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**§ 35.335a. Seller property disclosure statement.**

The seller's property disclosure statement must, at a minimum, contain the following disclosures:

# Seller's Property Disclosure Statement

Property address: 285 Mountville Dr. Lebanon, PA 17046

Seller: The Estate of Keith K. McQuate

A seller must disclose to a buyer all known material defects about property being sold that are not readily observable. This disclosure statement is designed to assist the seller in complying with disclosure requirements and to assist the buyer in evaluating the property being considered.

This statement discloses the seller's knowledge of the condition of the property as of the date signed by the seller and is not a substitute for any inspections or warranties that the buyer may wish to obtain. This statement is not a warranty of any kind by the seller or a warranty or representation by any listing real estate broker, any selling real estate broker or their agents. The buyer is encouraged to address concerns about the condition of the property that may not be included in this statement. This statement does not relieve the seller of the obligation to disclose a material defect that may not be addressed on this form.

A material defect is a problem with the property or any portion of it that would have a significant adverse impact on the value of the residential real property or that involves an unreasonable risk to people on the land. The fact that a structural element, system or subsystem is near, at or beyond the end of its normal useful life is not by itself a material defect.

(1) *Seller's expertise.* The seller does not possess expertise in contracting, engineering, architecture or other areas related to the construction and condition of the property and its improvements, except as follows:

(2) *Occupancy.* Do you, the seller, currently occupy this property?

yes

no

If "no," when did you last occupy the property?

(3) *Roof.*

(i) Date roof was installed:

. Documented?

yes

*Disclosure completed by Executor who never resided at the property and has no knowledge of the property.*

no

unknown

(ii) Has the roof been replaced or repaired during your ownership?

yes

no

If "yes," were the existing shingles removed?

yes

no

unknown

(iii) Has the roof ever leaked during your ownership?

yes

no

(iv) Do you know of any problems with the roof, gutters or downspouts?

yes

no

Explain any "yes" answers that you give in this section:

(4) *Basements and crawl spaces (Complete only if applicable).*

(i) Does the property have a sump pump?

yes

no

unknown

(ii) Are you aware of any water leakage, accumulation or dampness within the basement or crawl space?

yes

no

If "yes," describe in detail:

(iii) Do you know of any repairs or other attempts to control any water or dampness problem in the basement or crawl space?

yes

no

If "yes," describe the location, extent, date and name of the person who did the repair or control effort:

(5) *Termites/wood destroying insects, dry rot, pests.*

(i) Are you aware of any termites/wood destroying insects, dry rot or pests affecting the property?

yes

no

(ii) Are you aware of any damage to the property caused by termites/wood destroying insects, dry rot or pests?

yes

no

(iii) Is your property currently under contract by a licensed pest control company?

yes

no

(iv) Are you aware of any termite/pest control reports or treatments for the property in the last five years?

yes

no

Explain any "yes" answers that you give in this section:

(6) *Structural items.*

(i) Are you aware of any past or present water leakage in the house or other structures?

yes

no

(ii) Are you aware of any past or present movement, shifting, deterioration or other problems with walls, foundations or other structural components?

yes

no

(iii) Are you aware of any past or present problems with driveways, walkways, patios or retaining walls on the property?

yes

no

Explain any "yes" answers that you give in this section:

When explaining efforts to control or repair, please describe the location and extent of the problem and the date and person by whom the work was done, if known:

(7) *Additions/remodeling.* Have you made any additions, structural changes or other alterations to the property?

yes

no

If "yes," please describe:

(8) *Water and sewage.*

(i) What is the source of your drinking water?

public

community system

well on property

other

If "other," please explain:

(ii) If your drinking water source is not public:

When was your water last tested?

What was the result of the test?

Is the pumping system in working order?

yes

no

If "no," please explain:

(iii) Do you have a softener, filter or other purification system?

yes

no

If "yes," is the system:

leased

owned

(iv) What is the type of sewage system?

public sewer

private sewer

septic tank

cesspool

other

If "other," please explain:

(v) Is there a sewage pump?

yes

no

If "yes," is it in working order?

yes

no

(vi) If applicable, when was the septic system or cesspool last serviced?

(vii) Is either the water or sewage system shared?

yes

no

If "yes," please explain:

(viii) Are you aware of any leaks, backups or other problems relating to any of the plumbing, water and sewage-related items?

yes

no

If "yes," please explain:

(9) *Plumbing system.*

(i) Type of plumbing:

copper

galvanized

lead

PVC

unknown

other

If "other," please explain:

(ii) Are you aware of any problems with any of your plumbing fixtures (including, but not limited to: kitchen, laundry or bathroom fixtures, wet bars, hot water heater, etc.)?

yes

no

If "yes," please explain:

(10) *Heating and air conditioning.*

(i) Type of air conditioning:

central electric

central gas

wall

none

(ii) List any areas of the house that are not air conditioned:

(iii) Type of heating:

electric

fuel oil

natural gas

other

If "other," please explain:

(iv) List any areas of the house that are not heated:

(v) Type of water heating:

electric

gas

solar

other

If "other," please explain:

(vi) Are you aware of any underground fuel tanks on the property?

yes

no

If "yes," please describe:

Are you aware of any problems with any item in this section?

yes

no

If "yes," please explain:

(11) *Electrical system.* Are you aware of any problems or repairs needed in the electrical system?

yes

no

If "yes," please explain:

(12) *Equipment and appliances.*

The following items included in the sale are in need of repair or replacement:

(13) *Land (soils, drainage, boundaries and sinkholes).*

(i) Are you aware of any fill or expansive soil on the property?

yes

no

(ii) Are you aware of any sliding, settling, earth movement, upheaval, subsidence or earth stability problems that have occurred on or that affect the property?

yes

no

NOTE TO BUYER: Some properties may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence damage may occur and mine subsidence insurance are available through the Department of Environmental Protection, Mine Subsidence Insurance Fund.

(iii) Are you aware of any existing or proposed mining, strip mining or any other excavations that might affect this property?

yes

no

(iv) To your knowledge, is this property or part of it located in a flood zone or wetlands area?

yes

no

(v) Do you know of any past or present drainage or flooding problems affecting the property?

yes

no

(vi) Do you know of any encroachments, boundary line disputes or easements?

yes

no

NOTE TO BUYER: Most properties have easements running across them for utility services and other reasons. In many cases, the easements do not restrict the ordinary use of the property, and the seller may not be readily aware of them. Buyers may wish to determine the existence of easements and restrictions by examining the property and ordering an abstract of title or searching the records in the Office of the Recorder of Deeds for the county before entering into an agreement of sale.

(vii) Are you aware of any shared or common areas (for example, driveways, bridges, docks, walls, etc.) or maintenance agreements?

yes

no

(viii) Are you aware of any sinkholes that have developed on the property?

yes

no

Explain any "yes" answers that you give in this section:

(14) *Hazardous substances.*

(i) Are you aware of any underground tanks or hazardous substances present on the property (structure or soil), including, but not limited to, asbestos, polychlorinated byphenyls (PCBs), radon, lead paint, urea-formaldehyde foam insulation (UFFI), etc?

yes

no

(ii) To your knowledge, has the property been tested for any hazardous substances?

yes

no

(iii) Do you know of any other environmental concerns that might impact upon the property?

yes

no

Explain any "yes" answers that you give in this section:

(15) *Condominiums and other homeowners associations (complete only if applicable).*

Type:

condominium*

cooperative

homeowners association

other

If "other," please explain:

# NOTICE REGARDING CONDOMINIUMS AND COOPERATIVES:

According to section 3407 of the Uniform Condominium Act (68 Pa.C.S. § 3407) (relating to resales of units) and 68 Pa.C.S. § 4409 (relating to resales of cooperative interests), a buyer of a resale unit in a condominium or cooperative must receive a certificate of resale issued by the association in the condominium or cooperative. The buyer will have the option of canceling the agreement with return of all deposit moneys until the certificate has been provided to the buyer and for 5 days thereafter or until conveyance, whichever occurs first.

(16) *Storm water facilities.*

(i) Do you know the location and condition of any basin, pond, ditch, drain, swale, culvert, pipe or other manmade feature of land that temporarily or permanently conveys or manages storm water for the property?

yes

no

unknown

(ii) If the answer to (i) is yes, is the owner of this property responsible for the ongoing maintenance of the storm water facility?

yes

no

unknown

Explain any "yes" answers that you give in this section:

(17) *Miscellaneous.*

(i) Are you aware of any existing or threatened legal action affecting the property?

yes

no

(ii) Do you know of any violations of Federal, State or local laws or regulations relating to this property?

yes

no

(iii) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain unpaid or of any violations of zoning, housing, building safety or fire ordinances that remain uncorrected?

yes

no

(iv) Are you aware of any judgment, encumbrance, lien (for example, comaker or equity loan) or other debt against this property that cannot be satisfied by the proceeds of this sale?

yes

no

(v) Are you aware of any reason, including a defect in title, that would prevent you from giving a warranty deed or conveying title to the property?

yes

no

(vi) Are you aware of any material defects to the property, dwelling or fixtures which are not disclosed elsewhere on this form?

yes

no

A material defect is a problem with the property or any portion of it that would have a significant adverse impact on the value of the residential real property or that involves an unreasonable risk to

people on the land.

Explain any "yes" answers that you give in this section:

The undersigned seller represents that the information set forth in this disclosure statement is accurate and complete to the best of the seller's knowledge. The seller hereby authorizes any agent for the seller to provide this information to prospective buyers of the property and to other real estate agents. The seller alone is responsible for the accuracy of the information contained in this statement. The seller shall cause the buyer to be notified in writing of any information supplied on this form that is rendered inaccurate by a change in the condition of the property following the completion of this form.

* Kerry McQuate SELLER DATE 4-4-26

SELLER DATE

SELLER DATE

# EXECUTOR, ADMINISTRATOR, TRUSTEE

The undersigned has never occupied the property and lacks the personal knowledge necessary to complete this disclosure statement.

* Kerry McQuate

DATE 6/4/26

# RECEIPT AND ACKNOWLEDGMENT BY BUYER

The undersigned buyer acknowledges receipt of this disclosure statement. The buyer acknowledges that this statement is not a warranty and that, unless stated otherwise in the sales contract, the buyer is purchasing this property in its present condition. It is the buyer's responsibility to satisfy himself or herself as to the condition of the property. The buyer may request that the property be inspected, at the buyer's expense and by qualified professionals, to determine the condition of the structure or

its components.

BUYER DATE

BUYER DATE

BUYER DATE

**Authority**

The provisions of this § 35.335a issued under sections 404 and 604(a)(15.1) of the Real Estate Licensing and Registration Act (63 P.S. § § 455.404 and 455.604(a)(15.1)); and amended under section 404 of the Real Estate Licensing and Registration Act (63 P.S. § 455.404).

**Source**

The provisions of this § 35.335a adopted December 3, 2010, effective December 4, 2010, 40 Pa.B. 6937; amended December 9, 2016, effective December 10, 2016, 46 Pa.B. 7638. Immediately preceding text appears at serial pages (354073) to (354079).

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