



SELLER'S REAL PROPERTY DISCLOSURE STATEMENT
Hawaii Association of REALTORS® Standard Form
Revised 12/17 For Release 5/18



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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: _____	
Tax Map Key: Div. _____ /Zone _____ /Sec. _____ /Plat _____ /Parcel _____ /CPR _____ (if applicable).	
County Zoning: _____ State Land Use Designation: _____	
[<input type="checkbox"/>] Fee Simple [<input type="checkbox"/>] 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. 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. **BUYER SHOULD TAKE CARE TO PROTECT BUYER'S OWN INTEREST BY OBTAINING PROFESSIONAL ADVICE AND BY CONDUCTING THOROUGH INSPECTIONS AND OBTAINING EXPERT HELP IN EVALUATING PROPERTY AND BY OBTAINING BUYER'S OWN PUBLIC RECORDS.** 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 OF ANY KIND 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.

If not presently owner occupied, date of Seller's last visit _____.
 Has the 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): _____

<p>General Instructions to Seller: (1) Answer <u>ALL</u> questions in the applicable sections. (2) If checked or answered yes, explain all material facts known to you in Section G. (3) If additional space is needed to explain material facts, attach additional pages and sign/date at the bottom. (4) Each property/dwelling/structure shall have its own Disclosure. (5) NTMK means NOT TO MY KNOWLEDGE. (6) NA means NOT APPLICABLE and cannot be answered by "Yes," "No" or "NTMK."</p>
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 BUYER'S INITIALS & DATE

 SELLER'S INITIALS & DATE



A. GENERAL: Do any of the following conditions exist? If "yes", check the appropriate box, reference the number, and describe in Section G.

	YES	NO	NTMK	NA	
1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does any other party have an unrecorded interest in this Property and/or a say in its disposition?
2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any past or present lawsuits or foreclosure actions affecting this Property?
3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any easements affecting this Property?
4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any roadways, driveways, walls, fences, and/or other improvements which are shared with adjoining land owners?
5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any known encroachments?
6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any written agreements concerning items 3, 4 or 5? Recorded? Yes _____ No _____
7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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?
8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there filled land on this Property?
9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has there ever been any settling or slippage, sliding, subsidence, or other soil problem?
10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has there ever been any drainage, water infiltration, seepage, flooding, or grading problems?
11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any violations of government regulations/ordinances related to this Property?
11a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Are there any zoning or setback violations and/or citations?
11b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Are there any nonconforming uses or restrictions on rebuilding?
12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property subject to any recorded or unrecorded land lease (e.g. Pasture lease, sandwich lease)?
12a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) If yes, are there any violations of the land leases?
13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property licensed for any transient accommodations (e.g. Transient Vacation Rentals, B&B)?
13a)					Minimum number of days _____
13b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) If yes, are there any periodic re-licensing requirements?
13c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Are there any violations of the license?
14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is this Property subject to Covenants, Conditions and Restrictions (CC&Rs)?
14a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Are there any violations of the Covenants, Conditions and Restrictions covering this Property? Provide status: _____
15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there any damage caused by tree roots?
16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property located in a Special Management Area?
16a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) If Oceanfront Property, are there any past and existing State Shoreline Certification? If yes, please attach
17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is this Property located in a geothermal subzone or near a geothermal facility?
18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property located in a tsunami evacuation zone?
19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property located in a Special Flood Hazard Area based on FEMA's Flood Insurance Rate Maps?
19a)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Does the Property have a Pre-FIRM 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
19b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Is there an Elevation Certificate? If yes, please attach
20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property located in volcanic hazard Zone 1 or 2? (Only applicable to Island of Hawaii)
21)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there any existing or past damage to the Property or any of the structures (interior or exterior) from earthquake, fire, smoke, flooding, leaks, landslides, falling rocks, tsunami, volcanic activity, or wind?
22)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property subject to air pollution? (e.g., "VOG", Pollen, Smog) Clarify type of pollution.
23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property exposed to other types of recurring excessive noise (e.g., night club, noisy neighbors, school, street traffic, animals coqui frogs, birds, barking dogs?, Other)? _____
24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any additional facts regarding the Property that may be deemed a material fact (e.g., history of homicide, felony, suicide, burglary)?
25)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any other additional material facts related to the Property concerning historic registers, Hawaii's Historic Preservation Program, archaeological surveys or historic features?
26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any additional material facts regarding the neighborhood that would be expected to measurably affect the value of the Property (e.g., pesticides, soil problems, irrigation, odors, pending development in the area, road widening projects, zoning changes; rail, etc.)?
27)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the Property located in the regular path of aircraft and does it experience regular excessive aircraft noise?
28)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the 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?
29)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are you aware of the presence of or removal of unexploded military ordinance in this general area?
30)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is access to the Property restricted? <input type="checkbox"/> Private Road <input type="checkbox"/> By Easement <input type="checkbox"/> Other

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

YES NO NTMK NA

BUYER'S INITIALS & DATE

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- 31) [] [] [] [] [] [] Is the Property part of a Condominium Property Regime (CPR)?
- 32) [] [] [] [] [] [] Are there any "common area" facilities (such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others?

YES NO NTMK NA

- 33) [] [] [] [] [] [] Is the Property subject to a Homeowners' and/or Community Association or any other Association?
- 33a) [] [] [] [] [] [] (a) Is membership mandatory?
- 33b) Name of the AOA/HOA management firm: _____
- 33c) _____ (b) yes, what are the fees and payments? _____
- 33d) _____ (c) What is included in the fees and payments? _____
- 33e) [] [] [] [] [] [] (d) Are you aware of future maintenance fee increases, special assessments, association loans or pending litigation for or against your Association(s)?

IF ANY OF THE ABOVE ARE CHECKED YES, NOTE: 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.

C. UTILITIES AND SERVICES: Complete and describe problems, if any, in Section G.

- 34) 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 _____
- 35) What type of waste water/sewage system do you have?
- Department of Health/EPA now requires all cesspools be upgraded or converted to septic systems or must connect to a sewer system before January 1, 2050.**
- 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
- e) ??
- 36) 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 _____ Mon/Yr: _____ Amount: _____
Buyer's actual electricity costs may vary substantially.
- 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 _____
- 37) 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
- 38) 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
- 39) Gas: [] Piped [] Tank [] None
- 40) Telephone Service: [] Traditional [] Cable [] Cell [] Satellite
- 41) Television Service: [] Cable [] Satellite [] Antenna [] Not available
- 42) Broadband Internet [] DSL [] Cable [] None [] Other
- 43) US Postal Delivery: [] PO Box [] Community Box [] Individual Curbside Box [] None

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[] D. IMPROVEMENTS: Do any of the following conditions exist? If "yes", check the appropriate box, reference the number, and describe in Section G.

- YES NO NTMK NA**
- 44) [] [] [] [] [] Were any improvements, additions, structural modifications or alterations built without building permits, association design committee or other governmental approvals?
- 45) [] [] [] [] [] For any improvement(s) subject to a mechanic's and materialman's lien, has Notice of Completion been published?
- 45a) _____ → (a) Date of publication _____ Box _____ Unknown
- 46) [] [] [] [] [] Were any of the building permits not finalized (closed) by the permitting agency?

- YES NO NTMK NA**
- 47) [] [] [] [] [] Were any of the improvements to this Property built under an owner-builder permit?
- 47a) _____ → (a) Date of Final Inspection Approval by the County: _____
- 48) [] [] [] [] [] Is the Seller/Builder a licensed contractor who is providing warranties?
- 49) [] [] [] [] [] 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 this Property?
- 50) [] [] [] [] [] Has the roof been repaired or replaced?
- 50a) _____ → (a) When and by whom? _____
- 50b) _____ → (b) What is the age of the roof? _____
- 50c) [] [] [] [] [] (c) Are there any transferable warranties?
- 51) [] [] [] [] [] Has there been any evidence or presence of mold, mildew and/or fungus?
- 51a) [] [] [] [] [] (a) If yes, was there treatment? When and how?
- 52) [] [] [] [] [] Has there been any evidence or infestation of any pests (e.g., roaches, fleas, bedbugs, mites, ticks, ants, rats, centipedes, etc.)?
- 52a) [] [] [] [] [] (a) If yes, was there treatment? When and how?
- 53) [] [] [] [] [] 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.)?
- 53a) [] [] [] [] [] (a) If yes, was there treatment? When and how? Has there been professional treatment? List who treated and date(s).
- 53b) [] [] [] [] [] (b) Is there any known damage to the improvements caused by wood destroying organisms?
- 53c) [] [] [] [] [] (c) Has the damage been repaired? What areas were affected?
- 53d) [] [] [] [] [] (d) Are there any warranties for treatment or repairs? Who provides the warranties and dates of warranties?

E. 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 G.

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

F. CONDO/CPR LAND/CPR PROPERTY SPECIFIC: Do any of the following conditions exist? If "yes", check the appropriate box, reference the number, and describe in Section G.

- YES NO NTMK NA**
- 93) [] [] [] [] [] Does this unit include parking? If yes, how many? _____
- 93a) [] [] [] [] [] (a) [] Assigned [] Unassigned
- 93b) _____ → (b) [] Covered [] Partial [] Uncovered [] Private Garage [] Carport
- 93c) _____ → (c) [] Standard [] Compact [] Tandem
- 94) [] [] [] [] [] Do you have knowledge of any parking problems for your unit?
- 95) [] [] [] [] [] Do you have assigned and/or deeded storage space outside of your unit?
- 96) [] [] [] [] [] Were additions, modifications, and/or alterations made to your Property without obtaining required association approval?

BUYER'S INITIALS & DATE

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all deposits made by Buyer shall be immediately returned to Buyer. Failure to deliver the written notification to the Seller within the specified period shall be deemed an acceptance of the disclosure statement.

Seller gives permission to any Broker to provide this statement to any Buyer whose identity has been made known to Seller, a lending institution, or the escrow company involved in the transaction between the parties.

SELLER

DATE

SELLER

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).

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BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE