



SELLER'S REAL PROPERTY DISCLOSURE STATEMENT
Hawaii Association of REALTORS® Standard Form
Revised For Release

DRAFT - For use during 1/16
SFC Mtg



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Information Obtained from Public Records
(May Be Completed by Listing Broker)

Seller(s) Name(s) (All on Title): _____
 Property Reference or Address: _____
 Each dwelling on this Property may have its own Disclosure. If multiple dwellings, identify: _____
 Tax Map Key: Div. _____ /Zone _____ /Sec. _____ /Plat _____ /Parcel _____ /CPR _____ (if applicable).
 County Zoning: _____ State Land Use Designation: _____
 Fee Simple Leasehold Flood Zone _____
 Licensee: _____ Brokerage Firm: _____

Purpose of Disclosure Statement: Pursuant to Hawaii Revised Statutes, Chapter 508D (for residential real property), and under common law (for all other real estate transactions, including the sale of vacant land) a seller of residential real property is obligated to fully and accurately disclose in writing to a buyer all "material facts" concerning the property. **"Material facts" are defined as "any fact, defect, or condition, past or present, that would be expected to measurably affect the value to a reasonable person of the residential real property being offered for sale.** This Disclosure Statement may exclude information regarding: 1) whether an occupant of the property was afflicted with acquired immune deficiency syndrome (AIDS), 2) the residential property was the site of an act or occurrence that had no effect on the physical structure or the physical environment of the property. This Disclosure Statement is intended to assist Seller in organizing and presenting all material facts concerning the Property. It is very important that Seller exercise due care in preparing responses to questions posed in the Disclosure Statement, and that all responses are made in good faith, are truthful and complete to the best of Seller's knowledge because Seller's agent, Buyer and Buyer's agent may rely upon Seller's disclosures. SELLER IS ENCOURAGED TO OBTAIN PROFESSIONAL ADVICE AND/OR HAVE AN EXPERT INSPECT PROPERTY PRIOR TO PREPARING THE DISCLOSURE STATEMENT.

MUST BE COMPLETED BY SELLER ONLY

Seller's Statement: This is a statement concerning information relating to the condition of Property that: (i) is within the knowledge or control of Seller; (ii) can be observed from visible, accessible areas; or (iii) which is required by Section 508D-4.5 and 508D-15, Hawaii Revised Statutes. Seller may not be aware of problems affecting Property, and there may be material facts of which Seller is not aware that qualified experts may be able to discover or time may reveal. Unless Buyer has been otherwise specifically advised, Seller has not conducted any inspections of generally inaccessible areas of Property. The statements made below are made by Seller and are not statements or representations of Seller's agent unless specifically identified. The Disclosure Statement and the disclosures made by Seller are provided exclusively to Buyers involved in this transaction only, and do not apply to any subsequent sales not involving this Seller.

THIS DISCLOSURE STATEMENT IS NOT A WARRANTY BY SELLER OR BY ANY AGENT REPRESENTING SELLER AND IS NOT A SUBSTITUTE FOR ANY EXPERT INSPECTION, PROFESSIONAL ADVICE, OR WARRANTY THAT BUYER MAY WISH TO OBTAIN. THEREFORE IT IS RECOMMENDED THAT BUYER PERFORM BUYER'S OWN DUE DILIGENCE.

If not presently owner occupied, date of Seller's last visit _____.
 Has your property ever been rented during your term of ownership? Yes No If yes, Seller shall disclose all material facts obtainable from Property Manager(s). Name of Property Manager(s): _____

If the Property is subject to a recorded Declaration, Seller is subject to mandatory disclosure obligations pursuant to Hawaii Revised Statutes Chapter 508D as amended. To the extent that the Act applies, Seller shall provide the documents and any amendments or supplements within the deadlines set forth in Paragraph M-1 of the Purchase Contract.

General Instructions to Seller: (1) Answer ALL questions in the applicable sections. (2) If checked or answered yes, explain all material facts known to you in Section H. (3) If additional space is needed to explain material facts, attach additional pages and sign/date at the bottom. (4) NTMK means NOT TO MY KNOWLEDGE. (5) NA means NOT APPLICABLE.

Select Type of Property and answer all questions in selected Section: [] A. Condominium

BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE



B. Single Family Residence C. CPR Single Family Residence D. Vacant Land Seller must also complete all questions in Sections E, F, and G.

A. CONDOMINIUM: Check the appropriate box "YES," "NO," "NTMK," or "NA" for all questions. If "YES", then reference the question number and explain in Section H.

