

# Seller's Property Condition Disclosure Statement

(Improved Property)

Name of Seller(s): Steven M. Hornyak

Property Address: 4474 Whitestone Way Suwanee, Georgia, GA (the "Property")

**Purpose of Statement and Disclaimer:**

This is a statement by the Seller pertaining to certain conditions and information concerning the Property known to the Seller. Unless otherwise indicated, the Seller does not possess any expertise in construction, architecture, engineering or any other specific area related to the construction or condition of the improvements on the Property or the land. Also, unless otherwise indicated, the Seller has not conducted any inspection of generally inaccessible areas such as underneath floor or wall coverings, under the foundation or on the roof. This Seller's Property Condition Disclosure Statement is not a warranty of any kind by the Seller, or by any agent representing the Seller. It is not a substitute for any inspections or tests to be conducted by the Buyer, and it is the Buyer's responsibility to obtain independent professional inspections, surveys, environmental tests, public records and any other information available pertaining to the Property. In no event shall the parties hold the Seller's Broker liable for any representations not directly made by the Broker or Broker's Agent.

**Instructions to the Seller:**

- a. Answer all questions based upon your actual knowledge.
- b. Attach additional pages with your signature if additional space is required.
- c. Complete this form to the best of your ability.
- d. If some items do not apply to the Property, check "N/A" (Non-applicable). If you do not know the answer, check "Unknown."

**Seller's Statement:**

The Seller makes the following representations to the Buyer based upon the Seller's actual knowledge at the time of signing this document. Unless otherwise indicated, the term "Property" includes the land and any enclosed structure on the land, including any sheds, outbuildings, garages or other detached structures, but not including any purely recreational or landscaping structures, such as swing sets, gazebos or arbors. The Seller acknowledges that a knowingly false or incomplete statement by the Seller on this form may subject the Seller to claims by the Buyer prior to or after the transfer of title. The Seller authorizes any agent acting on Seller's behalf, if any, to provide a copy of this statement to a prospective buyer of the residential real Property. The following are representations made by the Seller and are not the representations of the Seller's agent.

**GENERAL INFORMATION/OWNERSHIP**

- 1. When did you acquire the Property? 2010  
Year
- 2. Since when have you occupied the Property? 11/2010  
Month/Year
- 3. When was the dwelling built? 2004  
Year

Have there been any major changes or renovations to the house or attached structures exceeding \$1,000 since it was originally built?  Yes  No

If yes, please explain. Basement fully finished. Kitchen and MBR remodelled. Extensive Landscaping and Perimeter Fence. HW Floors redone.

If yes, were all legally required permits, licenses and inspections related to the work obtained?  Yes  No

- 4. Was any part of the Property built before 1978?  Yes  No

If yes, which part? \_\_\_\_\_

If yes, Seller must complete Lead Based Paint Disclosure and an investigation for the presence of lead-based paint is encouraged.

- 5. Is the house vacant?  Yes  No If yes, since when? \_\_\_\_\_  
Month/Year

6. Does anybody other than you have a lease, easement or any other right to use or occupy any part of the Property other than those stated in public record documents, such as rights to use a road or path or cut trees? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

7. Other than outstanding mortgages, are there any third party claims against the title to the Property such as contractor's liens, easements (other than general utility easements) or legal judgments? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

8. Are there any features of the Property shared in common with adjoining landowners or a homeowner's association, such as walls, fences or driveways? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

9. Is the Property encumbered by any covenants or restrictions, or governed by a homeowner's association? Yes No Unknown

If "Yes," are there any special assessments, homeowner or other association fees that apply to the Property? Yes No Unknown N/A

If "Yes," explain **and attach Community Association Exhibit:**  
**Fee to join RiverClub disclosed in FMLS for Sports/Social. Golf is Optional.**

10. Is any or all of the Property located in a designated floodplain or wetland? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

11. Is the Property located in an agricultural district? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

12. Has this Property ever been used as a landfill, had fuel storage tanks above or below the ground, or had motor fuel, motor oil, home heating fuel, lubricating oil or any other petroleum product, methane gas, or any hazardous or toxic substance spilled, leaked or otherwise released on the Property, or from the Property onto any other property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

13. Is there now, or has there been, any evidence of erosion, settlement or other soil movement on the Property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

14. At any time of the year, are there any springs, streams, ponds, dams or other water retention facilities on the Property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

15. In which public school districts is the Property located? Elementary School Level Creek  
Middle School North Gwinnett High School North Gwinnett

**STRUCTURAL**

16. Is there now, or has there been, any wood rot or water damage to the main dwelling or any other enclosed structure located on the Property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

17. Is there now, or has there been, any fire or smoke damage to the main dwelling or any other enclosed structure located on the Property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

18. Is there now, or has there been, any storm or weather related damage to the main dwelling or any other enclosed structure located on the Property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

19. Is there now, or has there been, any termite, insect, rodent or pest infestation or damage to the main dwelling or any other enclosed structure on the Property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

20. Is the main dwelling or any other enclosed structure on the Property covered under a current termite bond? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

21. Is the main dwelling or any other enclosed structure on the Property currently being serviced by a pest control company? Yes No Unknown

If "Yes," explain: GoGo Pest - Monthly service inside and out

22. Is there any portion of the exterior siding of the main dwelling or any other enclosed structure that consists of synthetic stucco? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

23. Are you aware of any asbestos or past asbestos remediation affecting the main dwelling or any other enclosed structure located on the Property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

24. Has the Property been tested for radon? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

25. Has the main dwelling or any other enclosed structure been tested for lead-based paint? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

26. What is the type of roof/roof covering on the main dwelling (shingle, slate, asphalt, tile, other)?  
shingle

27. Are there any known leaks or other material defects in the roof of the main dwelling or any other enclosed structure? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

28. When was the roof installed? 2004  
Year

29. Is there a transferable warranty on the roof in effect now? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

If "Yes," when does the warranty expire? \_\_\_\_\_

30. Are there any known material defects in the gutters or downspouts of the main dwelling or any other enclosed structure?  Yes  No  Unknown  N/A

If "Yes," explain: \_\_\_\_\_

31. Are there any known material defects in any of the following structural systems of the main dwelling or any other enclosed structure, including, but not limited to, footings, beams, girders, lintels, columns, partitions, retaining walls?  Yes  No  Unknown

If "Yes," explain: \_\_\_\_\_

### MECHANICAL SYSTEMS AND OTHER

32. What is the source of water serving the Property?  Well  Private  Municipal  Other

If "Other," explain: \_\_\_\_\_

If a well, is the well shared with any other property?  Yes  No  Unknown  N/A

33. Are there any known issues with water quality and/or flow rate?  Yes  No  Unknown

If "Yes," explain: \_\_\_\_\_

34. What is the type of sewage system?  Public Sewer  Private Sewer  Septic Tank  Other

If "Other," explain: \_\_\_\_\_

35. If septic tank or other, when was it installed? \_\_\_\_\_  Unknown Date last serviced? \_\_\_\_\_  Unknown  
Year Month,Year

36. What is the type of plumbing system?  Copper  PVC  Polybutylene  Galvanized Iron  Other  Unknown

If "Other," explain: copper and PVC

37. Are there any known material defects with the plumbing or sewage systems?  Yes  No  Unknown  N/A

If "Yes," explain: \_\_\_\_\_

38. What type of water heater services the main dwelling?  Gas  Electric  Solar  Other

If "Other," explain: \_\_\_\_\_

39. What size is the water heater? (In Gallons) 280 Is it tankless?  Yes  No  Unknown  N/A

40. When was the water heater installed? 2004/2018  
Year

41. Is there a transferable warranty on the water heater in effect now?  Yes  No  Unknown  N/A

If "Yes," explain: Main water heater is new in 2018 with warranty. other 3 water heaters are original but in good condition.

If "Yes," when does it expire? June 2019

42. What type of heating system services the main dwelling?  Gas  Electric  Solar  Propane  Other

If "Other," explain: \_\_\_\_\_

43. Does the heating/air conditioning system have a high-efficiency filter?  Yes  No  Unknown

44. When was the heating/air conditioning system installed? 2004  
Year

45. Is there a transferable warranty on the heating/air conditioning system in effect now? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

If "Yes," when does the warranty expire? \_\_\_\_\_

46. Are there any known material defects with the electrical system? Yes No Unknown N/A

If "Yes," explain: \_\_\_\_\_

47. Does the electrical system use fuses or circuit breakers? Fuses Circuit Breakers Unknown N/A

48. Have there been, or are there presently, any flooding, drainage or grading problems that have resulted in standing water on any portion of the Property? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

49. Has the basement ever had seepage that resulted in standing water? Yes No Unknown N/A

If "Yes," explain: \_\_\_\_\_

50. Have there been any major renovations of \$500 or more done to the Property? Yes No Unknown

If "Yes," explain: Full Basement finished. Kitchen and MBR remodelled. HW floor redone. Full interior/exterior paint.

51. Does the Property have any special energy efficient features? Yes No Unknown

If "Yes," explain: \_\_\_\_\_

52. Are there any fixtures or items permanently attached to the Property that are not included in the sale? Yes No

If "Yes," explain: \_\_\_\_\_

53. Have there been any prior professional inspections performed on the Property? Yes No Unknown N/A

If "Yes," explain: \_\_\_\_\_

Have there been or are there any known material defects in any of the following?

- 54. Security Alarm system ..... Yes No Unknown N/A
- 55. Carbon monoxide detector? ..... Yes No Unknown N/A
- 56. Smoke detector? ..... Yes No Unknown N/A
- 57. Fire sprinkler system? ..... Yes No Unknown N/A
- 58. Foundation/slab? ..... Yes No Unknown N/A
- 59. Interior walls/ceilings? ..... Yes No Unknown N/A
- 60. Exterior walls or siding? ..... Yes No Unknown N/A
- 61. Floors? ..... Yes No Unknown N/A
- 62. Chimney/fireplace or stove? ..... Yes No Unknown N/A
- 63. Patio/deck? ..... Yes No Unknown N/A
- 64. Gas Grill? ..... Yes No Unknown N/A
- 65. Lawn Sprinkling System? ..... Yes No Unknown N/A
- 66. Oven/Range? ..... Yes No Unknown N/A
- 67. Refrigerator? ..... Yes No Unknown N/A
- 68. Dishwasher? ..... Yes No Unknown N/A
- 69. Microwave Oven? ..... Yes No Unknown N/A
- 70. Garbage Disposal? ..... Yes No Unknown N/A

- 71. Trash Compactor? ..... Yes No Unknown N/A
- 72. Attic Fan? ..... Yes No Unknown N/A
- 73. Ceiling Fans? ..... Yes No Unknown N/A
- 74. Intercom? ..... Yes No Unknown N/A
- 75. Washer? ..... Yes No Unknown N/A
- 76. Dryer? ..... Yes No Unknown N/A
- 77. Sauna/Hot Tub? ..... Yes No Unknown N/A
- 78. Pool/Pool Liner? ..... Yes No Unknown N/A
- 79. Garage Doors? ..... Yes No Unknown N/A
- 80. Garage Door Openers? ..... Yes No Unknown N/A
- 81. Driveway? ..... Yes No Unknown N/A
- 82. Walkways? ..... Yes No Unknown N/A
- 83. Patio/Deck? ..... Yes No Unknown N/A
- 84. Fence? ..... Yes No Unknown N/A
- 85. Mailbox? ..... Yes No Unknown N/A
- 86. TV Antenna? ..... Yes No Unknown N/A
- 87. Sump Pump? ..... Yes No Unknown N/A

If "Yes" to any of the above, explain:

**Full Kitchen on patio - Dishwasher and ice maker have not been used in several years and likely require servicing.**

Check here if additional pages are attached to this Seller's Property Condition Disclosure.

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**NOTE TO SELLER:** Seller  agrees  does not agree to provide to Buyer a copy of any written report of prior professional inspections of the Property received by Seller. Seller acknowledges that any future inspections of the Property may necessitate a revision to the Seller's Property Condition Disclosure Statement.

**Seller's Certification:**

Seller certifies that the information in this Seller's Property Condition Disclosure Statement is true and complete to the best of Seller's actual knowledge as of the date signed by the Seller. If Seller acquires knowledge which renders the Seller's Property Condition Disclosure Statement provided previously materially inaccurate, the Seller shall deliver a revised Seller's Property Condition Disclosure Statement to the Buyer as soon as is practicable. In no event, however, shall Seller be required to provide a revised Seller's Property Condition Disclosure Statement after the transfer of title from the Seller to the Buyer or occupancy by the Buyer, whichever event comes first.

**Seller:**

➤   
\_\_\_\_\_  
**Steven M. Hornyak**  
Seller Printed Name

Date: 10/09/2018

➤ \_\_\_\_\_  
\_\_\_\_\_  
Seller Printed Name

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

**Buyer's Acknowledgment:**

Buyer acknowledges receipt of a copy of this statement, and Buyer understands that the information contained in this Seller's Property Condition Disclosure is a statement of certain conditions and information concerning the Property known to the Seller. It is not a warranty of any kind by the Seller or Seller's agent.

**Buyer:**

➤ \_\_\_\_\_  
\_\_\_\_\_  
Buyer Printed Name

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

➤ \_\_\_\_\_  
\_\_\_\_\_  
Buyer Printed Name

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

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Additional Page(s) for Seller's Property Condition Disclosure Statement

Check here if additional pages are attached to this Seller's Property Condition Disclosure.

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