

ARTICLE 9. RESIDENTIAL REAL ESTATE SALES DISCLOSURE

Rule 1. Residential Real Estate Sales Disclosure

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876 IAC 9-1-1 Residential real estate sales disclosure
876 IAC 9-1-2 Residential sales disclosure; form

876 IAC 9-1-1 Residential real estate sales disclosure

Authority: IC 32-21-5-7
Affected: IC 32-21-5-7

Sec. 1. (a) This rule establishes the seller's residential real estate sales disclosure form provided for in IC 32-21-5-7.
(b) The form appears in section 2 of this rule. (Indiana Real Estate Commission; 876 IAC 9-1-1; filed May 22, 2014, 11:50 a.m.: 20140618-IR-876140061FRA, eff Jul 1, 2014; readopted filed Nov 19, 2020, 9:56 a.m.: 20201216-IR-876200513RFA; readopted filed Mar 21, 2024, 4:07 p.m.: 20240417-IR-876230829RFA)

876 IAC 9-1-2 Residential sales disclosure; form

Authority: IC 32-21-5-7
Affected: IC 32-21-5

Sec. 2. The following is the seller's residential real estate sales disclosure form:

Form containing the Seller's Residential Real Estate Sales Disclosure form, including a header with the State of Indiana seal, a date field, and a table for disclosing property conditions.

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TV Antenna/Dish					Other Sewer System (Explain)					
Other:					Swimming Pool and Pool Equipment					
							Yes	No	Do Not Know	
					Are the structures connected to a public water system?					
					Are the structures connected to a public sewer system?					
					Are there any additions that may require improvements to the sewage disposal system?					
					If yes, have the improvements been completed on the sewage disposal system?					
					Are the improvements connected to a private/community water system?					
					Are the improvements connected to a private/community sewer system?					
B. ELECTRICAL SYSTEM	None/Not Included	Defective	Not Defective	Do Not Know	D. HEATING & COOLING SYSTEM	None/Not Included	Defective	Not Defective	Do Not Know	
Air Purifier					Attic Fan					
Burglar Alarm					Central Air Conditioning					
Ceiling Fan(s)					Hot Water Heat					
Garage Door Opener/Controls					Furnace Heat/Gas					
Inside Telephone Wiring and Blocks/Jacks					Furnace Heat/Electric					
Intercom					Solar House-Heating					
Light Fixtures					Wood burning Stove					
Sauna					Fireplace					
Smoke/Fire Alarm(s)					Fireplace Insert					
Switches and Outlets					Air Cleaner					
Vent Fan(s)					Humidifier					
60/100/200 Amp Service (Circle one)					Propane Tank					
					Other Heating Source					
<p>NOTE: "Defect" means a condition that would have a significant adverse effect on the value of the property that would significantly impair the health or safety of future occupants of the property or that, if not repaired, removed, or replaced, would significantly shorten or adversely affect the expected normal life of the premises.</p> <p>The information contained in this Disclosure has been furnished by the Seller, who certifies to the truth thereof, based on the Seller's CURRENT ACTUAL KNOWLEDGE. A disclosure form is not a warranty by the owner or the owner's agent, if any, and the disclosure form may not be used as a substitute for any inspections or warranties that the prospective buyer or owner may later obtain. At or before settlement, the owner is required to disclose any material change in the physical condition of the property or certify to the purchaser at settlement that the condition of the property is substantially the same as it was when the disclosure form was provided. Seller and Purchaser hereby acknowledge receipt of this Disclosure by signing below:</p>										
Signature of Seller:				Date:		Signature of Buyer:			Date:	
Signature of Seller:				Date:		Signature of Buyer:			Date:	
The Seller hereby certifies that the condition of the property is substantially the same as it was when the Seller's Disclosure form was originally provided to the Buyer.										
Signature of Seller (at closing):				Date:		Signature of Seller (at closing):			Date:	
Property Address (number and street, city, state, ZIP code)										
		YES	NO	DO NOT KNOW			YES	NO	DO NOT KNOW	
2. ROOF					4. OTHER DISCLOSURES					
Age, if known: ____ Years					Do structures have aluminum wiring?					
Does the roof leak?					Are there any foundation problems with the structures?					

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Is there present damage to the roof?				Are there any encroachments?			
Is there more than one layer of shingles on the house?				Are there any violations of zoning, building codes, or restrictive covenants?			
If yes, how many layers? _____				Is the present use a nonconforming use? Explain:			
				Is the access to your property via a private road?			
3. HAZARDOUS CONDITIONS	YES	NO	DO NOT KNOW	Is the access to your property via a public road?			
Have there been or are there any hazardous conditions on the property, such as methane gas, lead paint, radon gas in house or well, radioactive material, landfill, mineshaft, expansive soil, toxic materials, mold, other biological contaminants, asbestos insulation, or PCB's? Explain:				Is the access to your property via an easement?			
				Have you received any notices by any governmental or quasi-governmental agencies affecting this property?			
				Are there any structural problems with the building?			
				Have any substantial additions or alterations been made without a required building permit?			
				Are there moisture and/or water problems in the basement, crawl space area, or any other area?			
				Is there any damage due to wind, flood, termites, or rodents?			
				Have any structures been treated for wood destroying insects?			
				Are the furnace/woodstove/chimney/flue all in working order?			
				Is the property in a flood plain?			
				Do you currently pay flood insurance?			
				Does the property contain underground storage tank(s)?			
				Is the homeowner a licensed real estate broker?			
				Is there any threatened or existing litigation regarding the property?			
				Is the property subject to covenants, conditions, and/or restrictions of a homeowner's association?			
				Is the property located within one (1) mile of an airport?			
E. ADDITIONAL COMMENTS AND/OR EXPLANATIONS: (Use additional pages if necessary)							
<p>The information contained in this Disclosure has been furnished by the Seller, who certifies to the truth thereof, based on the Seller's CURRENT ACTUAL KNOWLEDGE. A disclosure form is not a warranty by the owner or the owner's agent, if any, and the disclosure form may not be used as a substitute for any inspections or warranties that the prospective buyer or owner may later obtain. At or before settlement, the owner is required to disclose any material change in the physical condition of the property or certify to the purchaser at settlement that the condition of the property is substantially the same as it was when the disclosure form was provided. Seller and Purchaser hereby acknowledge receipt of this Disclosure by signing below:</p>							
Signature of Seller:		Date:		Signature of Buyer:		Date:	
Signature of Seller:		Date:		Signature of Buyer:		Date:	
The Seller hereby certifies that the condition of the property is substantially the same as it was when the Seller's Disclosure form was originally provided to the Buyer.							
Signature of Seller (at closing):		Date:		Signature of Seller (at closing):		Date:	

(Indiana Real Estate Commission; 876 IAC 9-1-2; filed May 22, 2014, 11:50 a.m.: [20140618-IR-876140061FRA](#), eff Jul 1, 2014;

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