KENTUCKY REAL ESTATE COMMISSION

Public Protection Cabinet
Mayo-Underwood Building
500 Mero Street 2NE09
Frankfort, Kentucky 40601
(502) 564-7760

SELLER'S DISCLOSURE OF PROPERTY CONDITION

This form applies to **residential real estate sales and purchases**. This form is **not required** for:

1. Residential purchases of new construction homes if a warranty is provided;
2. Sales of real estate at auction; or
3. A court supervised foreclosure

As a Seller, you are asked to disclose what you know about the property you are selling. Your answers to the questions in this form must be based on the best of your knowledge of the property you are selling, however and whenever you gained that knowledge. Please take your time to answer these questions accurately and completely.

Property Address			
1526 Ky. Hwy. 36 W.			
City Cynthiana,	State KY	Zip 41031	

PURPOSE OF DISCLOSURE FORM: Completion of this form shall satisfy the requirements of KRS 324.360 that mandates the "seller's disclosure of conditions" relevant to the listed property. This disclosure is based on the Seller's knowledge of the property's condition and the improvements thereon, however that knowledge was gained. This disclosure form shall not be a warranty by the Seller or real estate agent and shall not be used as a substitute for an inspection or warranty that the purchaser may wish to obtain. This form is a statement of the conditions and other information about the property known by the Seller. Unless otherwise advised, the Seller does not possess any expertise in construction, architecture, engineering, or any other specific areas related to the construction or condition of the property or the improvements on it. Unless otherwise advised, the Seller has not conducted any inspection of generally inaccessible areas such as the foundation or roof. The Buyer is encouraged to obtain his or her own professional inspections of this property.

INSTRUCTIONS TO THE SELLER(S): (1) Answer every question truthfully. (2) Report all known conditions affecting the property, regardless of how you know about them or when you learned. (3) Attach additional pages, if necessary, with your signature and the date and time of signing. (4) Complete this form yourself or sign the authorization at the end of this form to authorize the real estate agent to complete this form on your behalf in accordance with KRS 324.360(9). (5) If an item does not apply to your property, mark "not applicable." (6) If you truthfully do not know the answer to a question, mark "unknown." (7) If you learn any fact prior to closing that changes one or more of your answers to this form after you have completed and submitted it, immediately notify your agent or any potential buyer of the change in writing.

SELLER'S DISCLOSURE: As Seller(s), I / we disclose the following information regarding the property. This information is true and accurate to the best of my / our knowledge as of the date signed. Seller(s) authorize(s) the real estate agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. The following information is not the representation of the real estate agent.

Answer all questions to the best of your knowledge. Attach additional sheets as necessary.

1. PRELIMINARY DISCLOSURES		N/A	YES	NO	UN-KNOWN
a.	Have you ever lived in the house?	☐	☐	☐	☐
b.	List the date (month / year) you purchased the house.				
c.	Do you own the property as (an) individual(s) or as representative(s) of a company?				
	Explain:				
d.	To the best of your knowledge, has the house been used as a rental?	☐	☐	☐	☐
e.	To the best of your knowledge, has this house ever been vacant (not lived-in) for more than three (3) consecutive months?	☐	☐	☐	☐
f.	To the best of your knowledge, has this house ever been used for anything other than a residence?	☐	☐	☐	☐
	Explain:				

Seller Initials _____ Date/Time _____ Buyer Initials _____ Date/Time _____

PROPERTY ADDRESS:

2. HOUSE SYSTEMS					
Whether or not they have been corrected, state whether there have been problems affecting:		N/A	YES	NO	UN-KNOWN
a. Plumbing		☐	☐	☐	☐
b. Electrical system		☐	☐	☐	☐
c. Appliances		☐	☐	☐	☐
d. Ceiling and attic fans		☐	☐	☐	☐
e. Security system		☐	☐	☐	☐
f. Sump pump		☐	☐	☐	☐
g. Chimneys, fireplaces, inserts		☐	☐	☐	☐
h. Pool, hot tub, sauna		☐	☐	☐	☐
i. Sprinkler system		☐	☐	☐	☐
j. Heating system	age of system:	☐	☐	☐	☐
k. Cooling/air conditioning system	age of system:	☐	☐	☐	☐
l. Water heater	age of system:	☐	☐	☐	☐
Please explain any deficiencies noted in this Section:					

3. BUILDING STRUCTURE	N/A	YES	NO	UN-KNOWN
a. Whether or not they have been corrected, state whether there have been problems affecting:				
1) The foundation or slab	☐	☐	☐	☐
2) The structure or exterior veneer	☐	☐	☐	☐
3) The floors and walls	☐	☐	☐	☐
4) The doors and windows	☐	☐	☐	☐
b. 1) To the best of your knowledge, has the basement ever leaked?	☐	☐	☐	☐
2) When was the last time the basement leaked?				
3) Have you ever had any repairs done to the basement?	☐	☐	☐	☐
4) If you have had basement leaks repaired, when was the repair done?				
5) If the basement presently leaks, how often does it leak? (e.g., every time it rains, only after an extremely heavy rain, etc.)				
Explain:				
h. Have you experienced, or are you aware of, any water or drainage problems in the crawl space?	☐	☐	☐	☐
i. Are you aware of any damage to wood due to moisture or rot?	☐	☐	☐	☐
j. Are you aware of any present or past wood infestation (e.g. termites, borers, carpenter ants, fungi, etc.)?	☐	☐	☐	☐
k. Are you aware of any damage due to wood infestation?	☐	☐	☐	☐
1) Has the house or any other improvement been treated for wood infestation?	☐	☐	☐	☐
2) If yes, by whom?				
3) Is there a warranty?				
Please explain any deficiencies noted in this Section:				

4. ROOF	N/A	YES	NO	UN-KNOWN
a. How old is the roof covering? (write the age of the roof if known)	☐	☐	☐	☐
b. Has the roof leaked at any time since you have owned or lived at the property?	☐	☐	☐	☐
c. To the best of your knowledge, has the roof leaked at any time before you owned or lived at the property?	☐	☐	☐	☐
d. When was the last time the roof leaked?				
e. Have you ever had any repairs done to the roof?	☐	☐	☐	☐

Seller Initials _____ Date/Time _____ Buyer Initials _____ Date/Time _____

PROPERTY ADDRESS:

f.	Have you ever had the roof replaced?	☐	☐	☐	☐
	If so, when?				
g.	If the roof presently leaks, how often does it leak? (e.g., every time it rains, only after an extremely heavy rain, etc.)				
	Explain:				
h.	Have you ever had roof repairs that involved placing shingles on the roof instead of replacing the entire roof covering? If so, when?	☐	☐	☐	☐
Please explain any deficiencies noted in this Section:					

5. LAND / DRAINAGE		**N/A**	**YES**	**NO**	**UN-KNOWN**
a.	Whether or not they have been corrected, state whether there have been problems affecting:				
	1) Soil stability	☐	☐	☐	☐
	2) Drainage, flooding, or grading	☐	☐	☐	☐
	3) Erosion	☐	☐	☐	☐
	4) Outbuildings or unattached structures	☐	☐	☐	☐
b.	Is the house located within a Special Flood Hazard Area (SFHA) mandating the purchase of flood insurance for federally backed mortgages?	☐	☐	☐	☐
	If so, what is the flood zone?				
c.	Is there a retention / detention basin, pond, lake, creek, spring, or water shed on or adjoining this property?	☐	☐	☐	☐
Please explain any deficiencies noted in this Section:					

6. BOUNDARIES		**N/A**	**YES**	**NO**	**UN-KNOWN**
a.	Have you ever had a staked or pinned survey of the property performed?	☐	☐	☐	☐
b.	Are you in possession of a copy of any survey of the property?	☐	☐	☐	☐
c.	Are the boundaries marked in any way?	☐	☐	☐	☐
	Explain:				
d.	Do you know the boundaries?	☐	☐	☐	☐
	Explain:				
e.	Are there any encroachments or unrecorded easements relating to the property?	☐	☐	☐	☐
	Explain:				

7. WATER		**N/A**	**YES**	**NO**	**UN-KNOWN**
a.	Source of water supply:				
b.	Are you aware of below normal water supply or water pressure?	☐	☐	☐	☐
c.	Has your water ever been tested? If so, attach the results or explain.	☐	☐	☐	☐
	Explain:				

8. SEWER SYSTEM		**N/A**	**YES**	**NO**	**UN-KNOWN**
a.	Property is serviced by:				
	1. Category I: Public Municipal Treatment Facility	☐	☐	☐	☐
	2. Category II: Private Treatment Facility	☐	☐	☐	☐
	3. Category III: Subdivision Package Plant	☐	☐	☐	☐
	4. Category IV: Single Home Aerobic Treatment System (HOME PACKAGE PLANT)	☐	☐	☐	☐
	5. Category V: Septic Tank with drain field, lagoon, wetland, or other onsite dispersal	☐	☐	☐	☐
	6. Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system	☐	☐	☐	☐
	7. Category VII: No Treatment/Unknown	☐	☐	☐	☐
	Name of Servicer:				
b.	For properties with Category IV, V, or VI systems				
	Date of last inspection (sewer):				
	Date of last inspection (septic): Date last cleaned (septic):				
c.	Are you aware of any problems with the sewer system?	☐	☐	☐	☐
Please explain any deficiencies noted in this Section:					

Seller Initials _____ Date/Time _____ Buyer Initials _____ Date/Time _____

PROPERTY ADDRESS:

		N/A	YES	NO	UN-KNOWN
9. CONSTRUCTION / REMODELING					
a.	Have there been any additions, structural modifications, or other alterations made?	☐	☐	☐	☒
b.	If so, were all necessary permits and government approvals obtained?	☐	☐	☐	☐
	Explain:				
10. HOMEOWNER'S ASSOCIATION (HOA)		N/A	YES	NO	UN-KNOWN
a.	1) Is the property subject to rules or regulations of a HOA?	☐	☐	☐	☐
	2) If yes, what is the yearly assessment?				
	3) HOA Name:				
	HOA Primary Contact Name:				
	HOA Primary Contact Phone No.:				
b.	Is the property a condominium?	☐	☐	☐	☐
	If yes, you must also complete KREC Form 404, the Condominium Seller's Certificate				
c.	Are you aware of any condition that may result in an increase in taxes or assessments?	☐	☐	☐	☒
d.	Are any features of the property shared in common with adjoining landowners, such as walls, fences, driveways, etc.?	☐	☐	☐	☐
e.	Are there any pet or rental restrictions?	☐	☐	☐	☒
	Explain:				
11. HAZARDOUS CONDITIONS		N/A	YES	NO	UN-KNOWN
a.	Are you aware of any underground storage tanks, old septic tanks, field lines, cisterns, or abandoned wells on the property?	☐	☐	☐	☒
b.	Are you aware of any other environmental hazards? (e.g., carbon monoxide, hazardous waste, water contamination, asbestos, the use of urea formaldehyde, etc.)	☐	☐	☐	☒
LEAD BASED PAINT DISCLOSURE REQUIREMENT					
Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint, which may cause certain health risks.					
c.	Was this house built before 1978?	☐	☐	☐	☐
d.	Are you aware of the existence of lead-based paint in or on this house?	☐	☐	☐	☐
RADON DISCLOSURE REQUIREMENT					
Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks, including lung cancer. The Kentucky Department for Public Health recommends radon testing. For more information, visit chfs.ky.gov and search "radon."					
e.	1) Are you aware of any testing for radon gas?	☐	☐	☐	☐
	2) If yes, what were the results?	☐	☐	☐	☐
f.	1) Is there a radon mitigation system installed?	☐	☐	☐	☐
	2) If yes, is it functioning properly?	☐	☐	☐	☐
METHAMPHETAMINE CONTAMINATION DISCLOSURE REQUIREMENT					
A property owner who chooses NOT to decontaminate a property used in the production of methamphetamine MUST make written disclosure of methamphetamine contamination pursuant to KRS 224.1-410(10) and 902 KAR 47:200. Failure to properly disclose methamphetamine contamination is a Class D Felony under KRS 224.99-010.					
g.	1) Is the property currently contaminated by the production of methamphetamine?	☐	☐	☐	☐
	2) If no, has the property been professionally decontaminated from methamphetamine contamination?	☐	☐	☐	☐
	Explain:				
12. MISCELLANEOUS		N/A	YES	NO	UN-KNOWN
a.	Are you aware of any existing or threatened legal action affecting this property?	☐	☐	☐	☐
b.	Are there any assessments other than property assessments that apply to this property (e.g. sewer assessments)?	☐	☐	☐	☐
c.	Are you aware of any violations of local, state, or federal laws, codes, or ordinances relating to this property?	☐	☐	☐	☐
d.	Are there any warranties to be passed on?	☐	☐	☐	☐

X _____ Seller Initials _____ Date/Time _____ Buyer Initials _____ Date/Time

PROPERTY ADDRESS:

Explain:				
e. Has this house ever been damaged by fire or other disaster?	☐	☐	☐	☐
Explain:	☐	☐	☐	☐
f. Are you aware of the existence of mold or other fungi on the property?	☐	☐	☐	☐
g. Has this house ever had pets living in it?	☐	☐	☐	☐
Explain:				
h. Is this house in a historic district or listed on any registry of historic places?	☐	☐	☐	☐

13. ADDITIONAL INFORMATION

	N/A	YES	NO	UN-KNOWN
Do you know anything else about the property that that should be disclosed to the Buyer?	☐	☐	☐	☐

If yes, please provide details in the space provided, below. Attach additional sheets, as necessary.

Appointed Executrix of the Estate;
Never lived in this property.
Was told roof and gutters installed 2 yrs.
Ago approximately.

14. SELLER(S) CERTIFICATION (CHOOSE ONE)

☐ **As Seller(s) I / we hereby certify that the information disclosed above is complete and accurate to the best of my / our knowledge and belief. I / we agree to immediately notify Buyer in writing of any changes that become known to me / us prior to closing.**

Seller Signature	Date	Seller Signature	Date
X Caroline Kimbrough Executrix		X	

☐ **As Seller(s) I / we hereby certify that my / our Real Estate Agent, _____ (print name) has completed this form with information provided by me / us at my / our direction and request. I / we further agree to hold the above-named agent harmless for any representations that appear on this form, in accordance with KRS 324.360(9).**

Seller Signature	Date	Seller Signature	Date
X		X	

☐ **As Seller(s) I / we refuse to complete this form and acknowledge that the Real Estate Agent will so inform the Buyer.**

Seller Signature	Date	Seller Signature	Date
X		X	

☐ **The Seller(s) refuse(s) to complete this form or to acknowledge such refusal.**

Broker / Agent Print Name	Broker / Agent Signature	Date
	X	

The Buyer(s) hereby certifies they have received a copy of this Seller's Disclosure of Property form

Buyer Signature	Date	Buyer Signature	Date
X		X	

X [signature] Seller Initials _____ Date/Time _____ Buyer Initials _____ Date/Time