam	<b>X</b>			IN an area of potential dam inundation.	8
High or Very High Fire Hazard Severity		<b>X</b>		NOT IN a high or a very high fire hazard severity zone in SRA or LRA as identified by CAL FIRE.	
Wildland Fire Area		<b>X</b>		Not in a wildland-state responsibility area.	9
Fault		<b>X</b>		NOT IN an earthquake fault zone designated pursuant to the Alquist-Priolo Act.	10
Landslide			<b>X</b>	Map Not Available	10
Liquefaction			<b>X</b>	Map Not Available	10

<b>County-level NHD Determinations</b>	<b>IN</b>	<b>NOT IN</b>	<b>Map N/A*</b>	<b>Property is:</b>	<b>NHD Report page:</b>
Fault	<b>X</b>			IN a mapped area of low potential surface rupture due to faulting	12
Landslide		<b>X</b>		NOT IN a definite landslide, probable landslide, or questionable landslide deposit of more than 500 feet	12
Liquefaction	<b>X</b>			IN a mapped area of high or moderately high liquefaction potential	12
County Agricultural Resource Area		<b>X</b>		NOT WITHIN for County County Agricultural Resource Area hazard area.	12
County Timber Resource and Production		<b>X</b>		NOT ADJACENT TO a mapped "Timber Resource Area" and/or a designated "Timber Production Zone".	13
County Coastal Zone	<b>X</b>			IN Coastal Zone for County Coastal Zone hazard area.	14
Fire		<b>X</b>		NOT IN a mapped Critical Fire Hazard Area.	14

<b>City-level NHD Determinations</b>	<b>IN</b>	<b>NOT IN</b>	<b>Map N/A*</b>	<b>Property is:</b>	<b>NHD Report page:</b>
Tsunami	<b>X</b>			IN a mapped area of potential 5 to 10 Meter Tsunami Run-Up.	15
Fire		<b>X</b>		NOT IN a Fire Hazard Area of Extreme or High Fire Level.	15

<b>Additional Statutory Disclosures</b>	<b>IN</b>	<b>NOT IN</b>	<b>Map N/A*</b>	<b>Property is:</b>	<b>NHD Report page:</b>
Fire Hazard Severity Zone (AB 38) (Includes Local Inspection Contact Info)		<b>X</b>		NOT IN a mapped High or Very High Fire Hazard Severity Zone but local laws may require inspection and defensible space compliance	17
Local Vegetation Management Ordinance Inquiries			<b>X</b>	Applicable fire authority and email inquiry regarding the existence of a local vegetation management ordinance	19
Fire Hazard Severity Zone (SB 63) (Moderate, High or Very High in Local Responsibility Area)			<b>X</b>	Map Not Available – SB 63 fire zones not yet released by State Fire Marshal.	19
Former Military Ordnance		<b>X</b>		NOT WITHIN one mile of a formerly used ordnance site.	20
Commercial or Industrial	<b>X</b>			WITHIN one mile of a property zoned to allow commercial or industrial use.	20
Airport Influence Area		<b>X</b>		NOT IN an airport influence area.	22
Airport Noise Area for 65 Decibel		<b>X</b>		NOT IN a delineated 65 dB CNEL or greater aviation noise zone.	23
California Energy Commission	<b>X</b>			IN a climate zone where properties are usually subject to duct sealing and testing requirements	24
Right to Farm Act		<b>X</b>		NOT IN a one mile radius of designated Important Farmland.	25

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**Disclosure Report Summary Pages  
For SANTA CRUZ County**

**Property Address:** 120 TRINITY ST  
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("Property")

**APN:** 007-102-16-000  
**Report Date:** 04/24/2024  
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<b>Additional Statutory Disclosures</b>	<b>IN</b>	<b>NOT IN</b>	<b>Map N/A*</b>	<b>Property is:</b>	<b>NHD Report page:</b>
Notice of Mining Operations		<b>X</b>		NOT IN a one mile radius of a mapped mining operation that requires a statutory "Notice of Mining Operation" be provided in this Report:	26
Fire Hazard Severity Zone pursuant to Gov. Code §51179		<b>X</b>		NOT IN a Locally Modified FHSZ pursuant to California Government Code Section 51179	

<b>General Advisories</b>	<b>Description</b>	<b>NHD Report page:</b>
Registered Sex Offender Data Base (Megan's Law) Notice	Provides an advisory required pursuant to Section 290.46 of the Penal Code. Information about specified registered sex offenders is made available to the public.	27
Gas and Hazardous Liquid Transmission Pipeline Database Notice	Provides a notice required pursuant to Section 2079.10.5(a) of the Civil Code. Information about transmission pipeline location maps is made available to the public.	28
Methamphetamine Contamination	Provides an advisory that a disclosure may be required pursuant to the "Methamphetamine Contaminated Property Cleanup Act of 2005".	29
Mold	Provides an advisory that all prospective purchasers of residential and commercial property should thoroughly inspect the subject property for mold and sources for additional information on the origins of and the damage caused by mold.	30
Radon	Provides an advisory on the risk associated with Radon gas concentrations.	31
Endangered Species	Provides an advisory on resources to educate the public on locales of endangered or threatened species.	31
Abandoned Mines	Provides an advisory on resources to educate the public on the hazards posed by, and some of the general locales of, abandoned mines.	32
Oil and Gas Wells	Provides an advisory on the potential existence of oil and gas wells and sources for additional general and/or specific information.	32
Groundwater Basin	Provides an advisory about groundwater basins that may be prioritized for groundwater management.	33
Electromagnetic Fields Advisory	Provides an advisory about electromagnetic fields in the local environment and their assessment.	34
Tsunami Map Advisory	Provides an advisory about maximum tsunami inundation maps issued for jurisdictional emergency planning.	35

<b>Local Addenda</b>	<b>Description</b>	<b>Addenda</b>
Local Disclosure Regarding Plumbing Fixture Retrofit Regulations (City of Santa Cruz)	Provides an addendum regarding water conservation devices and seller duty to provide buyer with written City certification of compliance. BUYER/SELLER SIGNATURES REQUIRED.	A-1
Water Conservation Certification (City of Santa Cruz)	Provides a form for seller or agent to certify that all plumbing fixtures at the property meet the high efficiency standards. WITNESS/SELLER/AGENT SIGNATURES REQUIRED.	A-2
Summary of Plumbing Fixture Retrofit Ordinance (City of Santa Cruz) and Water Conservation Certificate Instructions	Provides an advisory explaining the ordinances (City of Santa Cruz Municipal Code Chapter 16.03; City of Capitola Municipal Code Chapter 13.02; and County Code Chapter 7.69) regulating the installation of high efficiency plumbing fixtures at the time of sale to obtain a Water Conservation Certificate.	A-3
City of Santa Cruz Residential Rental Inspection and Maintenance Disclosure	Provides an addendum on the City of Santa Cruz Residential Rental Inspection and Maintenance Disclosure	A-4
Santa Cruz Branch Rail Line Proximity	Notifies the buyer if the Property is within one-half mile of the Santa Cruz County Regional Transportation Commission's Santa Cruz Branch Rail Line.	A-5
Santa Cruz County Disclosures and Disclaimers Advisory	This form is intended for use with the California Association of REALTORS form "Statewide Buyer and Seller Advisory". BUYER/SELLER SIGNATURES REQUIRED.	A-6
Local Disclosure Regarding City of Santa Cruz Sewer Lateral Time of Sale Disclosure	Provides an addendum regarding The City of Santa Cruz City Council, in order to protect the environment and local waterways from bacteria-laden human waste coming from undetected sewer leaks or sanitary sewer spills, adopted changes to the Sanitary Sewer System Ordinance on June 26, 2018.	A-7

<b>Property Tax Determinations</b>	<b>IS</b>	<b>IS NOT</b>	<b>Property is:</b>	<b>Tax Report page:</b>
Mello-Roos Districts	<b>X</b>		SUBJECT TO one or more Mello-Roos Community Facilities Districts.	37
1915 Bond Act Districts		<b>X</b>	NOT SUBJECT TO a 1915 Bond Act District.	37

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<b>Property Tax Determinations</b>	<b>IS</b>	<b>IS NOT</b>	<b>Property is:</b>	<b>Tax Report page:</b>
PACE Contract Assessment		<b>X</b>	NOT SUBJECT TO a Property Assessed Clean Energy (PACE) Contract.	37
Other Direct Assessments	<b>X</b>		SUBJECT TO one or more other direct assessments.	39
SRA Fire Prevention Fee		<b>X</b>	NOT SUBJECT TO the State Responsibility Area Fire Prevention Fee (SRA Fee is suspended until 2031 by Assembly Bill 398 of 2017).	44

<b>Environmental Screening</b>	<b>IS</b>	<b>IS NOT</b>	<b>Property is:</b>	<b>Environmental Report page:</b>
Leaking Underground Storage Tanks	<b>X</b>		WITHIN one-quarter mile of a known leaking underground storage tank.	53
Superfund or RCRA Corrective Action Site		<b>X</b>	NOT WITHIN one mile of a Superfund or RCRA Corrective Action site.	52
Other sites in databases screened	<b>X</b>		WITHIN one-half mile of sites other than those above that are listed in the databases searched.	52
Oil and Gas Wells		<b>X</b>	NOT WITHIN one-quarter mile of a mapped oil or gas well(s).	48
Groundwater Basin Priority	<b>X</b>		IN a groundwater basin(s) the state classifies as "VERY LOW" Priority for monitoring. See discussion for additional details.	49
Underground Transmission Pipelines	<b>X</b>		WITHIN 2,000 feet of a gas transmission or hazardous liquid pipeline(s) depicted in the National Pipeline Mapping System.	50

Determined by First American Real Estate Disclosures Corporation

**For more detailed information as to the foregoing determinations, please read this entire Report.**

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