YES NO NTMK NA

- 1) Is your unit subject to any Association(s)? (i.e. HOA, CA, AOA, AOOU)
- 1a) Name of AOA/AOOU Mgmt Firm: _____ Phone: _____
- 1b) What are the fees, what is included, and what are the payments? _____
- 1c) Name of HOA/CA Mgmt Firm: _____ Phone: _____
- 1d) Is membership mandatory? Yes No
- 1e) What are the fees, what is included, and what are the payments? _____
- 1f) Are you aware of future maintenance fee increases, special assessments, association loans or pending litigation for or against your Association(s)?
- 2) Are there any "common area" facilities (such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others?
- 3) Are you aware of any violations of restrictions or conditions on use covering your unit?
- 4) Are you aware of any litigation affecting this condo complex and/or your unit or association?
- 5) Are there any restrictions/prohibitions imposed upon pet ownership?
- 6) Is access to this condo complex restricted?
 Private Road By Easement Other _____
- 7) Does your unit include parking? If yes, how many?
 Assigned (Number/Letter _____) Unassigned
- 7a) Covered Partial Uncovered Private Garage Carport
- 7b) Standard Compact Tandem
- 7c)
- 8) Do you have knowledge of any parking problems for your unit?
- 9) Do you have assigned and/or deeded storage space outside of your unit?
- 10) Is your unit used for transient accommodations (e.g. Short Term Vacation Rentals, B&B)?
- 10) Is your unit lawfully used for transient accommodations?
- 10a) Is your unit licensed for transient accommodations?
- 10b) If yes, are there any periodic re-licensing requirements?
- 10c) Are there any violations of the license?
- 11) Is this condo complex and/or your unit subject to any recorded or unrecorded land lease (e.g. Pasture lease, sandwich lease)?
 If yes, are there any violations of the land leases?
- 11a)
- 12) Is this condo complex located in a Special Management Area?
- 12a) If Oceanfront Property, are there any past and existing State Shoreline Certification? If yes, please attach.
- 12b) Is there an Elevation Certificate? If yes, please attach.
- 13) Is this condo complex located in a tsunami evacuation zone?
- 14) Is this condo complex located in volcanic hazard Zone 1 or 2? (Only applicable to Island of Hawaii)
- 15) Is this condo complex subject to air pollution? (e.g., "VOG", Smog) If yes, clarify type of pollution.
- 16) Is this condo complex located in a geothermal subzone or near a geothermal facility?
- 17) Is this condo complex located in the regular path of aircraft and does it experience regular excessive aircraft noise?
- 18) Is this condo complex located within the boundaries of the Air Installation Compatibility Use Zone of any Air Force, Army, Navy, or Marine Corps airport as officially designated by military authorities?
- 19) Are you aware of the presence of or removal of unexploded military ordnance in this general area?
- 20) Is this condo complex located in a Special Flood Hazard Area based on FEMA's Flood Insurance Rate Maps (FIRM)?
- 20a) Has this condo complex ever received Federal Disaster Funds?
- 20b) Does this condo complex have a Pre-Flood Insurance Rate Map structure built before the following:
 Honolulu County 9/3/1980, Maui County 6/1/1981, Kauai County 11/4/1981, Hawaii County 5/3/1982
- 21) Are there any easements affecting this condo complex?
- 22) Are there any roadways, driveways, walls, fences, and/or other improvements which are shared with adjoining land owners?
- 23) Are there any known encroachments?
- 24) Are there any written agreements concerning items 21, 22 or 23?
- 25) Are there any violations of government regulations/ordinances related to this condo complex?

