

DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date _____
2. Page 1 of _____ pages: RECORDS AND
3. REPORTS, IF ANY, ARE ATTACHED AND MADE A
4. PART OF THIS DISCLOSURE.

5. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

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49. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

50. Property located at _____.

51. (7) Is the Property located on a public or a private road? Public Private Public: no maintenance

52. (8) **Flood Insurance:** All properties in the state of Minnesota have been assigned a flood zone designation. Some flood zones may require flood insurance.

53. (a) Do you know which zone the Property is located in? Yes No

54. If "Yes," which zone? _____

55. (b) Have you ever had a flood insurance policy? Yes No

56. If "Yes," is the policy in force? Yes No

57. If "Yes," what is the annual premium? \$ _____

58. If "Yes," who is the insurance carrier? _____

59. (c) Have you ever had a claim with a flood insurance carrier or FEMA? Yes No

60. If "Yes," please explain: _____

61. _____

62. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood insurance premiums are increasing, and in some cases will rise by a substantial amount over the premiums previously charged for flood insurance for the Property. As a result, Buyer should not rely on the premiums paid for flood insurance on this Property previously as an indication of the premiums that will apply after Buyer completes their purchase.

63. Are there any

64. (9) homeowners associations or shared amenities? Yes No

65. (10) encroachments? Yes No

66. (11) covenants, historical registry, reservations, or restrictions, that affect or may affect the use or future resale of the Property? Yes No

67. (12) governmental requirements or restrictions that affect or may affect the use or future enjoyment of the Property (e.g., shoreland restrictions, non-conforming use, etc.)? Yes No

68. (13) easements, other than utility or drainage easements? Yes No

69. (14) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:

70. _____

71. _____

72. **B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they currently exist on the Property?

73. (ANSWERS APPLY TO ALL STRUCTURES, SUCH AS GARAGE AND OUTBUILDINGS.)

74. (1) Has there been any damage by wind, fire, flood, hail, or other cause(s)? Yes No

75. If "Yes," give details of what happened and when: _____

76. _____

77. (2) Have you ever had an insurance claim(s) related to the Property? Yes No

78. If "Yes," what was the claim(s) for (e.g., hail damage to roof)? _____

79. _____

80. Did you receive compensation for the claim(s)? Yes No

81. Did you have the items repaired? Yes No

82. What dates did the claim(s) occur? _____

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92. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

93. Property located at _____.

94. (3) (a) Has/Have the structure(s) been altered?

(e.g., additions, altered roof lines, changes to load-bearing walls)

Yes

No

95. If "Yes," please specify what was done, when, and by whom (owner or contractor):
96. _____

97. _____

98. _____

99. (b) Has any work been performed on the Property? (e.g., additions to the
100. Property, wiring, plumbing, retaining wall, general finishing)

Yes

No

101. If "Yes," please explain: _____

102. _____

103. (c) Are you aware of any work performed on the Property for which
104. appropriate permits were not obtained?

Yes

No

105. If "Yes," please explain: _____

106. _____

107. (4) Are you aware of any professional remediation efforts to eliminate odors?

Yes

No

108. If "Yes," give details as to what happened and when: _____

109. _____

110. (5) Has there been any damage to flooring or floor covering?

Yes

No

111. If "Yes," give details of what happened and when: _____

112. _____

113. (6) Do you have or have you previously had any pets?

Yes

No

114. If "Yes," indicate type _____ and number _____.

115. (7) **THE FOUNDATION:** The type of foundation is (i.e., block, poured, wood, stone, other):
116. _____

117. (8) **THE BASEMENT, CRAWLSPACE, SLAB:**

118. (a) cracked floor/walls? Yes No (e) leakage/seepage? Yes No

119. (b) drain tile problem? Yes No (f) sewer backup? Yes No

120. (c) flooding? Yes No (g) wet floors/walls? Yes No

121. (d) foundation problem? Yes No (h) other? _____ Yes No

122. Give details to any questions answered "Yes": _____

123. _____

124. _____

125. (9) **THE ROOF:**

126. (a) What is the age of the roofing material?

127. Home: _____ years Garage(s)/Outbuilding(s): _____ years

128. (b) Has there been any interior or exterior damage? Yes No

129. (c) Has there been interior damage from ice buildup? Yes No

130. (d) Has there been any leakage? Yes No

131. (e) Have there been any repairs or replacements made to the roof? Yes No

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133. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

134. Property located at _____.

135. Give details to any questions answered "Yes": _____

136. _____

137. (10) **THE EXTERIOR AND INTERIOR WALLS/SIDING/WINDOWS:**

138. (a) The type(s) of siding is (e.g., vinyl, stucco, brick, other): _____

139. (b) cracks/damage? Yes No

140. (c) leakage/seepage? Yes No

141. (d) other? Yes No

142. Give details to any questions answered "Yes": _____

143. _____

144. **C. APPLIANCES, HEATING, PLUMBING, ELECTRICAL, AND OTHER MECHANICAL SYSTEMS:**

NOTE: Check "NA" if the item is not physically located on the Property. Check "Yes" for items in working condition. Check "No" for items not in working condition. Working order means all components of the items specified below.

		Working Order			Working Order		
		NA	Yes	No	NA	Yes	No
151.	Air-conditioning.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pool and equipment	<input type="checkbox"/>	<input type="checkbox"/>
152.	<input type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window				Propane tank	<input type="checkbox"/>	<input type="checkbox"/>
153.	Air exchange system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
154.	Carbon monoxide detector	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Range/oven.....	<input type="checkbox"/>	<input type="checkbox"/>
155.	Ceiling fan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Range hood	<input type="checkbox"/>	<input type="checkbox"/>
156.	Central vacuum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator	<input type="checkbox"/>	<input type="checkbox"/>
157.	Clothes dryer.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Security system	<input type="checkbox"/>	<input type="checkbox"/>
158.	Clothes washer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
159.	Dishwasher.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery)	<input type="checkbox"/>	<input type="checkbox"/>
160.	Doorbell.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired).....	<input type="checkbox"/>	<input type="checkbox"/>
161.	Drain tile system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solar collectors	<input type="checkbox"/>	<input type="checkbox"/>
162.	Electrical system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sump pump	<input type="checkbox"/>	<input type="checkbox"/>
163.	Environmental remediation system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms	<input type="checkbox"/>	<input type="checkbox"/>
164.	(e.g., radon, vapor intrusion)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Trash compactor.....	<input type="checkbox"/>	<input type="checkbox"/>
165.	Exhaust system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV antenna system	<input type="checkbox"/>	<input type="checkbox"/>
166.	Fire sprinkler system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV cable system	<input type="checkbox"/>	<input type="checkbox"/>
167.	Fireplace.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV receiver	<input type="checkbox"/>	<input type="checkbox"/>
168.	Fireplace mechanisms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite dish.....	<input type="checkbox"/>	<input type="checkbox"/>
169.	Freezer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
170.	Furnace humidifier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water heater	<input type="checkbox"/>	<input type="checkbox"/>
171.	Garage door auto reverse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water purification system	<input type="checkbox"/>	<input type="checkbox"/>
172.	Garage door opener.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
173.	Garage door opener remote.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water softener	<input type="checkbox"/>	<input type="checkbox"/>
174.	Garbage disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water treatment system.....	<input type="checkbox"/>	<input type="checkbox"/>
175.	Heating system (central).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
176.	Heating system (supplemental).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Windows	<input type="checkbox"/>	<input type="checkbox"/>
177.	Incinerator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Window treatments.....	<input type="checkbox"/>	<input type="checkbox"/>
178.	Intercom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wood-burning stove	<input type="checkbox"/>	<input type="checkbox"/>
179.	In-ground pet containment system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____	<input type="checkbox"/>	<input type="checkbox"/>
180.	Lawn sprinkler system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____	<input type="checkbox"/>	<input type="checkbox"/>
181.	Microwave.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____	<input type="checkbox"/>	<input type="checkbox"/>
182.	Plumbing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____	<input type="checkbox"/>	<input type="checkbox"/>

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184. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

185. Property located at _____.

186. Are there any items or systems on the Property connected or controlled wirelessly,

187. via internet protocol ("IP"), to a router or gateway or directly to the cloud?

