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.**

6. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
7. Under Minnesota law, sellers of residential property, with limited exceptions listed on page nine (9), are obligated to
8. disclose to prospective buyers all material facts of which Seller is aware that could adversely and significantly affect
9. an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
10. MN Statute 513.58 requires Seller to notify buyer in writing as soon as reasonably possible, but in any event before
11. closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing,
12. of any facts disclosed here (new or changed) of which Seller is aware that could adversely and significantly affect the
13. Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing.
14. Seller has disclosure alternatives allowed by MN Statutes. See *Disclosure Statement: Seller's Disclosure Alternatives*
15. form for further information regarding disclosure alternatives. **This disclosure is not a warranty or a guarantee of any**
16. **kind by Seller or licensee(s) representing or assisting any party in the transaction and is not a substitute for**
17. **any inspections or warranties the party(ies) may wish to obtain.**

18. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:

19. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a
20. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103,
21. clause (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.

22. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in
23. residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase, or any
24. other option.

25. **INSTRUCTIONS TO BUYER:** Buyers are encouraged to thoroughly inspect the property personally or have it
26. inspected by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers "NO" to any of
27. the questions listed below, it does not necessarily mean that it does not exist on the property, did not occur, or does
28. not apply. "NO" may mean that Seller is unaware.

29. **INSTRUCTIONS TO SELLER:** (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or
30. inspection report(s) when completing this form. (3) Describe conditions affecting the property to the best of your
31. knowledge. (4) Attach additional pages, with your signature, if additional space is required. (5) Answer all questions.
32. (6) If any items do not apply, write "NA" (not applicable).

33. Property located at _____,

34. City of _____, County of _____,

35. State of Minnesota, Zip Code _____ ("Property").

36. **A. GENERAL INFORMATION:** The following questions are to be answered to the best of Seller's knowledge.

37. (1) What date did you ☐ Acquire ☐ Build the home? _____
---------(Check one.)---------

38. (2) Type of title evidence: ☐ Abstract ☐ Registered (Torrens) ☐ Unknown

39. Location of Abstract: _____

40. Is there an existing Owner's Title Insurance Policy? ☐ Yes ☐ No

41. (3) Have you occupied this home continuously during your ownership? ☐ Yes ☐ No

42. If "No," explain: _____

43. (4) Is the home suitable for year-round use? ☐ Yes ☐ No

44. (5) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.) ☐ Yes ☐ No

45. (6) Does the Property include a manufactured home? ☐ Yes ☐ No

46. If "Yes," HUD #(s) is/are _____

47. Has the title been surrendered to the Registrar of Motor Vehicles for cancellation? ☐ Yes ☐ No

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

Property located at _____.

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

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

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

If "Yes," which zone? _____

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

If "Yes," is the policy in force? ☐ Yes ☐ No

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

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

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

If "Yes," please explain: _____

_____

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.

Are there any

(9) homeowners associations or shared amenities? ☐ Yes ☐ No

(10) encroachments? ☐ Yes ☐ No

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

(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

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

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

_____

_____

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

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

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

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

_____

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

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

_____

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

Did you have the items repaired? ☐ Yes ☐ No

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?
95. (e.g., additions, altered roof lines, changes to load-bearing walls) ☐ Yes ☐ No
96. If "Yes," please specify what was done, when, and by whom (owner or contractor):
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) Has there been any damage to flooring or floor covering? ☐ Yes ☐ No
108. If "Yes," give details of what happened and when: _____
109. _____

110. (5) Do you have or have you previously had any pets? ☐ Yes ☐ No
111. If "Yes," indicate type _____ and number _____ .
112. (6) **THE FOUNDATION:** The type of foundation is (i.e., block, poured, wood, stone, other):
113. _____.

114. (7) **THE BASEMENT, CRAWLSPACE, SLAB:**

115.	(a) cracked floor/walls?	☐ Yes	☐ No	(e) leakage/seepage?	☐ Yes	☐ No
116.	(b) drain tile problem?	☐ Yes	☐ No	(f) sewer backup?	☐ Yes	☐ No
117.	(c) flooding?	☐ Yes	☐ No	(g) wet floors/walls?	☐ Yes	☐ No
118.	(d) foundation problem?	☐ Yes	☐ No	(h) other? _____	☐ Yes	☐ No

119. Give details to any questions answered "Yes":
120. _____
121. _____

122. (8) **THE ROOF:**
123. (a) What is the age of the roofing material?
124. Home: _____ years Garage(s)/Outbuilding(s): _____ years

125.	(b) Has there been any interior or exterior damage?	☐ Yes	☐ No
126.	(c) Has there been interior damage from ice buildup?	☐ Yes	☐ No
127.	(d) Has there been any leakage?	☐ Yes	☐ No
128.	(e) Have there been any repairs or replacements made to the roof?	☐ Yes	☐ No

129. Give details to any questions answered "Yes": _____
130. _____

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

133. Property located at _____.

134. (9) **THE EXTERIOR AND INTERIOR WALLS/SIDING/WINDOWS:**

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

136. (b) cracks/damage? ☐ Yes ☐ No

137. (c) leakage/seepage? ☐ Yes ☐ No

138. (d) other? ☐ Yes ☐ No

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

140. _____

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

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

	NA	Working Order Yes	No
145.			
146.			
147.			
148. Air-conditioning	☐	☐	☐
149. ☐ Central ☐ Wall ☐ Window			
150. Air exchange system	☐	☐	☐
151. Carbon monoxide detector	☐	☐	☐
152. Ceiling fan	☐	☐	☐
153. Central vacuum	☐	☐	☐
154. Clothes dryer	☐	☐	☐
155. Clothes washer	☐	☐	☐
156. Dishwasher	☐	☐	☐
157. Doorbell	☐	☐	☐
158. Drain tile system	☐	☐	☐
159. Electrical system	☐	☐	☐
160. Environmental remediation system			
161. (e.g., radon, vapor intrusion)	☐	☐	☐
162. Exhaust system	☐	☐	☐
163. Fire sprinkler system	☐	☐	☐
164. Fireplace	☐	☐	☐
165. Fireplace mechanisms	☐	☐	☐
166. Freezer	☐	☐	☐
167. Furnace humidifier	☐	☐	☐
168. Garage door auto reverse	☐	☐	☐
169. Garage door opener	☐	☐	☐
170. Garage door opener remote	☐	☐	☐
171. Garbage disposal	☐	☐	☐
172. Heating system (central)	☐	☐	☐
173. Heating system (supplemental)	☐	☐	☐
174. Incinerator	☐	☐	☐
175. Intercom	☐	☐	☐
176. In-ground pet containment system	☐	☐	☐
177. Lawn sprinkler system	☐	☐	☐
178. Microwave	☐	☐	☐
179. Plumbing	☐	☐	☐

	NA	Working Order Yes	No
Pool and equipment	☐	☐	☐
Propane tank	☐	☐	☐
☐ Rented ☐ Owned			
Range/oven	☐	☐	☐
Range hood	☐	☐	☐
Refrigerator	☐	☐	☐
Security system	☐	☐	☐
☐ Rented ☐ Owned			
Smoke detectors (battery)	☐	☐	☐
Smoke detectors (hardwired)	☐	☐	☐
Solar collectors	☐	☐	☐
Sump pump	☐	☐	☐
Toilet mechanisms	☐	☐	☐
Trash compactor	☐	☐	☐
TV antenna system	☐	☐	☐
TV cable system	☐	☐	☐
TV receiver	☐	☐	☐
TV satellite dish	☐	☐	☐
☐ Rented ☐ Owned			
Water heater	☐	☐	☐
Water purification system	☐	☐	☐
☐ Rented ☐ Owned			
Water softener	☐	☐	☐
☐ Rented ☐ Owned			
Water treatment system	☐	☐	☐
☐ Rented ☐ Owned			
Windows	☐	☐	☐
Window treatments	☐	☐	☐
Wood-burning stove	☐	☐	☐
Other _____	☐	☐	☐
Other _____	☐	☐	☐
Other _____	☐	☐	☐

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

182. Property located at _____.

183. Are there any items or systems on the Property connected or controlled wirelessly,
184. via internet protocol ("IP"), to a router or gateway or directly to the cloud? ☐ Yes ☐ No

185. Comments regarding issues in Section C: _____

186. _____

187. **D. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**
188. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) *(Check appropriate box.)*
189. Seller ☐ **DOES** ☐ **DOES NOT** know of a subsurface sewage treatment system on or serving the above-described
---------(Check one.)----------
190. real Property. (If answer is **DOES**, and the system does not require a state permit, see *Disclosure Statement:*
191. *Subsurface Sewage Treatment System*.)
192. ☐ There is an abandoned subsurface sewage treatment system on the above-described real Property.
193. *(See Disclosure Statement: Subsurface Sewage Treatment System.)*

194. **E. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)
195. *(Check appropriate box(es).)*
196. ☐ Seller does not know of any wells on the above-described real Property.
197. ☐ There are one or more wells located on the above-described real Property. *(See Disclosure Statement: Well.)*
198. ☐ This Property is in a Special Well Construction Area.
199. ☐ There are wells serving the above-described Property that are not located on the Property.
200. (1) How many properties or residences does the shared well serve? _____
201. (2) Is there a maintenance agreement for the shared well? ☐ Yes ☐ No
202. If "Yes," what is the annual maintenance fee? $_____

