



**SELLER'S REAL PROPERTY DISCLOSURE STATEMENT**  
**Hawaii Association of REALTORS® Standard Form**  
**Revised 6/09 (NC) For Release 11/09**



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| <b>Information Obtained from Public Records<br/>(May Be Completed by Listing Broker)</b>         |  |
| 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: _____ [ ] Fee Simple [ ] Leasehold              |  |
| 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 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 MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR HAVE AN EXPERT INSPECT PROPERTY PRIOR TO PREPARING DISCLOSURE.**

**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. 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 owner occupied, date of Seller's last visit \_\_\_\_\_.

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| <p><b>Instructions to Seller:</b> (1) Answer <u>ALL</u> questions. (2) Explain all material facts known to you. (3) If additional space is needed in Section I, attach new pages and sign at the bottom. (4) Each 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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**A. ITEMS: Check items listed below if you are aware of any current or past defects/malfunctions or major repairs. If checked, use the same number and describe in Section I.**

- |   |                                      |                                       |
|---|--------------------------------------|---------------------------------------|
| (1) [ ] Appliances                        | (12) [ ] Fire Sprinkler System       | (23) [ ] Smoke Detectors              |
| (2) [ ] Bathtubs/showers/Basins/Toilets   | (13) [ ] Fireplace/Chimney           | (24) [ ] Solar/Water/Electric Systems |
| (3) [ ] Ceilings                          | (14) [ ] Floors/Floor Coverings      | (25) [ ] Spa                          |
| (4) [ ] Ceiling Fans                      | (15) [ ] Foundations/Slabs           | (26) [ ] Swimming Pool                |
| (5) [ ] Central Vacuum Systems            | (16) [ ] Gutters                     | (27) [ ] Walkways                     |
| (6) [ ] Counters/Cabinets                 | (17) [ ] Heating/Ventilating/Cooling | (28) [ ] Walls Exterior               |
| (7) [ ] Decking/Railings/Lanai            | (18) [ ] Lawn Sprinkler System       | (29) [ ] Walls Interior               |
| (8) [ ] Doors/Door Bells/Garage Door      | (19) [ ] Plumbing                    | (30) [ ] Water Features               |
| (9) [ ] Driveways                         | (20) [ ] Roofs                       | (31) [ ] Water Heater                 |
| (10) [ ] Electric Outlets/Switches/Lights | (21) [ ] Security Systems            | (32) [ ] Windows/Jalousies/Skylights  |
| (11) [ ] Fences/Perimeter Walls           | (22) [ ] Sinks/Faucets               | (33) [ ] Other _____                  |

\_\_\_\_\_  
BUYER'S INITIALS

\_\_\_\_\_  
SELLER'S INITIALS & DATE





**YES NO NTMK NA**

- 70) [ ] [ ] [ ] [ ] [ ] Is there any presence of wood destroying organisms (e.g., termites, powder post beetles, dry rot, carpenter ants, etc.) in the improvements?
70a) [ ] [ ] [ ] [ ] [ ] (a) Is there any known damage to the improvements caused by wood destroying organisms?
70b) [ ] [ ] [ ] [ ] [ ] (b) Has the problem been treated?
70c) [ ] [ ] [ ] [ ] [ ] (c) Has the damage been repaired?
71) [ ] [ ] [ ] [ ] [ ] Has there been any termite treatment? List type and date.
71a) [ ] [ ] [ ] [ ] [ ] (a) Are there any warranties? List type and expiration dates.
72) [ ] [ ] [ ] [ ] [ ] Is there any structural damage due to dry rot or other wood destroying organisms?

**D. ASSOCIATIONS: Do any of the following conditions exist? If "yes", use the same number and describe in Section I.**

**YES NO NTMK NA**

- 73) [ ] [ ] [ ] [ ] [ ] Is this Property part of a Condominium Property Regime (CPR)?
74) [ ] [ ] [ ] [ ] [ ] Are there any "common area" facilities (such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others?
75) [ ] [ ] [ ] [ ] [ ] Is this Property subject to a Homeowners' and/or Community Association?
75a) [ ] [ ] [ ] [ ] [ ] (a) If yes, what are the fees and payments?
75b) [ ] [ ] [ ] [ ] [ ] (b) Has your Association notified you of future maintenance fee increases, special assessments, and/or association loans?
75c) [ ] [ ] [ ] [ ] [ ] (c) Is membership mandatory?

**E. UTILITIES:**

- 76) What is your source of water supply?
a) [ ] Public [ ] Private
Is this Property separately metered? [ ] Yes [ ] No
Is this a submeter? [ ] Yes [ ] No
Is there a shared water supply? [ ] Yes [ ] No
b) [ ] Catchment: Tank type Capacity Age Condition
c) [ ] Other
Describe existing problems in Section I.
77) What type of waste water/sewage system do you have?
[ ] Public Sewer [ ] Private Sewer [ ] Connected? If not, is connection currently required? [ ] Yes [ ] No
[ ] Cesspool [ ] Septic System [ ] Individual Sewage Treatment Plant Location
Last Pumped How Often?
Does the cesspool serve more than one dwelling or living unit, including "ohana" homes? (A "dwelling" or "living unit" is defined as having its own kitchen/food preparation area, bathroom and sleeping/living area.) [ ] Yes [ ] No
Describe existing problems in Section I.
78) What is your source of electrical power?
[ ] Public [ ] 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.
79) Propane Gas: [ ] Piped [ ] Tank [ ] None
80) Telephone Service: [ ] Yes [ ] No [ ] Only party line
81) Television Cable Service: [ ] Yes [ ] No [ ] Not available
82) Broadband Internet [ ] DSL [ ] Cable [ ] None
Describe existing problems in Section I.

**F. CONDO SPECIFIC: Do any of the following conditions exist? If "yes", use the same number and describe in Section I.**

**YES NO NTMK NA**

- 83) [ ] [ ] [ ] [ ] [ ] Do you have knowledge of any parking problems for your apartment?
84) [ ] [ ] [ ] [ ] [ ] Do you have assigned and/or deeded storage space outside of your apartment?
85) [ ] [ ] [ ] [ ] [ ] Were additions, modifications, and/or alterations made to your Property without obtaining required association approval?
86) [ ] [ ] [ ] [ ] [ ] Are there restrictions on pets?
87) [ ] [ ] [ ] [ ] [ ] Is your dwelling sprinklered for fire protection?
88) [ ] [ ] [ ] [ ] [ ] Do you have any leaks or water damage in or to your Property?
89) [ ] [ ] [ ] [ ] [ ] Has there been any leakage or water penetration from apartments above or adjacent to your apartment or leakage or water penetration to apartments below your apartment?

BUYER'S INITIALS

SELLER'S INITIALS & DATE