Yes

No

188. Comments regarding issues in Section C: _____

189. _____

190. D. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:

191. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) (Check appropriate box.)

192. Seller **DOES** **DOES NOT** know of a subsurface sewage treatment system on or serving the above-described
-----*(Check one.)-----*

193. real Property. (If answer is **DOES**, and the system does not require a state permit, see *Disclosure Statement: Subsurface Sewage Treatment System.*)

194. There is an abandoned subsurface sewage treatment system on the above-described real Property.

195. (See *Disclosure Statement: Subsurface Sewage Treatment System.*)

196. E. PRIVATE WELL DISCLOSURE: (A well disclosure and Certificate are required by MN Statute 103I.235.)

197. (Check appropriate box(es).)

198. Seller does not know of any wells on the above-described real Property.

199. There are one or more wells located on the above-described real Property. (See *Disclosure Statement: Well.*)

200. This Property is in a Special Well Construction Area.

201. There are wells serving the above-described Property that are not located on the Property.

202. (1) How many properties or residences does the shared well serve? _____

203. (2) Is there a maintenance agreement for the shared well?

Yes

No

204. If "Yes," what is the annual maintenance fee? \$_____

205. F. PROPERTY TAX TREATMENT:

Preferential Property Tax Treatment

206. Is the Property subject to any preferential property tax status or any other credits
affecting the Property? (e.g., Disabled Veterans' Benefits, Disability, Green Acres,

207. Non-Profit Status, RIM, Rural Preserve, etc.)

Yes

No

208. If "Yes," would these terminate upon the sale of the Property?

Yes

No

209. Explain: _____

210. _____

211. G. NOTICES/SPECIAL ASSESSMENTS:

212. The following questions are to be answered to the best of Seller's knowledge.

213. Seller **HAS** **HAS NOT** received a notice regarding any proposed, ongoing, or completed improvement
-----*(Check one.)-----*

214. project from any assessing authorities, the cost of which may be assessed, or is currently assessed, against the

215. Property. If "HAS", please attach and/or explain:

216. _____

217. _____

218. _____

219. _____

220. _____

221. _____

222. H. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"): Section 1445 of the Internal Revenue Code

223. provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must
224. withhold tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.

225. Seller represents that Seller **IS** **IS NOT** a foreign person (i.e., a non-resident alien individual, foreign corporation,
-----*(Check one.)-----*

226. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall

227. survive the closing of any transaction involving the Property described here.

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229. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

230. Property located at _____.

231. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.

232. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal Revenue Code.

233. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility for withholding the applicable tax, Buyer and Seller should **seek appropriate legal and tax advice regarding FIRPTA compliance, as the respective licensees representing or assisting either party will be unable to assure either party whether the transaction is exempt from the FIRPTA withholding requirements.**

241. I. METHAMPHETAMINE PRODUCTION DISCLOSURE:

242. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

243. Seller is not aware of any methamphetamine production that has occurred on the Property.

244. Seller is aware that methamphetamine production has occurred on the Property.

245. (See Disclosure Statement: Methamphetamine Production.)

246. **J. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The Property may be in or near an airport safety zone with zoning regulations adopted by the governing body that may affect the Property. Such zoning regulations are filed with the county recorder in each county where the zoned area is located. If you would like to determine if such zoning regulations affect the Property, you should contact the county recorder where the zoned area is located.

251. **K. NOTICE REGARDING CARBON MONOXIDE DETECTORS:** MN Statute 299F.51 requires Carbon Monoxide Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not be personal property and may or may not be included in the sale of the home.

254. L. CEMETERY ACT:

255. The following questions are to be answered to the best of Seller's knowledge. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal remains or human burial grounds is guilty of a felony.

258. Are you aware of any human remains, burials, or cemeteries located on the Property? Yes No

259. If "Yes," please explain: _____

260. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN Statute 307.08, Subd. 7.

263. **M. ENVIRONMENTAL CONCERN:** To your knowledge, have any of the following previously existed or do they currently exist on the Property?

265. (1) Animal/Insect/Pest Infestation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	(6) Lead? (e.g., paint, plumbing)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
266. (2) Asbestos?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	(7) Mold?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
267. (3) Diseased trees?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	(8) Soil problems?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
268. (4) Formaldehyde?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	(9) Underground storage tanks?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
269. (5) Hazardous waste/substances?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	(10) Vapor intrusion?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

270. (11) Other? _____ Yes No

271. (12) Have you ever been contacted or received any information from any governmental authority pertaining to possible or actual environmental contamination (e.g., vapor intrusion, drinking water, and/or soil contamination, etc.) affecting the Property? Yes No

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275. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

276. Property located at _____.

277. (13) Are you aware if there are currently, or have previously been, any orders issued
278. on the Property by any governmental authority ordering the remediation of a
279. public health nuisance on the Property? Yes No

280. If answer above is "Yes," all orders HAVE HAVE NOT been vacated.
-----*(Check one.)*-----

281. (14) Please provide clarification or further explanation for all applicable "Yes" responses in Section M.

282. _____

283. _____

284. _____

285. _____

286. N. RADON DISCLOSURE: (The following Seller disclosure satisfies MN Statute 144.496.)

287. **RADON WARNING STATEMENT:** The Minnesota Department of Health strongly recommends that ALL
288. homebuyers have an indoor radon test performed prior to purchase or taking occupancy, and recommends
289. having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can
290. easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

291. Every buyer of any interest in residential real property is notified that the property may present exposure to
292. dangerous levels of indoor radon gas that may place occupants at risk of developing radon-induced lung cancer.
293. Radon, a Class A human carcinogen, is the leading cause of lung cancer in non-smokers and the second leading
294. cause overall. The seller of any interest in residential real property is required to provide the buyer with any
295. information on radon test results of the dwelling.

296. **RADON IN REAL ESTATE:** By signing this Statement, Buyer hereby acknowledges receipt of the Minnesota
297. Department of Health's publication entitled ***Radon in Real Estate Transactions***, which is attached hereto and
298. can be found at www.health.state.mn.us/communities/environment/air/radon/radonre.html.

299. A seller who fails to disclose the information required under MN Statute 144.496, and is aware of material facts
300. pertaining to radon concentrations in the Property, is liable to the Buyer. A buyer who is injured by a violation of MN
301. Statute 144.496 may bring a civil action and recover damages and receive other equitable relief as determined by
302. the court. Any such action must be commenced within two years after the date on which the buyer closed the
303. purchase or transfer of the real Property.

304. **SELLER'S REPRESENTATIONS:** The following are representations made by Seller to the extent of Seller's actual
305. knowledge.

306. (a) Radon test(s) HAVE HAVE NOT occurred on the Property.
-----*(Check one.)*-----

307. (b) Describe any known radon concentrations, mitigation, or remediation. **NOTE:** Seller shall attach the most
308. current records and reports pertaining to radon concentration within the dwelling:
309. _____

310. _____

312. (c) There IS IS NOT a radon mitigation system currently installed on the Property.
-----*(Check one.)*-----

312. If "IS," Seller shall disclose, if known, information regarding the radon mitigation system, including system
313. description and documentation.

314. _____

315. _____

316. **EXCEPTIONS:** See Section S for exceptions to this disclosure requirement.

317. **O. CHRONIC WASTING DISEASE IN CERVIDAE:** (The following Seller disclosure satisfies MN Statute 35.155, Subd. 11(d).)

