

Proposed Agenda
SOUTH DAKOTA REAL ESTATE COMMISSION

217 West Missouri Ave., Pierre, SD 57501

Via Microsoft Teams

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OR

Call +1.605.679.7263 Meeting ID: 240 400 936 66 Passcode: Yna4Cv

Wednesday, September 20, 2023, at 10:30 a.m. CDT

1. Call to Order
2. Approval of Agenda
3. Public Comment
4. Minutes of the July 12, 2023, Meeting
5. Financial Reports – July and August 2023
6. SDAR Changes to the Property Discloser – Matt Krogman
7. Other Business
8. Executive Session pursuant to SDCL 1-25-2, as necessary
9. Next Meeting – November 8-9
10. Adjourn

Meeting Minutes
SOUTH DAKOTA REAL ESTATE COMMISSION
217 West Missouri Ave., Pierre, SD 57501
Wednesday, July 12, 2023, 10:30 a.m. CDT
Via Microsoft Teams
Or call 1-605-679-7263 / Meeting ID 650259230#

Vice Chairman Carol Lawhun called the meeting to order at 10:30 a.m. A quorum was present.

Members Present: Carol Lawhun
Dave Bonde
Mark Wahlstrom
Ryan Wordeman

Others Present: Jerry McCabe, Senior Staff Attorney, DLR, Melissa Miller, Executive Director, SDREC, Tim Bond, Compliance Officer, SDREC, Michelle Metzinger, Compliance Officer, SDREC, and Ryan Paulus, CE Shop.

Wordeman made a motion to approve the agenda. Wahlstrom seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Bonde made a motion to approve the May 10, 2023, meeting minutes. Wordeman seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Public Comment – No comments were made by the public.

A summary of the financials for May and June of 2023 was presented by Executive Director Miller. Wahlstrom made a motion to acknowledge receipt of the May and June 2023 financials and to file. Wordeman seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Bonde made a motion to nominate Lawhun as Chair. Wordeman seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Wahlstrom made a motion to nominate Bonde as Vice Chair. Wordeman seconded the motion. Lawhun called for vote. **MOTION PASSED.**

Executive Director Miller and Senior Staff Attorney McCabe shared and discussed a proposed administrative fine policy with the commissioners. The commissioners agreed approved the policy. Wordeman made a motion to approve administrative fine policy. Wahlstrom seconded the motion. Lawhun called for vote. **MOTION PASSED.**

There was a brief conversation about the ARELLO upcoming meetings and about adding executive session to all meeting agendas as it may be necessary to go into executive session if a commissioner requests to do so.

The next meeting is scheduled for Wednesday, September 20, 2023.

Bonde made a motion to adjourn at 10:52 a.m. Wahlstrom seconded the motion. Lawhun called for vote. **MOTION PASSED.**

STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 07/31/2023

AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1037 REAL ESTATE COMMISSION - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	1037000699BA	1140000	6,838.80	CR	REAL ESTATE/COSMO/BARBER
6503	103700069901	1140000	599,300.19	DR	REAL ESTATE COMMISSION
6503	103700069902	1140000	100,000.00	DR	REAL ESTATE COMM RECOVERY FUND
COMPANY/SOURCE TOTAL 6503 699			692,461.39	DR *	
COMP/BUDG UNIT TOTAL 6503 1037			692,461.39	DR **	
BUDGET UNIT TOTAL 1037			692,461.39	DR ***	

BUDGET UNIT 1037

CENTER NAME REAL ESTATE COMMISSION - INFO

COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE COMMITMENTS	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AVAILABLE APPROPRIATIONS	CASH BALANCE
6503-I	675,754.00	0.00	0.00	31,766.34	37,416.66	606,571.00	699,300.19

BUDGETED TOT	675,754.00	0.00	0.00	31,766.34	37,416.66	606,571.00	
ALL COMP TOT	675,754.00	0.00	0.00	31,766.34	37,416.66	606,571.00	

TOTAL BUDGETED:

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	BUDGET AVAILABLE	PCT AVL
5101 EMPLOYEE SALARIES	335,661.00	0.00	0.00	22,801.61	22,801.61	312,859.39	93.2
5102 EMPLOYEE BENEFITS	99,526.00	0.00	0.00	7,591.03	7,591.03	91,934.97	92.4
5203 TRAVEL	40,407.00	0.00	0.00	0.00	0.00	40,407.00	100.0
5204 CONTRACTUAL SVCS	171,345.00	0.00	31,766.34	6,345.10	6,345.10	133,233.56	77.8
5205 SUPPLIES & MATRLS	26,500.00	0.00	0.00	678.92	678.92	25,821.08	97.4
5207 CAPITAL OUTLAY	2,315.00	0.00	0.00	0.00	0.00	2,315.00	100.0
TOTALS	675,754.00	0.00	31,766.34	37,416.66	37,416.66	606,571.00	89.8

BREAKOUT BY COMPANY:

COMPANY 6503-I PROFESSIONAL & LICENSING BOARDS

5101000 EMPLOYEE SALARIES	335,661.00	0.00	0.00	22,801.61	22,801.61	312,859.39	93.2
5102000 EMPLOYEE BENEFITS	99,526.00	0.00	0.00	7,591.03	7,591.03	91,934.97	92.4
5203000 TRAVEL	40,407.00	0.00	0.00	0.00	0.00	40,407.00	100.0
5204000 CONTRACTUAL SVCS	171,345.00	0.00	31,766.34	6,345.10	6,345.10	133,233.56	77.8
5205000 SUPPLIES & MATRLS	26,500.00	0.00	0.00	678.92	678.92	25,821.08	97.4
5207000 CAPITAL OUTLAY	2,315.00	0.00	0.00	0.00	0.00	2,315.00	100.0
PS SUBTOTALS	435,187.00	0.00	0.00	30,392.64	30,392.64	404,794.36	93.0
OE SUBTOTALS	240,567.00	0.00	31,766.34	7,024.02	7,024.02	201,776.64	83.9
COMPANY 6503-I TOT	675,754.00	0.00	31,766.34	37,416.66	37,416.66	606,571.00	89.8

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 07/31/2023

AGENCY BUDGET UNIT	10 1037	NEED TO UPDATE REAL ESTATE COMMISSION - INFO	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
COMPANY NO 6503							
COMPANY NAME PROFESSIONAL & LICENSING BOARDS							
103700069901	6503	4293700		RESIDENT RENTAL AGENTS	120.00	120.00	
103700069901	6503	4293702		BROKER	2,700.00	2,700.00	
103700069901	6503	4293703		HOME INSPECTORS	200.00	200.00	
103700069901	6503	4293704		PROPERTY MANAGER	675.00	675.00	
103700069901	6503	4293705		SALES AGENTS	1,125.00	1,125.00	
103700069901	6503	4293707		FIRMS	500.00	500.00	
103700069901	6503	4293708		CONDOMINIUMS	1,889.57	1,889.57	
103700069901	6503	4293711		EDUCATIONAL COURSES	1,490.00	1,490.00	
103700069901	6503	4293712		ADDITIONAL LICENSES	30.00	30.00	
103700069901	6503	4293713		CHANGE OF ADDRESS	255.00	255.00	
103700069901	6503	4293714		CERTIFICATES OF LICENSURE	90.00	90.00	
103700069901	6503	4293715		LATE RENEWAL FEES	140.00	140.00	
103700069901	6503	4293719		RENEWAL BROKER	125.00	125.00	
ACCT: 4293				BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)	9,339.57	9,339.57	*
ACCT: 42				LICENSES, PERMITS & FEES	9,339.57	9,339.57	**
103700069901	6503	4596003		DIRECTORIES/HOME BUYER GU	980.00	980.00	*
ACCT: 4596					980.00	980.00	*
ACCT: 45				CHARGES FOR SALES & SERVICES	980.00	980.00	**
103700069901	6503	4910000		OPERATING TRANSFERS IN	883.51	883.51	*
ACCT: 4910				OPERATING TRANSFERS IN	883.51	883.51	*
ACCT: 49				OTHER REVENUE	883.51	883.51	**
CNTR: 103700069901					11,203.08	11,203.08	***
COMP: 6503					11,203.08	11,203.08	****
B UNIT: 1037					11,203.08	11,203.08	*****

Revenue Report Ending 7/31/23

(Additional Report)

Description	Budgeted	Current	Rev. to be Rec	YTD	PCT Rec.
Residential Rental Agents	4,000	120	3,880	120	3
Broker	62,000	2,700	59,300	2,700	4
Home Inspectors	4,000	200	3,800	200	5
Property Manager	11,000	675	10,325	675	6
Sales Agents	7,000	1,125	5,875	1,125	16
Firms	15,000	500	14,500	500	3
Condominiums	15,000	1,889.57	13,110.43	1,889.57	12
Timeshare Projects	5,000		5,000		
Educational Courses	15,000	1,490	13,510	1,490	9
Additional Licenses	3,000	30	2,970	30	1
Change of Address	10,000	255	9,745	255	2
Certificate of Licensure	4,000	90	3,910	90	2
Late Renewal Fees	20,000	140	19,860	140	0
Renewal Res Rental Agents	3,500		3,500		
Renewal Auctioneer	3,000		3,000		
Renewal Broker	195,000	125	194,875	125	0
Home Inspection Renewal	6,000		6,000		
Renewal Property Manager	12,000		12,000		
Renewal Sales Agents	14,000		14,000		
Renewal Timeshare Agents	300		300		
Renewal Firms	45,000		45,000		
Renewal Timeshare Project	6,500		6,500		
Renewal Additional Licenses	4,000		4,000		
Misc. Fines, Penalties and NO Rev	25,000	883.51	24,116.49	883.51	3
Interest Earned					
License Law Books Sold	1,000		1,000		
Directories/Lists Sold	10,000	980	9,020	980	8
	500,300	11,203.08	489,096.92	11,203.08	2

AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1037 REAL ESTATE COMMISSION - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	1037000699BA	1140000	12,757.87	CR	REAL ESTATE/COSMO/BARBER
6503	103700069901	1140000	589,168.29	DR	REAL ESTATE COMMISSION
6503	103700069902	1140000	102,236.62	DR	REAL ESTATE COMM RECOVERY FUND
COMPANY/SOURCE TOTAL 6503 699			678,647.04	DR *	
COMP/BUDG UNIT TOTAL 6503 1037			678,647.04	DR **	
BUDGET UNIT TOTAL 1037			678,647.04	DR ***	

COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE COMMITMENTS	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AVAILABLE APPROPRIATIONS	CASH BALANCE
6503-I	675,754.00	0.00	0.00	38,028.90	74,414.63	563,310.47	691,404.91
BUDGETED TOT	675,754.00	0.00	0.00	38,028.90	74,414.63	563,310.47	
ALL COMP TOT	675,754.00	0.00	0.00	38,028.90	74,414.63	563,310.47	

TOTAL BUDGETED:

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	BUDGET AVAILABLE	PCT AVL
5101 EMPLOYEE SALARIES	335,661.00	0.00	0.00	22,672.19	45,473.80	290,187.20	86.5
5102 EMPLOYEE BENEFITS	99,526.00	0.00	0.00	7,374.80	14,965.83	84,560.17	85.0
5203 TRAVEL	40,407.00	0.00	0.00	27.34	27.34	40,379.66	99.9
5204 CONTRACTUAL SVCS	171,345.00	0.00	38,028.90	5,637.55	11,982.65	121,333.45	70.8
5205 SUPPLIES & MATRLS	26,500.00	0.00	0.00	780.16	1,459.08	25,040.92	94.5
5207 CAPITAL OUTLAY	2,315.00	0.00	0.00	0.00	0.00	2,315.00	100.0
5208 OTHER	0.00	0.00	0.00	505.93	505.93	505.93-	0.0
TOTALS	675,754.00	0.00	38,028.90	36,997.97	74,414.63	563,310.47	83.4

BREAKOUT BY COMPANY:

COMPANY	EMPLOYEE SALARIES	EMPLOYEE BENEFITS	TRAVEL	CONTRACTUAL SVCS	SUPPLIES & MATRLS	CAPITAL OUTLAY	OTHER	PS SUBTOTALS	OE SUBTOTALS	COMPANY 6503-I TOT
COMPANY 6503-I	335,661.00	99,526.00	40,407.00	171,345.00	26,500.00	2,315.00	0.00	435,187.00	240,567.00	675,754.00
5101000	335,661.00	99,526.00	40,407.00	171,345.00	26,500.00	2,315.00	0.00	435,187.00	240,567.00	675,754.00
5102000	99,526.00	99,526.00	0.00	0.00	0.00	0.00	0.00	99,526.00	99,526.00	99,526.00
5203000	40,407.00	40,407.00	40,407.00	0.00	0.00	0.00	0.00	40,407.00	40,407.00	40,407.00
5204000	171,345.00	171,345.00	171,345.00	171,345.00	0.00	0.00	0.00	171,345.00	171,345.00	171,345.00
5205000	26,500.00	26,500.00	26,500.00	26,500.00	26,500.00	0.00	0.00	26,500.00	26,500.00	26,500.00
5207000	2,315.00	2,315.00	2,315.00	2,315.00	2,315.00	2,315.00	0.00	2,315.00	2,315.00	2,315.00
5208000	0.00	0.00	0.00	0.00	0.00	0.00	505.93	505.93	505.93	505.93
PS SUBTOTALS	435,187.00	99,526.00	40,407.00	171,345.00	26,500.00	2,315.00	0.00	435,187.00	240,567.00	675,754.00
OE SUBTOTALS	0.00	0.00	0.00	0.00	0.00	0.00	505.93	505.93	505.93	505.93
COMPANY 6503-I TOT	435,187.00	99,526.00	40,407.00	171,345.00	26,500.00	2,315.00	505.93	435,187.00	240,567.00	675,754.00

AGENCY 10 LABOR & REGULATION
 BUDGET UNIT 1037 REAL ESTATE COMMISSION - INFO

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
COMPANY NO 6503 COMPANY NAME PROFESSIONAL & LICENSING BOARDS					
103700069901	6503	4293700	RESIDENT RENTAL AGENTS	600.00	720.00
103700069901	6503	4293702	BROKER	2,925.00	5,625.00
103700069901	6503	4293703	HOME INSPECTORS	200.00	400.00
103700069901	6503	4293704	PROPERTY MANAGER	225.00	900.00
103700069901	6503	4293705	SALES AGENTS	450.00	1,575.00
103700069901	6503	4293707	FIRMS	500.00	1,000.00
103700069901	6503	4293708	CONDOMINIUMS	.00	1,889.57
103700069901	6503	4293710	TIMESHARE PROJECTS	1,000.00	1,000.00
103700069901	6503	4293711	EDUCATIONAL COURSES	1,675.00	3,165.00
103700069901	6503	4293712	ADDITIONAL LICENSES	90.00	120.00
103700069901	6503	4293713	CHANGE OF ADDRESS	735.00	990.00
103700069901	6503	4293714	CERTIFICATES OF LICENSURE	210.00	300.00
103700069901	6503	4293715	LATE RENEWAL FEES	.00	140.00
103700069901	6503	4293719	RENEWAL BROKER	.00	125.00
ACCT: 4293			BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)	8,610.00	17,949.57 *
ACCT: 42			LICENSES, PERMITS & FEES	8,610.00	17,949.57 **
103700069901	6503	4393003	MISC FINES & PENALTIES	36.30	36.30
ACCT: 4393			PENALTIES (NON-GOVERNMENTAL)	36.30	36.30 *
ACCT: 43			FINES, FORFEITS & PENALTIES	36.30	36.30 **
103700069901	6503	4596003	DIRECTORIES/HOME BUYER GU	1,000.00	1,980.00
ACCT: 4596				1,000.00	1,980.00 *
ACCT: 45			CHARGES FOR SALES & SERVICES	1,000.00	1,980.00 **
103700069901	6503	4910000	OPERATING TRANSFERS IN	.00	883.51
ACCT: 4910			OPERATING TRANSFERS IN	.00	883.51 *

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1037 REAL ESTATE COMMISSION - INFO

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
103700069901	6503	4920045	NONOPERATING REVENUES	12,744.35	12,744.35	*
ACCT:	4920	NONOPERATING REVENUE		12,744.35	12,744.35	**
ACCT:	49	OTHER REVENUE		12,744.35	13,627.86	***
CNTR:	103700069901			22,390.65	33,593.73	***
103700069902	6503	4920045	NONOPERATING REVENUES	2,236.62	2,236.62	*
ACCT:	4920	NONOPERATING REVENUE		2,236.62	2,236.62	**
ACCT:	49	OTHER REVENUE		2,236.62	2,236.62	***
CNTR:	103700069902			2,236.62	2,236.62	***
COMP:	6503			24,627.27	35,830.35	****
B UNIT:	1037			24,627.27	35,830.35	*****

Revenue Report Ending 8/31/23

(Additional Report)

Description	Budgeted	Current	Rev. to be Rec	YTD	PCT Rec.
Residential Rental Agents	4,000	600	3,280	720	18
Broker	62,000	2,925	56,375	5,625	9
Home Inspectors	4,000	200	3,600	400	10
Property Manager	11,000	225	10,100	900	8
Sales Agents	7,000	450	5,425	1,575	22
Firms	15,000	500	14,000	1,000	6
Condominiums	15,000		13,110.43	1,889.57	12
Timeshare Projects	5,000	1,000	4,000	1,000	2
Educational Courses	15,000	1,675	11,835	3,165	21
Additional Licenses	3,000	90	2,880	120	4
Change of Address	10,000	735	9,010	990	9
Certificate of Licensure	4,000	210	3,700	300	7
Late Renewal Fees	20,000		19,860	140	0
Renewal Res Rental Agents	3,500		3,500		
Renewal Auctioneer	3,000		3,000		
Renewal Broker	195,000		194,875	125	0
Home Inspection Renewal	6,000		6,000		
Renewal Property Manager	12,000		12,000		
Renewal Sales Agents	14,000		14,000		
Renewal Timeshare Agents	300		300		
Renewal Firms	45,000		45,000		
Renewal Timeshare Project	6,500		6,500		
Renewal Additional Licenses	4,000		4,000		
Misc. Fines, Penalties and NO Rev	25,000	15,017.27	9,099.22	15,900.78	63
Interest Earned					
License Law Books Sold	1,000		1,000		
Directories/Lists Sold	10,000	1,000	8,020	1,980	19
	500,300	24,627.27	464,469.65	35,830.35	7

DRAFT SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT

RESIDENTIAL – SDCL 43-4-44

Seller(s) _____

Property Address _____

This Disclosure Statement concerns the real property identified above and offered for sale. This disclosure is required by law to be completed by sellers of real property and given to potential buyers. This form can have important legal consequences. If you do not understand this form, you should seek advice from a competent source.

Seller states that the information contained in this disclosure fully reflects the Seller's knowledge of the matters disclosed as of the date affixed to the form. If any material fact changes prior to closing, the seller MUST disclose that change in a written amendment to this disclosure statement and give the same to the buyer.

This statement is a DISCLOSURE OF THE CONDITION OF THE ABOVE-DESCRIBED PROPERTY in compliance with South Dakota law § 43-4-38. It is NOT A WARRANTY of ANY KIND by the Seller or anyone representing any party in a transaction. It is NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES either party may wish to obtain.

Seller hereby authorizes any agent representing any party in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

If the answer to any of the following requires more space for explanation, please fully explain in comments or on an attached separate sheet.

I. LOT OR TITLE INFORMATION

1. When did you purchase or build the home? _____ / _____
Month Year

	LOT OR TITLE INFORMATION	Yes	No	Do Not Know	N/A	Comments
2.	Are there any recorded liens or financial instruments against the property, other than a first mortgage?					
3.	Are there any unrecorded liens or financial instruments against the property, other than a first mortgage; or have any materials or services been provided in the past one hundred twenty days that would create a lien against the property under chapter 44-9?					
4.	Are there any easements which have been granted in connection with the property (other than normal utility easements for public water and sewer, gas and electric service, telephone service, cable television service, drainage, and sidewalks)?					
5.	Are there any problems related to establishing the lot lines/boundaries?					
6.	Do you have a location survey in your possession or a copy of the recorded plat?					If yes, attach a copy.
7.	Are you aware of any encroachments or shared features, from or on adjoining property (i.e. fences, driveway, sheds, outbuildings, or other improvements)?					
8.	Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law?					If yes, attach a copy.
9.	Are you aware of any current or pending litigation, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property?					
10.	Is the property currently occupied by the owner?					
11.	Does the property currently receive the owner-occupied tax reduction pursuant to SDCL 10-13-39?					

Seller _____ / Seller _____

Buyer _____ / Buyer _____

Property Address _____

	LOT OR TITLE INFORMATION	Yes	No	Do Not Know	N/A	Comments
12.	Is the property currently part of a property tax freeze for any reason?					
13.	Seller represents that Seller: _____ IS _____ IS NOT a foreign person (i.e. non-resident alien individual, foreign corporation, foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall survive the closing of any transaction involving the Property described therein.					<p>Foreign Investment in Real Property Tax Act ("FIRPTA"): Section 1445 of the Internal Revenue Code provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must withhold the tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.</p> <p>NOTE: If the 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.</p> <p>If the 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.</p> <p>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.</p>
14.	Is the property leased?					
15.	If leased, does the property use comply with applicable local ordinances?					
16.	Does this property or any portion of this property receive rent?					If yes, how much \$ _____ and how often _____
17.	Do you pay any mandatory fees or special assessments to a homeowners' or condominium association?					<p>If yes, what are the fees or assessments? \$ _____ per _____ (i.e. annually, semi-annually, monthly)</p> <p>Payable to whom: _____</p> <p>For what purpose: _____</p>
18.	Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours?					
19.	Is the property located in a flood plain?					
20.	Are federally protected wetlands located upon any part of the property?					
21.	Are you aware of any private transfer fee obligations, as defined pursuant to § 43-4-48, that would require a buyer or seller of the property to pay a fee or charge upon the transfer of the property, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property?					If yes, what are the fees or charges? \$ _____ per _____ (i.e. annually, semi-annually, monthly)

Additional Comments

Seller _____ / Seller _____

Buyer _____ / Buyer _____

Property Address _____

II. STRUCTURAL INFORMATION

	STRUCTURAL INFORMATION	Yes	No	Do Not Know	N/A	Comments
1.	Are you aware of any water penetration in the walls, windows, doors, basement, or crawl space?					
2.	Have any water damage related repairs been made?					
3.	Are there any unrepaired water-related damages that remain?					
4.	Are you aware if drain tile is installed on the property?					
5.	Are you aware of any interior cracked walls, ceilings or floors, or cracks or defects in exterior driveways, sidewalks, patios, or other hard surface areas?					
6.	Type of roof covering: _____					
7.	Age of roof covering, if known:					
8.	Are you aware of any roof leakage, past or present?					
9.	Have any roof repairs been made, when and by whom?					
10.	Is there any existing unrepaired damage to the roof?					
11.	Are you aware of insulation in ceiling/attic?					
12.	Are you aware of insulation in walls?					
13.	Are you aware of insulation in the floors?					
14.	Are you aware of any pest infestation or damage, either past or present?					
15.	Are you aware of the property having been treated or repaired for any pest infestation or damage?					If yes, who treated it and when?
16.	Are you aware of any work upon the property which required a building, plumbing, electrical, or any other permit?					
	STRUCTURAL INFORMATION	Yes	No	Do Not Know	N/A	Comments
17.	Was a permit obtained for work performed upon the property?					
18.	Was the work approved by an inspector as required by local or state ordinance?					
19.	Are you aware of any past or present damage to the property (i.e. fire, smoke, wind, floods, hail, or snow)?					
20.	Have any insurance claims been made for damage to the property?					
21.	Was an insurance payment received for damage to the property?					
22.	Has the damage to the property been repaired?					
23.	Are there any unrepaired damages to the property from the insurance claim?					
24.	Are you aware of any problems with sewer blockage or backup, past or present?					
25.	Are you aware of any drainage, leakage, or runoff from any sewer, septic tank, storage tank, or drain on the property into any adjoining lake, stream, or waterway?					

Additional Comments

III. SYSTEMS/UTILITIES INFORMATION

	SYSTEMS/UTILITIES INFORMATION	Working	Not Working	None	Not Included	Comments
1.	Air conditioning System					Age of System, if known:
2.	Air Exchanger					

Seller _____ / Seller _____

Buyer _____ / Buyer _____

Property Address _____

3.	Air Purifier					
4.	Attic Fan					
5.	Bathroom Whirlpool and Controls					
6.	Burglar Alarm & Security System					
7.	Ceiling Fan					
8.	Central Air - Electric					
9.	Central Air – Water Cooled					
10.	Cistern					
11.	Dishwasher					
12.	Disposal					
13.	Doorbell					
14.	Fireplace					
15.	Fireplace Insert					
16.	Garage Door(s)					
17.	Garage Door Opener(s)					
18.	Garage Door Control(s)					
19.	Garage Wiring					
20.	Home Heating System(s) Type:					Age of System, if known:
21.	Hot Tub and Controls					
22.	Humidifier					
23.	In Floor Heat					
24.	Intercom					
25.	Light Fixtures					
26.	Microwave					
27.	Microwave Hood					
28.	Plumbing and Fixtures					
29.	Pool and Equipment					
30.	Propane Tank – Select One: Leased Owned					
31.	Radon System					
	SYSTEMS/UTILITIES INFORMATION	Working	Not Working	None	Not Included	Comments
32.	Sauna					
33.	Septic/Leaching Field					
34.	Sewer Systems/Drains					
35.	Smart Home System					Smart Home System includes:
36.	Smoke/Fire Alarm					
37.	Solar House – Heating					
38.	Sump Pump(s)					
39.	Switches and Outlets					
40.	Underground Sprinkler and Heads					
41.	Vent Fan – Kitchen					
42.	Vent Fan – Bathroom					
43.	Water Heater, Select One: Electric Gas					Age of System, if known:
44.	Water Purifier, Select One: Leased Owned					
45.	Water Softener, Select One: Leased Owned					
46.	Well and Pump					
47.	Wood Burning Stove					

Additional Comments

IV. HAZARDOUS CONDITIONS

Are you aware of any existing hazardous conditions of the property and are you aware of any tests having been performed?
 If the answer is yes to any of the questions below, please explain in additional comments or on an attached separate sheet.

HAZARDOUS CONDITIONS	Existing Conditions		Tests Performed		Comments
	Yes	No	Yes	No	
1. Methane Gas					
2. Lead Paint					

Seller _____ / Seller _____

Buyer _____ / Buyer _____

Property Address _____

3. Radon Gas (House)					
4. Radon Gas (Well)					
5. Radioactive Materials					
6. Landfill, Mineshaft					
7. Expansive Soil					
8. Mold					
9. Toxic Materials					
10. Urea Formaldehyde Foam Insulations					
11. Asbestos Insulation					
12. Buried Fuel Tanks					
13. Chemical Storage Tanks					
14. Fire Retardant Treated Plywood					
15. Production of Methamphetamines					
16. Use of Methamphetamines					

V. MISCELLANEOUS INFORMATION

	MISCELLANEOUS INFORMATION	Yes	No	Do Not Know	NA	Comments
1.	Is the street or road located at the end of the driveway to the property public or private? Public ____ Private ____					
2.	Is there a written road maintenance agreement? If yes, attach a copy of the maintenance agreement.					
3.	Has the fireplace/wood stove/chimney flue been cleaned? If yes, please provide date of service.					
	MISCELLANEOUS INFORMATION	Yes	No	Do Not Know	NA	Comments
4.	Since you have owned the property, are you aware of a human death by homicide or suicide occurring on the property?					
5.	Is the water source (select one) ____ public or ____ private					If private, what is the date and result of the last water test?
6.	Is the sewer system (select one) ____ public or ____ private					If private, what is the date of the last time septic tank was pumped?
7.	Are there broken window panes or seals?					
8.	Are there any items attached to the property that will not be left, such as: towel bars, mirrors, curtain rods, window coverings, light fixtures, clothes lines, swing sets, storage sheds, ceiling fans, basketball hoops, mail boxes, tv mounts, speakers, etc.?					If yes, please list:
9.	Are you aware of any other material facts which have not been disclosed on this form?					If yes, please explain:

Additional Comments

VI. ADDITIONAL COMMENTS (ATTACH ADDITIONAL PAGES IF NECESSARY)

Seller _____ / Seller _____

Buyer _____ / Buyer _____

Property Address _____

CLOSING SECTION

The Seller hereby certifies that the information contained herein is true and correct to the best of the Seller's information, knowledge, and belief as of the date of the Seller's signature below. If any of these conditions change before conveyance of title to this property, the change will be disclosed in a written amendment to this disclosure statement.

Seller Date Seller Date

THE SELLER AND THE BUYER MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND INSPECTIONS OF THE PROPERTY TO OBTAIN A TRUE REPORT AS TO THE CONDITION OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN ANY CONTRACT OF SALE AS NEGOTIATED BETWEEN THE SELLER AND THE BUYER WITH RESPECT TO SUCH PROFESSIONAL ADVICE AND INSPECTIONS.

I/We acknowledge receipt of a copy of this statement on the date appearing beside my/our signature(s) below. Any agent representing any party to this transaction makes no representations and is not responsible for any conditions existing in the property.

Buyer Date Buyer Date

Seller _____ / Seller _____

Buyer _____ / Buyer _____