203. **F. PROPERTY TAX TREATMENT:**
204. **<u>Preferential Property Tax Treatment</u>**
205. Is the Property subject to any preferential property tax status or any other credits
206. 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:** The following questions are to be answered to the best of Seller's knowledge.
212. Seller ☐ **HAS** ☐ **HAS NOT** received a notice regarding **<u>any</u>** proposed, ongoing, or completed improvement
----------(Check one.)---------
213. project from **<u>any</u>** assessing authorities, the cost of which may be assessed, or is currently assessed, against the
214. Property. If "HAS", please attach and/or explain:

215. _____

216. _____

217. _____

218. **H. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):** Section 1445 of the Internal Revenue Code
219. provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must
220. withhold tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.
221. Seller represents that Seller ☐ **IS** ☐ **IS NOT** a foreign person (i.e., a non-resident alien individual, foreign corporation,
------(Check one.)-----
222. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall
223. survive the closing of any transaction involving the Property described here.

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

226. Property located at _____.

227. **NOTE:** If the above answer is "**IS**," Buyer may be subject to income tax withholding in connection with the
228. transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In non-
229. exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.
230. If the above answer is "**IS NOT**," Buyer may wish to obtain specific documentation from Seller ensuring
231. Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal
232. Revenue Code.

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

237. **I. METHAMPHETAMINE PRODUCTION DISCLOSURE:**
238. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)
239. ☐ Seller is not aware of any methamphetamine production that has occurred on the Property.
240. ☐ Seller is aware that methamphetamine production has occurred on the Property.
241. *(See Disclosure Statement: Methamphetamine Production.)*

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

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

250. **L. CEMETERY ACT:** The following questions are to be answered to the best of Seller's knowledge.

251. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A
252. person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal
253. remains or human burial grounds is guilty of a felony.
254. Are you aware of any human remains, burials, or cemeteries located on the Property? ☐ Yes ☐ No

255. If "Yes," please explain: _____

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

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

261.	(1) Animal/Insect/Pest Infestation? ☐ Yes ☐ No		(6) Lead? (e.g., paint, plumbing) ☐ Yes ☐ No		
262.	(2) Asbestos? ☐ Yes ☐ No		(7) Mold? ☐ Yes ☐ No		
263.	(3) Diseased trees? ☐ Yes ☐ No		(8) Soil problems? ☐ Yes ☐ No		
264.	(4) Formaldehyde? ☐ Yes ☐ No		(9) Underground storage tanks? ☐ Yes ☐ No		
265.	(5) Hazardous waste/substances? ☐ Yes ☐ No		(10) Vapor intrusion? ☐ Yes ☐ No		

266. (11) Other? _____ ☐ Yes ☐ No

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

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

272. Property located at _____.

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

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

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

278. _____

279. _____

280. _____

281. _____

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

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

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

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

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

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

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

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

305. _____

306. _____

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

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

310. _____

311. _____

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

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

314. Has Chronic Wasting Disease been detected on the Property? ☐ **YES** ☐ **NO**

315. If Yes, see *Disclosure Statement: Chronic Wasting Disease*.
-----(Check one.)-----

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

318. Property located at _____.

319. **P. OTHER DEFECTS/MATERIAL FACTS/ADDITIONAL COMMENTS:** Are there any other material facts that could
320. adversely and significantly affect an ordinary buyer's use or enjoyment of the Property or any intended use of the
321. Property? ☐ Yes ☐ No. If "Yes," explain:
322. _____
323. _____
324. _____
325. _____
326. _____
327. _____
328. _____

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

332. Examples of exterior moisture sources may be:
333. • improper flashing around windows and doors,
334. • improper grading,
335. • flooding,
336. • roof leaks.

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

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

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

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

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

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

366. Property located at _____.

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

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

385. **MN STATUTES 144.496: RADON AWARENESS ACT**
386. The seller disclosure requirements of MN Statute 144.496 DO NOT apply to (1)-(9) and (11)-(14) above. Sellers
387. of newly constructed residential property must comply with the disclosure requirements of MN Statute 144.496.

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

391. **No Duty to Disclose:**

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

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

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

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

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

416. Property located at _____.

417. **T. ADDITIONAL COMMENTS:**

418. _____

419. _____

420. _____

421. _____

422. _____

423. _____

424. _____

425. **U. SELLER'S STATEMENT:**
426. *(To be signed at time of listing.)*

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

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

438. _____ _____ _____ _____
(Seller) (Date) (Seller) (Date)

439. **V. BUYER'S ACKNOWLEDGEMENT:**
440. *(To be signed at time of purchase agreement.)*

441. I/We, the Buyer(s) of the Property, acknowledge receipt of this *Seller's Property Disclosure Statement* and agree
442. that no representations regarding facts have been made other than those made above. This Disclosure Statement
443. is not a warranty or a guarantee of any kind by Seller or licensee(s) representing or assisting any party in the
444. 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.

446. _____ _____ _____ _____
(Buyer) (Date) (Buyer) (Date)

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

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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."

DEPARTMENT OF HEALTH

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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 ºF. 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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