318. Has Chronic Wasting Disease been detected on the Property?

319. If Yes, see *Disclosure Statement: Chronic Wasting Disease*.

YES NO

-----*(Check one.)*-----

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321. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

322. Property located at _____.

323. **P. OTHER DEFECTS/MATERIAL FACTS/ADDITIONAL COMMENTS:** Are there any other material facts that could
324. adversely and significantly affect an ordinary buyer's use or enjoyment of the Property or any intended use of the

325. Property? Yes No. If "Yes," explain: _____

326. _____

327. _____

328. _____

329. _____

330. _____

331. _____

332. _____

333. **Q. WATER INTRUSION AND MOLD GROWTH:** Studies have shown that various forms of water intrusion affect
334. many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture
335. leaving the home.

336. Examples of exterior moisture sources may be:

- 337. • improper flashing around windows and doors,
- 338. • improper grading,
- 339. • flooding,
- 340. • roof leaks.

341. Examples of interior moisture sources may be:

- 342. • plumbing leaks,
- 343. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
- 344. • overflow from tubs, sinks, or toilets,
- 345. • firewood stored indoors,
- 346. • humidifier use,
- 347. • inadequate venting of kitchen and bath humidity,
- 348. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
- 349. • line-drying laundry indoors,
- 350. • houseplants—watering them can generate large amounts of moisture.

351. In addition to the possible structural damage water intrusion may do to the Property, water intrusion may also result
352. in the growth of mold, mildew, and other fungi. Mold growth may also cause structural damage to the Property.
353. Therefore, it is very important to detect and remediate water intrusion problems.

354. Fungi are present everywhere in our environment, both indoors and outdoors. Many molds are beneficial to
355. humans. However, molds have the ability to produce mycotoxins that may have a potential to cause serious
356. health problems, particularly in some immunocompromised individuals and people who have asthma or allergies
357. to mold.

358. To complicate matters, mold growth is often difficult to detect, as it frequently grows within the wall structure. If you
359. have a concern about water intrusion or the resulting mold/mildew/fungi growth, you may want to consider having the
360. Property inspected for moisture problems before entering into a purchase agreement or as a condition of your
361. purchase agreement. Such an analysis is particularly advisable if you observe staining or musty odors on the
362. Property.

363. **R. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory
364. offender registry and persons registered with the predatory offender registry under MN Statute 243.166
365. may be obtained by contacting the local law enforcement offices in the community where the property
366. is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of
367. Corrections web site at <https://coms.doc.state.mn.us/publicregistrantsearch>.

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369. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

370. Property located at _____.

371. S. MN STATUTES 513.52 THROUGH 513.60: SELLER'S MATERIAL FACT DISCLOSURE:

372. **Exceptions:** The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to
373. (1) real property that is not residential real property;
374. (2) a gratuitous transfer;
375. (3) a transfer pursuant to a court order;
376. (4) a transfer to a government or governmental agency;
377. (5) a transfer by foreclosure or deed in lieu of foreclosure;
378. (6) a transfer to heirs or devisees of a decedent;
379. (7) a transfer from a co-tenant to one or more other co-tenants;
380. (8) a transfer made to a spouse, parent, grandparent, child, or grandchild of Seller;
381. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property
382. agreement incidental to that decree;
383. (10) a transfer of newly constructed residential property that has not been inhabited;
384. (11) an option to purchase a unit in a common interest community, until exercised;
385. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with
386. respect to a declarant under section 515B.1-103, clause (2);
387. (13) a transfer to a tenant who is in possession of the residential real property; or
388. (14) a transfer of special declarant rights under section 515B.3-104.

389. MN STATUTES 144.496: RADON AWARENESS ACT

390. The seller disclosure requirements of MN Statute 144.496 DO NOT apply to (1)-(9) and (11)-(14) above. Sellers
391. of newly constructed residential property must comply with the disclosure requirements of MN Statute 144.496.

392. **Waiver:** The written disclosure required under sections 513.52 to 513.60 may be waived if Seller and the
393. prospective Buyer agree in writing. Waiver of the disclosure required under sections 513.52 to 513.60 does not
394. waive, limit, or abridge any obligation for seller disclosure created by any other law.

395. **No Duty to Disclose:**

396. (A) There is no duty to disclose the fact that the Property
397. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
398. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
399. (2) was the site of a suicide, accidental death, natural death, or perceived paranormal activity; or
400. (3) is located in a neighborhood containing any adult family home, community-based residential facility, or
401. nursing home.

402. (B) **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to
403. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely
404. manner, provides a written notice that information about the predatory offender registry and persons
405. registered with the registry may be obtained by contacting the local law enforcement agency where the
406. property is located or the Department of Corrections.

407. (C) The provisions in paragraphs (A) and (B) do not create a duty to disclose any facts described in paragraphs
408. (A) and (B) for property that is not residential property.

409. (D) **Inspections.**

410. (1) Except as provided in paragraph (2), Seller is not required to disclose information relating to the real
411. Property if a written report that discloses the information has been prepared by a qualified third party
412. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a
413. federal, state, or local governmental agency, or any person whom Seller or prospective buyer reasonably
414. believes has the expertise necessary to meet the industry standards of practice for the type of inspection
415. or investigation that has been conducted by the third party in order to prepare the written report.

416. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any
417. information included in a written report under paragraph (1) if a copy of the report is provided to Seller.

**DISCLOSURE STATEMENT: SELLER'S
PROPERTY DISCLOSURE STATEMENT**

418. Page 10

419. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

420. Property located at _____.

421. T. ADDITIONAL COMMENTS: _____

422. _____

423. _____

424. _____

425. _____

426. _____

427. _____

428. _____

429. U. SELLER'S STATEMENT:

(To be signed at time of listing.)

430. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity in connection with any actual or anticipated sale of the Property. A seller may provide this Disclosure Statement to a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real estate licensee representing or assisting a prospective buyer is considered to have been provided to the prospective buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective buyer, the real estate licensee must provide a copy to the prospective buyer.

431. **Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed here (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or enjoyment of the Property or any intended use of the Property that occur up to the time of closing.**
432. To disclose new or changed facts, please use the *Amendment to Disclosure Statement* form.

442. _____
(Seller) _____ (Date) _____ (Seller) _____ (Date)

443. V. BUYER'S ACKNOWLEDGEMENT:

(To be signed at time of purchase agreement.)

444. I/We, the Buyer(s) of the Property, acknowledge receipt of this *Seller's Property Disclosure Statement* and agree that no representations regarding facts have been made other than those made above. This Disclosure Statement is not a warranty or a guarantee of any kind by Seller or licensee(s) representing or assisting any party in the transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

445. The information disclosed is given to the best of Seller's knowledge.

450. _____
(Buyer) _____ (Date) _____ (Buyer) _____ (Date)

451. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE
452. NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**

MN:DS:SPDS-10 (8/25)



Radon in Real Estate Transactions

All Minnesota homes can have dangerous levels of radon gas. Radon is a colorless and odorless gas that comes from the soil. The gas can accumulate in the home. When inhaled, its radioactive particles can damage the lungs. Long-term exposure to radon can lead to lung cancer. About 21,000 lung cancer deaths each year in the United States are caused by radon.

The only way to know how much radon gas has entered the home is to conduct a radon test. MDH estimates 2 in 5 homes exceed the 4.0 pCi/L (picocuries per liter) action level. Whether a home is old or new, any home can have high levels of radon.

The purpose of this publication is to educate and inform potential home buyers of the risks of radon exposure, and how to test for and reduce radon as part of real estate transactions.

Disclosure Requirements

Effective January 1, 2014, the Minnesota Radon Awareness Act requires specific disclosure and education be provided to potential home buyers during residential real estate transactions in Minnesota.

Before signing a purchase agreement to sell or transfer residential real property, the seller shall provide this publication and shall disclose in writing to the buyer:

- 1. whether a radon test or tests have occurred on the property**
- 2. the most current records and reports pertaining to radon concentrations within the dwelling**
- 3. a description of any radon levels, mitigation, or remediation**
- 4. information on the radon mitigation system, if a system was installed**
- 5. a radon warning statement**

Radon Facts

How dangerous is radon? Radon is the number one cause of lung cancer in nonsmokers, and the second leading cause overall. Your risk for lung cancer increases with higher levels of radon, prolonged exposure, and whether or not you are a current smoker or former smoker.

Where is your greatest exposure to radon? For most Minnesotans, your greatest exposure is at home where radon can concentrate indoors.

What is the recommended action based on my results? If the average radon in the home is at or above 4.0 pCi/L, the home's radon level should be reduced. Also, consider mitigating if radon levels are between 2.0 pCi/L and 3.9 pCi/L. Any amount of radon, even below the recommended action level, carries some risk. A home's radon levels may change in the future, so test every 2–5 years, or sooner if there is major remodeling or changes to the foundation, heating, cooling, or ventilation.

Radon Warning Statement

"The Minnesota Department of Health strongly recommends that ALL home buyers have an indoor radon test performed prior to purchase or taking occupancy, and recommends having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

Every buyer of any interest in residential real property is notified that the property may present exposure to dangerous levels of indoor radon gas that may place the occupants at risk of developing radon-induced lung cancer. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second leading cause overall. The seller of any interest in residential real property is required to provide the buyer with any information on radon test results of the dwelling."

Radon Testing

Any test lasting less than three months requires **closed-house conditions**. Closed-house conditions include keeping all windows and doors closed, except for normal entry and exit, and temperature set to 65 – 80 °F. For a full list of closed-house conditions please visit mn.gov/radon/notice.

Before testing: Begin closed-house conditions at least 12 hours before the start of the radon test.

During testing: Maintain closed-house conditions during the entire duration of the short-term test. Operate home heating or cooling systems normally during the test.

Where should the test be conducted? Any radon test conducted for a real estate transaction needs to be placed in the lowest livable area of the home suitable for occupancy. This is typically in the basement, whether finished or unfinished. If other foundations are present, such as a crawl space or slab on grade, also test the rooms above these foundations.

Place the test kit:

- 20 inches to 6 feet above the floor
- 3 feet from exterior doors and windows
- 1 foot from exterior walls
- away from heat sources and drafts caused by vents and fans
- not in enclosed areas or areas of high heat/humidity

How are radon tests conducted in real estate transactions?

There are special protocols for radon testing in real estate transactions. Because these tests are time-sensitive there are two testing options. For both tests, test for a minimum of 2 days.

Continuous Radon Monitor (CRM)

MDH recommends CRMs in real estate testing. CRMs are calibrated, provide more data, and may detect tampering. The average of the results are used to make a decision to mitigate.

Simultaneous Short-Term Testing

Two short-term test kits are placed side by side, 4" – 8" apart. The results of the two tests are averaged and used to make a decision to mitigate.

Radon Mitigation

When elevated levels of radon are found, they can be easily reduced by a licensed professional.

Radon mitigation is the process or system used to reduce radon concentrations in the breathing zones of occupied buildings. The goal of a radon mitigation system is to reduce the indoor radon levels to below the action level. This is done by drawing soil gas from under the house and venting it above the roof. A quality mitigation system is often able to reduce the annual average radon level to below 2.0 pCi/L. The cost of a radon mitigation system averages \$1,500 to \$3,000.

After a radon mitigation system is installed perform an independent short-term test to ensure the reduction system is effective. Operate the radon system during the entire test. This short-term test will confirm low levels in the home. Be sure to retest the house every two years to confirm continued radon reduction.

All radon testing and mitigation should be conducted by licensed radon professionals. Radon service providers, such as home inspectors, must be licensed. A list of these licensed radon professionals can be found at MDH's radon web site. MDH conducts free inspections, upon request, of recently installed radon mitigation systems, to check that they meet requirements.

More Radon Information

www.mn.gov/radon

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MDH Indoor Air Unit

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Contact Information

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