

Additional Disclosure Information

Some standard state disclosure forms include specific items concerning disclosure of areas of concern described below. Other states require disclosure of these things on separate forms. Always check with your attorney to confirm whether you are required to complete a specific form concerning any of the following special areas of concern.

As a general rule, even if your state does not require sellers to address these specific subjects, all sellers run a limited risk of being accused of failing to disclose a material adverse condition. Our recommendation is for sellers to always disclose in writing all material adverse conditions concerning your property, even if the specific condition is not included in the list of items in your state's disclosure form. It is far better to disclose these things than to face a lawsuit after a buyer discovers a condition which provides an opportunity to accuse you of wrongdoing.

Here are some of the areas of concern you should consider even if they are not included in your required disclosure form:

- **RADON** - Radon gas is commonly a listed item in most state disclosure forms. A few states have specific radon gas statements which must be given to buyers before they deliver an offer. We have posted the specific statements required of which we are aware, but check with your attorney to determine whether you have a specific radon gas warning statement you must deliver to buyers. In many states if you have tested for radon gas you must disclose the fact that you tested and the results of your test.
- **PROXIMITY TO LOCAL AIRPORTS AND FLIGHT PATHS** ("airport influence area")
- **HAZARDOUS WASTES & LOCAL SUPERFUND SITES**
- **PSYCHOLOGICALLY IMPACTED PROPERTY** - facts or suspicions that could psychologically impact or stigmatize property may or may not be material facts subject to any disclosure requirement (some types of these conditions are specifically excused from disclosure by state law). Always consult your attorney if you have such a situation.
- **EARTHQUAKE ZONES** - Some states require a Natural Hazard Disclosure Statement which may apply to certain property that is located within an earthquake zone or a seismic hazard zone and require an owner to disclose whether the property is located in an earthquake fault zone; a seismic hazard zone; a landslide zone; or a "liquefaction" zone; whether he is aware of any permafrost or other soil problems that have caused settling, slippage, or sliding; and whether the property has been damaged by an earthquake.
- **OTHER UNUSUAL REQUIREMENTS** - Some disclosure statements must include a provision that notifies transferees that they are responsible for determining whether there is an agricultural facility in the vicinity that might produce "odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts." Forms may require a seller to disclose any frozen water or sewer lines, drains, or heating systems; any underground storage tanks; any noise or sound disturbances that affect the property, including trains, dogs, traffic, race tracks, or neighbors; whether the property is in an avalanche zone; any damage to the property from natural causes, such as flood, landslide, avalanche, high winds, or fire; whether he has filed an insurance claim for any environmental damage to the property; any grading, excavation or fill; and any pets or animals in the house.