



SELLER'S REAL PROPERTY DISCLOSURE STATEMENT
Hawaii Association of REALTORS® Standard Form



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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:
[] Fee Simple [] 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.

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.

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):

General Instructions to Seller: (1) Answer ALL 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."

BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE



A. GENERAL: Do any of the following conditions exist? If "yes", use the same 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 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? |
| 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. TVR, B&B)? |
| 13a) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (a) If yes, are there any periodic re-licensing requirements? |
| 13b) | <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? |
| 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 excessive air pollution? (e.g., "VOG") |
| 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, school, street traffic, animals (e.g. coqui frogs, birds, barking dogs etc.)? |
| 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 ordnance 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", use the same number and describe in Section G.

- | YES | NO | NTMK | NA | | |
|-----|--------------------------|--------------------------|--------------------------|--------------------------|---|
| 31) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the Property part of a Condominium Property Regime (CPR)? |
| 32) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are there any "common area" facilities (such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others? |

BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE

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) [] [] [] [] [] (b) If yes, what are the fees and payments?
33c) [] [] [] [] [] (c) What is included in the fees and payments?
33d) [] [] [] [] [] (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?
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
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 [] Other
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 [] Party line only [] 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 [] To Door

[] D. IMPROVEMENTS: Do any of the following conditions exist? If "yes", use the same 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 [] Unknown
46) [] [] [] [] [] Were any of the building permits not finalized (closed) by the permitting agency?

BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE

- 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 presence 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?
 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 | (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 | (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 | (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) [] Other _____ |

F. CONDO SPECIFIC: Do any of the following conditions exist? If "yes", use the same 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 apartment?
 95) [] [] [] [] [] Do you have assigned and/or deeded storage space outside of your apartment?
 96) [] [] [] [] [] Were additions, modifications, and/or alterations made to your Property without obtaining required association approval?
 97) [] [] [] [] [] Are there any restrictions/prohibitions imposed upon pet ownership?
 98) [] [] [] [] [] Is your dwelling sprinklered for fire protection?
 99) [] [] [] [] [] Has there been any damage to your Property due to leakage or water penetration from apartments above or adjacent to your apartment or damage due to leakage or water penetration to apartments below your apartment?
 100) [] [] [] [] [] Are you aware of any defects to the common or limited common elements affecting the unit?
 101) [] [] [] [] [] Are you aware of any litigation affecting your complex?

G. Reference Question Number and Explanation. List any additional material facts. List any attachments or exhibits:

 BUYER'S INITIALS & DATE

 SELLER'S INITIALS & DATE

Under Hawaii law, unless otherwise agreed to in the Purchase Contract, Buyer shall have fifteen (15) calendar days from the date of receiving the Disclosure Statement to examine the Disclosure Statement and to rescind the Purchase Contract. Such rescission must be made in writing and provided to Seller directly or Seller's agent. If timely written notice is provided, then 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).

BUYER'S INITIALS & DATE

SELLER'S INITIALS & DATE



**RECEIPT OF SELLER'S REAL PROPERTY DISCLOSURE
STATEMENT
Hawaii Association of REALTORS® Standard Form**



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Property Reference or Address: _____

Tax Map Key: Div. _____/Zone _____/Sec. _____/Plat _____/Parcel _____/CPR _____ (if applicable).

Buyer hereby acknowledges receipt of Seller's Real Property Disclosure Statement (SRPDS)

Dated: _____

SRPDS Prepared by: _____

Date of delivery to Buyer either directly or through Buyer's Agent: _____

Buyer understands that:

1. The Seller has represented that the Seller's Real Property Disclosure Statement was prepared in good faith and with due care by Seller. Buyer should obtain professional advice and/or inspections on the Property within the time frames of the Purchase Contract as agreed to by Buyer and Seller. Unless Buyer has been otherwise advised, Buyer should assume Seller has not conducted any inspection of generally inaccessible areas of the Property. There may be material facts of which Seller is not aware which qualified experts may be able to discover or latent or hidden defects which time may reveal. The disclosures made by Seller are provided exclusively to Buyer involved in the Purchase Contract and do not apply to any subsequent sales *not* involving this Seller.
2. Seller's responses on the Seller's Real Property Disclosure Statement cannot be considered to be substitutes for a careful inspection of the Property by Buyer and/or any inspections which Buyer may choose to obtain.
3. If "NTMK" is marked in response to any questions, Buyer recognizes that this does not mean there may not be a defect which an expert could discover or the passage of time would reveal. Likewise, Buyer recognizes that a problem may be more serious than Seller/Inspector knows.
4. The Seller's Real Property Disclosure Statement is not a warranty of any kind by Seller or by any Brokerage Firm.
5. Unless otherwise agreed in the Purchase Contract, as provided in HRS section 508D-5(b)(2), Buyer shall have fifteen (15) calendar days from the date of delivery of Seller's Real Property Disclosure Statement to rescind the Purchase Contract to purchase the Property. Such rescission must be made in writing and provided to Seller or Seller's Brokerage Firm. If timely written notice is provided, then all deposits made by Buyer shall be immediately returned to Buyer. Failure to deliver the written notification to the Seller to rescind shall be deemed an acceptance of the Disclosure Statement.
6. Hawaii law requires that Buyer sign a receipt of Seller's Real Property Disclosure Statement, a copy of which Buyer shall provide to Seller. Seller or Seller's Brokerage Firm shall retain said receipt for a period of three years.

BUYER DATE

BUYER DATE

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