

# OWNER'S PROPERTY DISCLOSURE STATEMENT (LEASE)

## EXHIBIT " \_\_\_\_\_ "

(To be used for Lease for Lease/Purchase Agreement and Lease for Residential Property Forms)



2019 Printing

This Exhibit is part of the Agreement with an Offer Date of \_\_\_\_\_ for the lease/purchase and sale of that certain Property known as: \_\_\_\_\_, Georgia \_\_\_\_\_.

**A. INSTRUCTIONS TO OWNER IN COMPLETING THIS DISCLOSURE STATEMENT.** In completing this Disclosure Statement, Owner agrees to:

- (1) answer all questions in reference to the Property (which, unless otherwise noted, shall include the improvements thereon);
- (2) leave no question unanswered;
- (3) answer all questions fully and accurately based upon the best knowledge and belief of all Owners in the Lease Agreement;
- (4) fully explain in the Additional Explanations paragraph any questions to which the answer is "yes" or "don't know" referencing the number of the question for which the additional explanation is being given; and
- (5) promptly revise the Statement and provide a copy of the same to the Tenant and any Broker involved in the transaction if prior to leasing there are any material changes in the answers to any of the questions.

**B. HOW THIS STATEMENT SHOULD BE USED BY TENANT.** The answers of Owner below should not be a substitute for Tenant conducting a careful, independent evaluation of the Property. Caveat emptor or Tenant beware is the law in Georgia. Tenant is expected to use reasonable care to identify defects in the Property and satisfy herself or himself that the Property is suitable for Tenant's needs and purposes. If an independent evaluation of the Property reveals potential problems or areas of concern that would cause a reasonable tenant to investigate further, Tenant may not have legal recourse if Tenant fails to investigate further.

**C. DISCLOSURES.**

**1. COVENANTS, FEES AND ASSESSMENTS:**

- |  | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |
|--|------------|-----------|-------------------|
| (a) Is the Property subject to a recorded Declaration of Covenants, Conditions and Restrictions ("CC&Rs") or other similar restrictions?   | _____      | _____     | _____             |
| (b) Is the Property part of a condominium or community in which there is a homeowners' association?  | _____      | _____     | _____             |
| (c) If Owner answered "Yes" to either (a) or (b), do any of these Covenant's prohibit or restrict leasing in any way (i.e. leasing permit is required or there is a limitation on the # of units that can be leased in the community)? | _____      | _____     | _____             |

**2. LEAD-BASED PAINT:**

Was any part of the residential dwelling on the Property or any painted, component, fixture or material used therein constructed or manufactured prior to 1978? \_\_\_\_\_

If you have answered "Yes" or "Don't Know" the Lead-Based Paint Exhibit (F316) must be executed by the parties and the Lead-Based Paint Pamphlet (CB04) must be provided to the Tenant.

**3. ROOF, GUTTERS AND DOWNSPOUTS:**

- |   |       |       |       |
|---|-------|-------|-------|
| (a) Approximate age of roof: _____ years.   | _____ | _____ | _____ |
| (b) Are there any roof leaks or other problems with the roof, roof flashing, gutters or downspouts? | _____ | _____ | _____ |

**4. SEWER/PLUMBING RELATED ITEMS:**

- |   |       |       |       |
|---|-------|-------|-------|
| (a) What is the drinking water source: <input type="checkbox"/> public <input type="checkbox"/> private <input type="checkbox"/> well           | _____ | _____ | _____ |
| (b) If the drinking water is from a well, has the water been tested within the past twelve (12) months?   | _____ | _____ | _____ |
| (c) What is the sewage system: <input type="checkbox"/> public <input type="checkbox"/> private <input type="checkbox"/> septic tank            | _____ | _____ | _____ |
| (d) If the Property is served by a septic system, how many bedrooms was the septic system approved for by local governmental authorities? _____ | _____ | _____ | _____ |
| (e) Is the main dwelling served by sewage pump?   | _____ | _____ | _____ |
| (f) Has any septic tank or cesspool on Property ever been professionally serviced?<br>If yes, please give the date of last service: _____       | _____ | _____ | _____ |
| (g) Are there any leaks, backups or other similar problems with to any portion of the plumbing, water or sewage systems?                        | _____ | _____ | _____ |
| (h) Is there presently any polybutylene plumbing, other than the primary service line?  | _____ | _____ | _____ |
| (i) Are there any low water flow plumbing fixtures?   | _____ | _____ | _____ |
| (j) Has any water line or fixture ever frozen in cold weather?  | _____ | _____ | _____ |

	<u>Yes</u>	<u>No</u>	<u>Don't Know</u>
<b>5. FLOODING, DRAINAGE, MOISTURE AND SPRINGS:</b>			
(a) Is there now or has there been any water intrusion in the basement, crawl space or other parts of any dwelling or garage?	_____	_____	_____
(b) Have any repairs been made to control water intrusion in the basement, crawl space, or other parts of any dwelling or garage?	_____	_____	_____
(c) Is any part of the Property or any improvements thereon presently located in a 100 year Special Flood Hazard Area where there is at least a 1% chance of a flood in any given year?	_____	_____	_____
(d) Has there ever been any flooding?	_____	_____	_____
(e) Are there any streams that do not flow year round or underground springs?	_____	_____	_____
(f) Are there any dams, retention ponds, storm water detention basins, or other similar facilities?	_____	_____	_____
<b>6. SOIL, TREES, SHRUBS AND BOUNDARIES:</b>			
(a) Are there any landfills (other than foundation backfill), graves, burial pits, caves, mine shafts, trash dumps or wells (in use or abandoned)?	_____	_____	_____
(b) Is there now or has there ever been any visible soil settlement or movement?	_____	_____	_____
(c) Are there any diseased or dead trees?	_____	_____	_____
(d) Are there presently any encroachments, unrecorded easements or boundary line disputes with a neighboring property owner?	_____	_____	_____
(e) Do any of the improvements encroach onto a neighboring property?	_____	_____	_____
<b>7. ENVIRONMENTAL/HEALTH/SAFETY CONCERNS:</b>			
(a) Are there any underground tanks or toxic or hazardous substances such as asbestos?	_____	_____	_____
(b) Has Methamphetamine ("Meth") ever been produced on the Property?	_____	_____	_____
(c) Have there ever been adverse test results for radon, lead, mold or any other potentially toxic substances?	_____	_____	_____
(d) Is there any mold on interior heated and cooled portions of any dwelling on the Property other than on the walls, floors or ceilings of showers, sinks, and bathtubs?	_____	_____	_____
<b>8. OTHER MATTERS:</b>			
(a) Is there or has there been in the past any litigation involving Property or any improvement therein alleging negligent or improper construction defects or termites?	_____	_____	_____
(b) Are there any problems with or repairs needed to the electrical, plumbing, or heating and air condition systems, or any part thereof?	_____	_____	_____
<b>9. AGRICULTURAL DISCLOSURE:</b>			
Is Property within, partially within, or adjacent to any property zoned or identified on an approved county land use plan as agricultural or forestry use?	_____	_____	_____

It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of farm and forest land for the production of food, fiber, and other products, and also for its natural and environmental value. This notice is to inform prospective property owners or other persons or entities leasing or acquiring an interest in real property that property in which they are about to acquire an interest lies within, partially within, or adjacent to an area zoned, used, or identified for farm and forest activities and that farm and forest activities occur in the area. Such farm and forest activities may include intensive operations that cause discomfort and inconveniences that involve, but are not limited to, noises, odors, fumes, dust, smoke, insects, operations of machinery during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. One or more of these inconveniences may occur as the result of farm or forest activities which are in conformance with existing laws and regulations and accepted customs and standards.

**10. ADDITIONAL EXPLANATIONS OR DISCLOSURES:**

Additional pages are attached.

**OWNER'S REPRESENTATION REGARDING OWNER'S PROPERTY DISCLOSURE STATEMENT:**

Owner represents that Owner has followed the Instructions to Owner in Completing This Disclosure Statement set forth in Paragraph A above and will follow the same in updating this Disclosure Statement as needed from time to time.

Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Additional Signature Page (F931) is attached.

**RECEIPT AND ACKNOWLEDGMENT BY TENANT:**

Tenant acknowledges the receipt of this Owner's Property Disclosure Statement.

Tenant: \_\_\_\_\_

Date: \_\_\_\_\_

Tenant: \_\_\_\_\_

Date: \_\_\_\_\_

Additional Signature Page (F931) is attached.