BUYER'S INITIALS & DATE

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- 25a) [] [] Are there any zoning or setback violations and/or citations?
 25b) [] [] Are there any nonconforming uses or restrictions on rebuilding?
 26) [] [] Is this condo complex and/or your unit exposed to other types of recurring excessive noise (e.g., night club, school, street traffic, animals, coqui frogs)?
 27) [] [] Are there any additional facts regarding this condo complex and/or your unit that may be deemed a material fact (e.g., history of homicide, felony, suicide, burglary)?
 28) [] [] Are there any other additional material facts related to this condo complex concerning historic registers, Hawaii's Historic Preservation Program, archaeological surveys or historic features?
 29) [] [] Is there any existing or past damage to this condo complex and/or your unit or any of the structures (interior or exterior) from earthquake, fire, smoke, flooding, leaks, landslides, falling rocks, tsunamis, volcanic activity, or wind?
 30) [] [] Are there any additional material facts regarding the neighborhood that would be expected to measurably affect the value of your unit (e.g., pesticides, soil problems, irrigation, odors, pending development in the area, road widening projects, zoning changes; rail, etc.)?
 31) Have there ever been substances, materials, or products known to be an environmental or health hazard such as, but not limited to, asbestos, formaldehyde, by-products of methamphetamine manufacturing, radon gas, lead-based paint, fuel or chemical storage tanks, contaminated soil or water?
 32) [] [] Is there filled land in this condo complex?
 33) [] [] Has there ever been any settling or slippage, sliding, subsidence, or other soil problem?
 34) [] [] Has there ever been any drainage, water infiltration, seepage, flooding, or grading problems?
 35) [] [] Is there any damage caused by tree roots to this condo complex or another property?
 36) [] [] Were additions, modifications, and/or alterations made to your unit without obtaining required association approval?
 37) [] [] Is your unit sprinklered for fire protection?
 38) [] [] Has there been any damage to your unit due to leakage or water penetration from units above or adjacent to your unit or damage due to leakage or water penetration to units below your unit?
 39) [] [] Are you aware of any defects to the common or limited common elements affecting your unit?
 40) [] [] Does any other party have an unrecorded interest in your unit and/or a say in its disposition?
 41) [] [] Are there any lawsuits or foreclosure actions affecting your unit?

B.SINGLE FAMILY RESIDENCE: Do any of the following conditions exist? If "yes", check the appropriate box, reference the number, and describe in Section H.

- YES NO NTMK NA**
- 1) [] [] [] [] Is your property subject to a Homeowners' and/or Community Association or any other Association?
 1a) If yes, what are the fees, what is included, and what are the payments? _____
 1b) Is membership mandatory? [] Yes [] No
 1c) Name of HOA/CA Mgmt Firm: _____ Phone: _____
 1d) [] [] [] [] Are you aware of future maintenance fee increases, special assessments, association loans or pending litigation for or against your association(s)?
 2) [] [] [] [] Are there any "common area" facilities (such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others?
 4) [] [] [] [] Are you aware of any litigation affecting your association?
 3) [] [] [] [] Is your property subject to Covenants, Conditions and Restrictions (CC&Rs)?
 3a) [] [] [] [] Are there any violations of the Covenants, Conditions and Restrictions covering your property?
 5) [] [] [] [] Are there any restrictions/prohibitions imposed upon pet ownership?
 6) [] [] [] [] Is access to your property restricted?
 [] Private Road [] By Easement [] Other
 7) [] [] [] [] Is your property used for transient accommodations (e.g. Short Term Vacation Rentals, B&B)?
 Is your property lawfully used for transient accommodations?
 Is your property licensed for transient accommodations?
 7a) [] [] [] [] If yes, are there any periodic re-licensing requirements?
 7b) [] [] [] [] Are there any violations of the license?
 8) [] [] [] [] Is your property subject to any recorded or unrecorded land lease (e.g. Pasture lease, sandwich lease)?
 8a) [] [] [] [] If yes, are there any violations of the land leases?
 9) [] [] [] [] Is your property located in a Special Management Area?
 9a) [] [] [] [] If Oceanfront Property, are there any past and existing State Shoreline Certification? If yes, please attach.
 9b) [] [] [] [] Is there an Elevation Certificate? If yes, please attach.
 10) [] [] [] [] Is your property located in a tsunami evacuation zone?

BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE

- 11) [] [] Is your property located in volcanic hazard Zone 1 or 2? (Only applicable to Island of Hawaii)
- 12) [] [] Is your property subject to air pollution? (e.g., "VOG", Smog) If yes, clarify type of pollution.
- 13) [] [] Is your property located in a geothermal subzone or near a geothermal facility?
- 14) [] [] Is your property located in the regular path of aircraft and does it experience regular excessive aircraft noise?
- 15) [] [] Is your property located within the boundaries of the Air Installation Compatibility Use Zone of any Air Force, Army, Navy, or Marine Corps airport as officially designated by military authorities?
- 16) [] [] Are you aware of the presence of or removal of unexploded military ordnance in this general area?
- 17) [] [] Is your property located in a Special Flood Hazard Area based on FEMA's Flood Insurance Rate Maps (FIRM)?
- 17a) [] [] Has your property ever received Federal Disaster Funds?
- 17b) [] [] Does your property have a Pre-Flood Insurance Rate Map structure built before the following: Honolulu County 9/3/1980, Maui County 6/1/1981, Kauai County 11/4/1981, Hawaii County 5/3/1982
- 18) [] [] Are there any easements affecting your property?
- 19) [] [] Are there any roadways, driveways, walls, fences, and/or other improvements which are shared with adjoining land owners?
- 20) [] [] Are there any known encroachments?
- 21) [] [] Are there any written agreements concerning items 18, 19 or 20?
- 22) [] [] Are there any violations of government regulations/ordinances related to your property?
- 22a) [] [] Are there any zoning or setback violations and/or citations?
- 22b) [] [] Are there any nonconforming uses or restrictions on rebuilding?
- 23) [] [] Is your property exposed to other types of recurring excessive noise (e.g., night club, school, street traffic, animals, coqui frogs)?
- 24) [] [] Are there any additional facts regarding your property that may be deemed a material fact (e.g., history of homicide, felony, suicide, burglary)?
- 25) [] [] Are there any other additional material facts related to your property concerning historic registers, Hawaii's Historic Preservation Program, archaeological surveys or historic features?
- 26) [] [] Is there any existing or past damage to your property or any of the structures (interior or exterior) from earthquake, fire, smoke, flooding, leaks, landslides, falling rocks, tsunami, volcanic activity, or wind?
- 27) [] [] Are there any additional material facts regarding the neighborhood that would be expected to measurably affect the value of your property (e.g., pesticides, soil problems, irrigation, odors, pending development in the area, road widening projects, zoning changes; rail, etc.)?
- 28) [] [] Have there ever been substances, materials, or products known to be an environmental or health hazard such as, but not limited to, asbestos, formaldehyde, by-products of methamphetamine manufacturing, radon gas, lead-based paint, fuel or chemical storage tanks, contaminated soil or water?
- 29) [] [] Is there filled land on your property?
- 30) [] [] Has there ever been any settling or slippage, sliding, subsidence, or other soil problem?
- 31) [] [] Has there ever been any drainage, water infiltration, seepage, flooding, or grading problems?
- 32) [] [] Is there any damage caused by tree roots to your property or another property?
- 33) [] [] Were additions, modifications, and/or alterations made to your property without obtaining required association approval?
- 34) [] [] Are you aware of any defects to the common or limited common elements affecting your property?
- 35) [] [] Does any other party have an unrecorded interest in your property and/or a say in its disposition?
- 36) [] [] Are there any lawsuits or foreclosure actions affecting your property?

C. CPR SINGLE FAMILY RESIDENCE: Do any of the following conditions exist? If "yes", check the appropriate box, reference the number, and describe in Section H.

- 1) [] [] Is the seller the developer of the CPR (Condominium Property Regime)?
- 2) [] [] Has the seller/developer sold one or more of the properties in the CPR?
- 3) [] [] Expiration date of the Public Report? _____
- 4) [] [] Is your property subject to a Homeowner's and/or Community Association or any other Association?
- 4a) [] [] If yes, what are the fees, what is included, and what are the payments? _____
- 4b) [] [] Is membership mandatory? [] Yes [] No
- 4c) [] [] Name of HOA/CA Mgmt Firm: _____ Phone: _____
- 4d) [] [] Are you aware of future maintenance fee increases, special assessments, association loans or pending litigation for or against your Association(s)?
- 5) [] [] Are there any "common area" facilities (such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others?

BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE

- 6) [] [] Is your property subject to Covenants, Conditions and Restrictions (CC&Rs)?
- 6a) [] [] Are there any violations of the Covenants, Conditions and Restrictions covering your property?
- 7) [] [] Are you aware of any litigation affecting your Association/CPR Development?
- 8) [] [] Are there any restrictions/prohibitions imposed upon pet ownership?
- 9) [] [] Is access to your property restricted?
 Private Road By Easement Other
- 10) [] [] Is your property used for transient accommodations (e.g. Transient Vacation Rentals, B&B)?
 Is your property lawfully used for transient accommodations?
 Is your property licensed for transient accommodations?
 If yes, are there any periodic re-licensing requirements?
- 10a) [] []
- 10b) [] [] Are there any violations of the license?
- 11) [] [] Is your property subject to any recorded or unrecorded land lease (e.g. Pasture lease, sandwich lease)?
- 11a) [] [] If yes, are there any violations of the land leases?
- 12) [] [] Is your property located in a Special Management Area?
- 12a) [] [] If Oceanfront Property, are there any past and existing State Shoreline Certification? If yes, please attach.
- 12c) [] [] Is there an Elevation Certificate? If yes, please attach.
- 13) [] [] Is your property located in a tsunami evacuation zone?
- 14) [] [] Is your property located in volcanic hazard Zone 1 or 2? (Only applicable to Island of Hawaii)
- 15) [] [] Is your property subject to air pollution? (e.g., "VOG", Smog) If yes, clarify type of pollution.
- 16) [] [] Is your property located in a geothermal subzone or near a geothermal facility?
- 17) [] [] Is your property located in the regular path of aircraft and does it experience regular excessive aircraft noise?
- 18) [] [] Is your property located within the boundaries of the Air Installation Compatibility Use Zone of any Air Force, Army, Navy, or Marine Corps airport as officially designated by military authorities?
- 19) [] [] Are you aware of the presence of or removal of unexploded military ordnance in this general area?
- 20) [] [] Is your property located in a Special Flood Hazard Area based on FEMA's Flood Insurance Rate Maps (FIRM)?
- 20a) [] [] Has your property ever received Federal Disaster Funds?
- 20b) [] [] Does your property have a Pre-Flood Insurance Rate Map structure built before the following: Honolulu County 9/3/1980, Maui County 6/1/1981, Kauai County 11/4/1981, Hawaii County 5/3/1982.
- 21) [] [] Are there any easements affecting your property?
- 22) [] [] Are there any roadways, driveways, walls, fences, and/or other improvements which are shared with adjoining land owners?
- 23) [] [] Are there any known encroachments?
- 24) [] [] Are there any written agreements concerning items 21, 22 or 23?
- 25) [] [] Are there any violations of government regulations/ordinances related to your property?
- 25a) [] [] Are there any zoning or setback violations and/or citations?
- 25b) [] [] Are there any nonconforming uses or restrictions on rebuilding?
- 26) [] [] Is your property exposed to other types of recurring excessive noise (e.g., night club, school, street traffic, animals, coqui frogs)?
- 27) [] [] Are there any additional facts regarding your property that may be deemed a material fact (e.g., history of homicide, felony, suicide, burglary)?
- 28) [] [] Are there any other additional material facts related to your property concerning historic registers, Hawaii's Historic Preservation Program, archaeological surveys or historic features?
- 29) [] [] Is there any existing or past damage to your property or any of the structures (interior or exterior) from earthquake, fire, smoke, flooding, leaks, landslides, falling rocks, tsunami, volcanic activity, or wind?
- 30) [] [] Are there any additional material facts regarding the neighborhood that would be expected to measurably affect the value of your property (e.g., pesticides, soil problems, irrigation, odors, pending development in the area, road widening projects, zoning changes; rail, etc.)?
- 31) Have there ever been substances, materials, or products known to be an environmental or health hazard such as, but not limited to, asbestos, formaldehyde, by-products of methamphetamine manufacturing, radon gas, lead-based paint, fuel or chemical storage tanks, contaminated soil or water?
- 32) [] [] Is there filled land on your property?
- 33) [] [] Has there ever been any settling or slippage, sliding, subsidence, or other soil problem?
- 34) [] [] Has there ever been any drainage, water infiltration, seepage, flooding, or grading problems?
- 35) [] [] Is there any damage caused by tree roots to your property or another property?
- 36) [] [] Were additions, modifications, and/or alterations made to your property without obtaining required association and or CPR approval?
- 37) [] [] Are you aware of any defects to the common or limited common elements affecting your property?
- 38) [] [] Does any other party have an unrecorded interest in your property and/or a say in its disposition?
- 39) [] [] Are there any lawsuits or foreclosure actions affecting your property?

 BUYER'S INITIALS & DATE

 SELLER'S INITIALS & DATE

D. VACANT LAND: Do any of the following conditions exist? If "yes", check the appropriate box, reference the number, and describe in Section H.

YES NO NTMK NA

- 1) [] [] [] Is your property a CPR (Condominium Property Regime)?
- 2) [] [] [] Is the seller the developer of the CPR (Condominium Property Regime)?
- 3) [] [] [] Has the seller/developer sold one or more of the properties in the CPR?
- 4) [] [] [] Expiration date of the Public Report? _____
- 5) [] [] [] Is your property subject to a Homeowners' and/or Community Association or any other Association?
 5a) If yes, what are the fees, what is included, and what are the payments? _____
 5b) Is membership mandatory? [] Yes [] No
 5c) Name of HOA/CA Mgmt Firm: _____ Phone: _____
- 5d) [] [] [] Are you aware of future maintenance fee increases, special assessments, association loans or pending litigation for or against your Association(s)?
- 6) [] [] [] Are there any "common area" facilities (such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others
- 7) [] [] [] Is your property subject to Covenants, Conditions and Restrictions (CC&Rs)?
- 7a) [] [] [] Are there any violations of the Covenants, Conditions and Restrictions covering your property?
- 8) [] [] [] Are you aware of any litigation affecting your Association/CPR Development?
- 9) [] [] [] Are there any restrictions/prohibitions imposed upon pet ownership?
- 10) [] [] [] Is access to your property restricted?
 [] Private Road [] By Easement [] Other
- 11) [] [] [] Is your property subject to any recorded or unrecorded land lease (e.g. Pasture lease, sandwich lease)?
- 11a) [] [] [] If yes, are there any violations of the land leases?
- 12) [] [] [] Is your property located in a Special Management Area?
- 12a) [] [] [] If Oceanfront Property, are there any past and existing State Shoreline Certification? If yes, please attach.
- 13c) [] [] [] Is there an Elevation Certificate? If yes, please attach.
- 14) [] [] [] Is your property located in a tsunami evacuation zone?
- 15) [] [] [] Is your property located in volcanic hazard Zone 1 or 2? (Only applicable to Island of Hawaii)
- 16) [] [] [] Is your property subject to air pollution? (e.g., "VOG", Smog) If yes, clarify type of pollution.
- 17) [] [] [] Is your property located in a geothermal subzone or near a geothermal facility?
- 18) [] [] [] Is your property located in the regular path of aircraft and does it experience regular excessive aircraft noise?
- 19) [] [] [] Is your property located within the boundaries of the Air Installation Compatibility Use Zone of any Air Force, Army, Navy, or Marine Corps airport as officially designated by military authorities?
- 20) [] [] [] Are you aware of the presence of or removal of unexploded military ordnance in this general area?
- 21) [] [] [] Is your property located in a Special Flood Hazard Area based on FEMA's Flood Insurance Rate Maps (FIRM)?
- 21a) [] [] [] Has your property ever received Federal Disaster Funds?
- 22b) [] [] [] Does your property have a Pre-Flood Insurance Rate Map structure built before the following: Honolulu County 9/3/1980, Maui County 6/1/1981, Kauai County 11/4/1981, Hawaii County 5/3/1982
- 23) [] [] [] Are there any easements affecting your property?
- 24) [] [] [] Are there any roadways, driveways, walls, fences, and/or other improvements which are shared with adjoining land owners?
- 25) [] [] [] Are there any known encroachments?
- 26) [] [] [] Are there any written agreements concerning items 23, 24 or 25?
- 27) [] [] [] Are there any violations of government regulations/ordinances related to your property?
- 27a) [] [] [] Are there any zoning or setback violations and/or citations?
- 27b) [] [] [] Are there any nonconforming uses?
- 28) [] [] [] Is your property exposed to other types of recurring excessive noise (e.g., night club, school, street traffic, animals, coqui frogs)?
- 29) [] [] [] Are there any additional facts regarding your property that may be deemed a material fact (e.g., history of homicide, felony, suicide, burglary)?
- 30) [] [] [] Are there any other additional material facts related to your property concerning historic registers, Hawaii's Historic Preservation Program, archaeological surveys or historic features?
- 31) [] [] [] Is there any existing or past damage to your property or any of the structures (interior or exterior) from earthquake, fire, smoke, flooding, leaks, landslides, falling rocks, tsunami, volcanic activity, or wind?
- 32) [] [] [] Are there any additional material facts regarding the neighborhood that would be expected to measurably affect the value of your property (e.g., pesticides, soil problems, irrigation, odors, pending development in the area, road widening projects, zoning changes; rail, etc.)?

 BUYER'S INITIALS & DATE

 SELLER'S INITIALS & DATE

- 33) Have there ever been substances, materials, or products known to be an environmental or health hazard such as, but not limited to, asbestos, formaldehyde, by-products of methamphetamine manufacturing, radon gas, lead-based paint, fuel or chemical storage tanks, contaminated soil or water?
- 34) Is there filled land on your property?
- 35) Has there ever been any settling or slippage, sliding, subsidence, or other soil problem?
- 36) Has there ever been any drainage, water infiltration, seepage, flooding, or grading problems?
- 37) Is there any damage caused by tree roots to your property or another property?
- 38) Were additions, modifications, and/or alterations made to your property without obtaining required Association/CPR approval.?
- 39) Are you aware of any defects to the common or limited common elements affecting your property?
- 40) Does any other party have an unrecorded interest in your property and/or a say in its disposition?
- 41) Are there any lawsuits or foreclosure actions affecting your property?
- 42) Is there a water meter at your property?
- 43) If not, are you aware if the County Water Department will issue a commitment for a water unit ?
- 44) Is there electricity fronting your property?

E. IMPROVEMENTS: Do any of the following conditions exist? If "yes", reference the number, and describe in Section H.

YES NO NTMK NA

- 1) Were any of the improvements to your property built under an owner-builder permit?
1a) _____ Date of Final Inspection Approval by the County: _____
- 2) Is the Seller/Builder a licensed contractor who is providing warranties?
- 3) Have you given any release or waiver of liability, or release from a warranty to any government agency, contractor, engineer, architect, land surveyor, or landscape architect, for any defect, mistake, or omission in the design or construction of your property?
- 4) Were any improvements, additions, structural modifications or alterations built without building permits, association design committee or other governmental approvals?
- 5) For any improvement(s) subject to a mechanic's and materialman's lien, has Notice of Completion been published?
5a) Date of publication _____ []Unknown
- 6) Were any of the building permits not finalized (closed) by the permitting agency?
- 7) Has the roof been repaired or replaced?
7a) _____ When and by whom?
7b) _____ What is the age of the roof?
- 8c) Are there any transferable warranties?
- 9) Has there been any evidence or presence of mold, mildew and/or fungus?
9a) If yes, was there treatment? When and how? _____
- 10) Has there been any evidence of pest infestation (e.g., roaches, fleas, bedbugs, mites, ticks, ants, rats, centipedes, etc.)?
10a) If yes, was there treatment? When and how? _____
- 11) Has there been any evidence or presence of wood destroying organisms in the improvements (e.g., termites, powder post beetles, dry rot, carpenter ants/bees, etc.)?
11a) If yes, was there treatment? When and how? Has there been professional treatment? List who treated and date(s). _____
- 11b) Is there any known damage to the improvements caused by wood destroying organisms? If yes, what areas were effected? _____
- 11c) Has the damage been repaired? If yes, list repairs. _____
- 11d) Are there any warranties for treatment or repairs? Who provides the warranties and dates of warranties? _____

F. UTILITIES AND SERVICES: Complete and describe problems, if any, in Section H.

- 11) What is your source of water supply?
a) Public Private
Is this Property separately metered? Yes No
Is this a sub-meter? Yes No
Is there a shared water supply? Yes No
b) Catchment: Tank type _____ Capacity _____ Age _____
Condition _____
c) Other _____

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- 2) What type of waste water/sewage system do you have?
- a) Public Sewer Private Sewer Connected? Yes No
 If not, is connection currently required? Yes No
 Is there a separate sewer fee? Yes No Amount of current sewer fee _____
- b) Cesspool Septic System Individual Sewage Treatment Plant Location _____
 Last Pumped _____ How Often? _____
- c) Abandoned septic or cesspool Location _____ Filled? Yes No NTMK
- d) Does the cesspool serve more than one dwelling or living unit (A "dwelling" or, "living unit" is defined as having its own kitchen/food preparation area, bathroom and sleeping/living area), including "ohana" units? Yes No

NOTE: Hawaii state law requires all cesspools be converted to septic systems or must connect to a sewer system before January 1, 2050.

- 3) What is your source of electrical power?
 Public Photo Voltaic Other: _____
- a) Is the Property subject to Special Subdivision Project Provision (SSPP) connection fees? Yes No
- b) Hawaii law requires Sellers who pay their electricity bills directly to make a good faith declaration of electricity costs based upon the most recent three-month period that the property was occupied. In this context, please answer the following:
 Do you pay your electrical utility bill directly? Yes No
 If yes, please state the amount you paid for electricity for the most recent three-month period that the property was occupied.
 Mon/Yr: _____ Amount: _____ Mon/Yr: _____ Amount: _____
 Buyer's actual electricity costs may vary substantially based on usage or consumption. If Seller's usage is significantly lower or higher than normal usage would suggest, please describe in Section G.
- c) If Seller's interest in a photovoltaic system is included in the sale, please answer the following and attach ALL applicable documentation (i.e. leases/finance agreements, service/maintenance agreements, utility agreements net metering/buyback and/or credit agreements, user manuals, battery maintenance and warranties)
 Is the system Leased Financed Owned outright _____
- d) If there is a photovoltaic system, does it contain an energy storage system, such as batteries? Yes No
- 4) If a Solar Hot Water System is included with the sale, please answer the following and attach ALL applicable documentation (i.e. lease/financing agreement, service/maintenance agreements, user manuals).
 Is the system Leased Financed Owned outright Year installed: _____
- 5) If a Security Alarm and/or Home Automation System is included with the sale, please answer the following and attach ALL applicable documentation (i.e. lease/financing agreement, service/maintenance agreements, user manuals).
 Is the system Leased Financed Owned outright Monitored
- 6) Gas: Piped Tank None
- 7) Telephone Service: Traditional Cable Cell Satellite
- 8) Television Service: Cable Satellite Antenna Not available
- 9) Broadband Internet DSL Cable None Other
- 10) US Postal Delivery: PO Box Community Box Individual Curbside Box None

G.DEFECTS, REPAIRS OR REPLACEMENTS (Past or present): Check items listed below if you are aware of any past or present defects, repairs or replacements. If checked, use the same number and describe in Section H.

- | | | |
|---|--|--|
| (54) <input type="checkbox"/> Air conditioning | (67) <input type="checkbox"/> Fences/Perimeter Walls | (80) <input type="checkbox"/> Solar Water Systems |
| (55) <input type="checkbox"/> Appliances | (68) <input type="checkbox"/> Fire Sprinkler System | (81) <input type="checkbox"/> Solar/Photovoltaic Systems |
| (56) <input type="checkbox"/> Bathtubs/showers/Basins/Toilets | (69) <input type="checkbox"/> Fireplace/Chimney | (82) <input type="checkbox"/> Spa/Hot Tub/Sauna |
| (57) <input type="checkbox"/> Ceilings | (70) <input type="checkbox"/> Floors/Floor Coverings | (83) <input type="checkbox"/> Swimming Pool |
| (58) <input type="checkbox"/> Ceiling Fans | (71) <input type="checkbox"/> Foundations/Slabs | (84) <input type="checkbox"/> Ventilation Systems |
| (59) <input type="checkbox"/> Central Vacuum Systems | (72) <input type="checkbox"/> Gutters | (85) <input type="checkbox"/> Walkways |
| (60) <input type="checkbox"/> Counters/Cabinets | (73) <input type="checkbox"/> Heating Systems | (86) <input type="checkbox"/> Walls Exterior/Trim |
| (61) <input type="checkbox"/> Decking/Railings/Lanai | (74) <input type="checkbox"/> Lawn Sprinkler System | (87) <input type="checkbox"/> Walls Interior/Baseboards/Trim |
| (62) <input type="checkbox"/> Doorbells | (75) <input type="checkbox"/> Plumbing | (88) <input type="checkbox"/> Water Features |
| (63) <input type="checkbox"/> Doors (all types) | (76) <input type="checkbox"/> Roofs/Eaves/Skylights | (89) <input type="checkbox"/> Water Heater |
| (64) <input type="checkbox"/> Driveways | (77) <input type="checkbox"/> Security Systems | (90) <input type="checkbox"/> Window Coverings |
| (65) <input type="checkbox"/> Electrical Systems Switches, etc. | (78) <input type="checkbox"/> Sinks/Faucets | (91) <input type="checkbox"/> Windows/Screens |
| (66) <input type="checkbox"/> Electronic Controls/Remotes | (79) <input type="checkbox"/> Smoke Detectors | (92) <input type="checkbox"/> Other _____ |

H. Reference Question Number and Provide the Explanation. List any additional material facts. List any attachments or exhibits:

 BUYER'S INITIALS & DATE

 SELLER'S INITIALS & DATE

NOTE: THERE IS NO WARRANTY ON PLAIN LANGUAGE. An effort has been made to put this agreement into plain language. But there is no promise that it is in plain language. In legal terms, THERE IS NO WARRANTY, EXPRESSED OR IMPLIED, THAT THIS AGREEMENT COMPLIES WITH CHAPTER 487A OF THE HAWAII REVISED STATUTES. This means that the Hawaii Association of REALTORS® is not liable to any Buyer, Seller, or other person who uses this form for any damages or penalty because of any violation of Chapter 487A. People are cautioned to see their own attorneys about Chapter 487A (and other laws that may apply).

DRAFT

BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE