



APPENDIX L

RESIDENTIAL REAL ESTATE DISCLOSURE STATEMENT





**REALTORS® ASSOCIATION OF NEW MEXICO
PROPERTY DISCLOSURE STATEMENT - RESIDENTIAL - 2010**

INSTRUCTIONS AND ACKNOWLEDGMENT REGARDING THIS FORM
This Statement discloses Seller's current, actual knowledge of the condition of the Property as of the date signed by Seller, and is not a substitute for any inspections or warranties that Buyer may wish to obtain. This Statement is designed to assist Seller to provide information about the Property and to assist Buyer in evaluating the Property being considered. Conditions may exist which are unknown to Seller. Buyer is encouraged to address concerns about the Property whether or not included in this Statement. This Statement does not relieve Seller of the obligation to disclose a condition of the Property that may not be addressed on this form or a change in any condition after the date of this Statement, and is not a substitute for inspection by the Buyer. Neither the Broker, nor the board or association of REALTORS® nor the REALTORS® Association of New Mexico warrant or guarantee the information in this disclosure.

Address _____ City _____ Zip Code _____

Legal Description
or see metes & bounds description attached as Exhibit _____, _____ County, New Mexico.

OCCUPANCY: Does seller currently occupy the Property? Yes. If yes, _____ years/months seller occupied.
 No. If no, _____ years/months since seller occupied. Never occupied property.

TITLE, ZONING, LEGAL INFORMATION

Is the Seller aware of:

- Any title problems (for example, unrecorded or disputed easements, lot line disputes, liens, encroachments, access issues, third party claims)? Yes No
- Any property taxes that are not current? Yes No
- Any existing or proposed bonds, assessments, liens, mortgages, judgments, deeds of trust, real estate contracts, etc. against the property? Yes No If yes, explain: _____
- Any violations of applicable subdivision laws at the time the property was subdivided? Yes No
If yes, explain: _____
- Any alleged violations of applicable laws, regulations, ordinances or zoning laws? Yes No
- Any zoning variances/exceptions or non-conforming use of the property? Yes No If yes, explain: _____
- Any legal issues, proposed buildings, bridges, roadways or real estate developments, etc. in the immediate area? Yes No If yes, explain: _____
- Any restrictive covenants or other limitations on use? Yes No If yes, explain: _____
- Any violation thereof? Yes No If yes, explain: _____
- Any building code or environmental regulation violations? Yes No If yes, explain: _____
- Any necessary permits, approvals or inspections for all construction, repairs and improvements that have not been obtained? Yes No If yes, explain: _____

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AE 10400 Academy NE Albuquerque, NM 87111
Phone: 505-261-6469 Fax: 505-291-5216 Marsha Adams sample

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12. Any existing or threatened legal actions concerning the property or the homeowners association? Yes No
If yes, explain: _____
13. Any well-sharing, road-sharing or other contract to which the property is subject? Yes No If yes, explain: _____
14. Anyone with a right of refusal to buy, to option, or to lease the property? Yes No If yes, explain: _____
15. Any other restrictions on resale? Yes No If yes, explain: _____
16. Any exemptions you claim to property taxes (i.e., veteran, head of household)? Yes No If yes, explain: _____
- For additional information or further explanation (indicate item #) _____

DISCLOSURE OF ESTIMATED PROPERTY TAX LEVY DISCLOSURE

- Seller has has not attached hereto the Estimated Property Tax Levy with respect to the Property identified herein. See Attached Exhibit _____.
- If not attached, said Estimated Property Tax Levy will be provided to Buyer or Buyer's Broker by Seller or Seller's Broker prior to accepting a Purchase Agreement.
- The listed price was/will be used as the value of the Property in calculating the Estimated Property Tax Levy.

BUILDINGS/STRUCTURAL INFORMATION

- What year was the house built? _____

If a residence on the Property was constructed prior to 1978, federal law and regulations create specific disclosure and information requirements, which are set forth in RANM Form 5112, Lead-based Paint Disclosure Before Sale. Form 5112 must be attached to the Purchase Agreement. The Seller is not permitted to accept a Buyer's offer prior to making the required disclosures and providing the required information.

- Was this home built entirely on this site? Yes No If no, explain: _____
- Type of construction: _____
- House is built on Slab Crawlspace Basement Don't know
- Type of exterior finish: _____
- Is there an exterior synthetic stucco system or exterior synthetic coating? Yes No Don't know
- Type of floor under carpets or linoleum: _____

Is the Seller aware of:

- Any doors or windows that are inoperable or which may interfere with ingress or egress? Yes No
- Any problems with interior walls, ceilings, doors, windows, floors, or attached floor coverings? Yes No
- Any significant cracks in foundations, exterior walls, interior walls, slab floors, ceilings, chimneys, fireplaces, decks or garage floors? Yes No
- Any minor damage that has occurred to the property or to any structure on the property? Yes No
- Smoke damage or a fire on the property? Yes No
- Any problems with driveways, walkways, sidewalks or patios (such as large cracks, potholes or raised sections)? Yes No
- Any structural wood members below soil level? Yes No
- Any history of wood infestation, insects, pests or tree root problems? Yes No Specify date and type of last treatment: _____
- Any water or moisture in Crawlspace Basement Garage





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- 17. Any flowing or drainage problems on the property? Yes No On adjacent properties? Yes No
 Don't know Any standing water after rainfalls? Yes No Any active springs? Yes No
- 18. Any history of moldy conditions or treatment for mold? Yes No
- 19. Any history of water leaks or repairs of conditions involving water leaks, water infiltration, ponding under or around structure/crawlspace or other conditions which could be conducive to mold? Yes No
- 20. Any land on the property that has been filled in? Yes No
- 21. Any problems with retaining walls cracking or bulging? Yes No
- 22. Any earth movement, subsidence, or settlement problems? Yes No
- 23. Any additional structures? Yes No If yes, list: _____

For additional information or further explanation (indicate item #): _____

MANUFACTURED HOME INFORMATION

- 1. Is this home a manufactured home? Yes No
- 2. If yes, has this home been located anywhere other than dealer's lot and its current location? Yes No
 Don't Know
- 3. Does Seller have possession of the manufactured home titles? Yes No
- 4. Have the titles been deactivated? Yes No Don't Know
- 5. Does Seller have a permanent foundation permit? Yes No
- 6. Was the installation performed by a New Mexico Manufactured Housing Division licensed installer?
 Yes No Don't Know
- 7. Does the home have its HUD tags (metal tags located on each section of the home)? Yes No

PLUMBING

- 1. Type of water supply pipes Lead Galvanized Polybutylene Other _____ Don't know
- 2. Approximate age of water heater: _____ Capacity: _____ Fuel source: _____
- 3. Is there a sump pump? Yes No Any problems? _____
- 4. Is there a water softener? Yes No Owned Leased Leased from: _____
Transferable? Yes No Any problems? _____
- 5. Is there a reverse osmosis system? Yes No Owned Leased Leased from: _____
Transferable? Yes No Any problems? _____
- 6. Is there a refrigerator water line? Yes No Any problems? _____

Is the Seller aware of:

- 7. Any water pressure problems? Yes No
- 8. Any plumbing system problems, leaks, freezing? Yes No
- 9. Any bathroom ventilation problems? Yes No
- 10. Any domestic hot water problems? Yes No

For additional information or further explanation (indicate item #): _____

WATER SUPPLY

- 1. Is the water supply city/municipal? Yes No Any water supply problems? Yes No If yes, explain: _____
- 2. Any restrictions or regulation concerning water use? Yes No If yes, explain: _____
- 3. Is the water supply community/subdivision? Yes No Name and address of supplier: _____
Any problems? Yes No If yes, explain: _____
Fees per month: \$ _____ Any restrictions or regulations? Yes No If yes, explain: _____
Written agreement available? Yes No

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4. Is water supply to the house private? Yes No Any problems with well equipment? Yes No Any restrictions or regulations? Yes No If shared, is written agreement available? Yes No Is well registered with the State Engineer's office? Yes No Permit number: _____ Does seller have well record? Yes No Is well metered? Yes No Is there sufficient water yield at all times? Yes No If no, explain: _____
5. Is there any other water source for the property for any other use? _____
(For more information, please see RANM Form 2308a.)
- For additional information or further explanation (indicate item #): _____

SEWER/WASTEWATER TREATMENT

1. Is the sewer/wastewater treatment system city/municipal? Yes No Any problems? _____
2. Is the sewer/wastewater system community/subdivision? Yes No Any problems? _____
Name and address of provider: _____ Fees per month? \$ _____
Any restrictions or regulations? Yes No Written agreement available? Yes No
3. Is there an on-site liquid waste system? Yes No Type: Conventional Advanced treatment system
 Cesspool Any problems? _____ Name and address of service company: _____
Date last pumped: _____ Available installation permit? Yes
 No NMED (EID) certification? Yes No NMED (EID) certification number and date: _____
Location of the system: _____

If the property has an onsite liquid waste system, it is subject to the regulations of the New Mexico Environmental Department (NMED), which require inspections and possible repair. Contact the NMED for information regarding appropriate inspection forms and requirements.

(For more information, please see RANM Form 2308.)
For additional information or further explanation (indicate item #): _____

ROOFS, GUTTERS AND DOWNSPOUTS

1. Type of roof and approximate age: Pitched ____ yrs. Pueblo/Flat ____ yrs. Pitched & Flat ____ yrs. If flat, does the roof have a positive slope? Yes No Don't know
2. Type of roofing material (tar & gravel, asphalt shingles, etc.): _____
Additional comments: _____
3. Has all or part of the roof been resurfaced or replaced? Yes No Don't know If yes, what year? _____
By whom? _____ What portions? _____
Additional comments: _____
4. Is there a transferable written guarantee? Yes No Don't know
If yes, until what date? _____ By whom? _____
5. Has the roof ever leaked while you have owned the property? Yes No
If yes, what has been done to correct the problem? _____
6. Do spouts and gutters drain away from the property? Yes No Don't know
7. Are you aware of any faulty drainage or water penetration on the structure? Yes No Don't know If yes, describe: _____
- For additional information or further explanation (indicate item #): _____





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ELECTRICAL

1. Is the electrical wiring copper? Yes No Don't know Is it aluminum? Yes No Don't know
If aluminum, has the aluminum wiring been pig-tailed with copper wiring? Yes No Don't know
 2. Are you aware of any damaged or malfunctioning receptacles or switches? Yes No If yes, which ones? _____
 3. Is the house wired for 220 Volts? Yes No Don't know
 4. Are you aware of any extension cords used to create new electrical outlets? Yes No
If yes, explain: _____
 5. Are you aware of any defective, malfunctioning, or improperly installed electrical equipment inside or outside the house? Yes No If yes, explain: _____
 6. Has electrical service been modified since originally installed? Yes No Don't know
Comments: _____
 7. Do any circuits trip regularly? Yes No If yes, which ones? _____
Comments: _____
 8. Are you aware of any electric lines encroaching on the property? Yes No Don't know
If yes, explain: _____
 9. Are there encroachment agreements with any utility companies? Yes No Don't know
If yes, explain: _____
- For additional information or further explanation (indicate item #): _____

HEATING AND COOLING

1. Type of heat and approximate age: Central Forced Air ___ yrs. Hot Water Baseboard ___ yrs. In Floor Radiant ___ yrs. (Type of Hose) _____ Entran II? Yes No Wall Furnace ___ yrs. Floor Furnace ___ yrs. Electric Baseboard ___ yrs. Woodburning ___ yrs. Gas logs ___ yrs. Pellet ___ yrs. Other: _____ yrs. If applicable, approved for your community's burning restrictions? Yes No Don't know
 2. Is the house all electric? Yes No Don't know
 3. Does the house have Natural gas? Propane? If propane, is the tank Owned? Leased? Lease Co.: _____
 4. Are there any rooms without a direct heat source? Yes No Don't know If yes, please provide location: _____
 5. Type of cooling and approximate age: Evaporative ___ yrs. Refrigerated ___ yrs. None Don't know
Number of units: _____ How ducted? _____ Central? Yes No Don't know
 6. Are there any furnaces/coolers and/or A/Cs that have been abandoned? Yes No Don't know
 7. Do all heaters, coolers and A/Cs work properly? Yes No Don't know If no, please explain: _____
 8. Is there a fireplace? Yes No If yes, type: Woodburning Gas logs Pellet Insert Other: _____
 9. Is there a gas log lighter? Yes No Don't know
 10. Does damper work? Yes No Don't know If no, explain: _____
 11. Are flues welded open? Yes No Don't know
 12. Do you have approved glass enclosure? Yes No Don't know
 13. Do all fireplaces work properly? Yes No Don't know If no, explain: _____
 14. When was the fireplace chimney last swept? _____
 15. Any problems with condition or functioning of duct work (such as mildew, restricted air flow, physical deterioration, odor, etc.)? Yes No Don't know If yes, please explain: _____
- For additional information or further explanation (indicate item #): _____





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POOL, SAUNA, HOT TUB, WATER FEATURE

1. Is there a swimming pool on the property, including filled in? Yes No Don't know
2. When was the pool installed? _____ Is the pool Above ground? In ground?
3. Is the pool Fiberglass? Gunitite? Vinyl?
4. Is there a pool heater? Yes No Don't know If yes, is it Gas? Electric? Solar?
5. Is there a pool sweep which conveys? Yes No
6. Is there a cover for the pool? Yes No If yes, specify type: _____ Age: ____ Condition: _____
7. Will the cover convey with the sale of the property? Yes No
8. Is all the pool equipment in good working condition? Yes No Don't know
9. Is the pool maintained by a regular pool service? Yes No If yes, name of service: _____
10. Has the pool been winterized? Yes No If yes, name of service: _____
11. Is there a hot tub or spa? Yes No
12. Is the equipment in good working order? Yes No Don't know
13. Does it have a cover in good condition? Yes No
14. Is there a water feature? Yes No Don't know If yes, are there any problems? Yes No Don't know If yes, explain: _____

For additional information or further explanation (indicate item #): _____

MISCELLANEOUS

1. Does the property include a landscape watering system? Yes No Don't know
If yes, is it Auto-timed? Manual? Front yard? Back yard? Side yard?
Type: Sprinklers Bubblers Drip system Other: _____
2. Are they in good working order? Yes No Don't know
3. Are there any areas where the sprinklers do not properly water? Yes No Don't know
If yes, please explain: _____
4. Are there any areas of excessive standing water? Yes No Don't know
5. Are any areas not served by the watering system? Yes No Don't know
6. Is the drip and/or sprinkler system (if present) on auto-timer? Yes No Don't know
7. Are you aware of any of the above equipment that is in need of repair or replacement or is improperly installed?
 Yes No Don't know If yes, please explain: _____
8. Number of electric garage door operators: _____
9. Is/are garage door operator(s) in good working condition? Yes No Don't know
10. How many remote garage door openers will you be giving to the new buyer: _____
11. Is/are garage door opener(s) in good operating condition? Yes No Don't know
12. Are garage doors in good operating condition? Yes No Don't know If no, please explain: _____
13. Has the garage been modified to alter its original size? Yes No Don't know
14. Does the property have a security system? Yes No Type: _____ Owned Leased
Leased from: _____ Transferable? Yes No Any problems? _____
15. Does the property have smoke detectors? Yes No How many? _____ 110V Battery
16. Does the property have kitchen range hook-up? Yes No Electric Gas
17. Does the property have oven hook-up? Yes No Electric Gas





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- 18. Does the property have clothes dryer hook-up? Yes No Electric Gas Vented outside? Yes No
- 19. Does the property have built-in vacuum? Yes No If yes, do canisters, hoses and all attachments convey? Yes No Any problems? _____
- 20. Are there any problems in obtaining utility or phone service? Yes No Don't know If yes, explain: _____
- 21. Can you obtain cable TV service? Yes No Don't know
- 22. Can you obtain DSL service to your house? Yes No Don't know
- 23. Have any pets resided in the home? Yes No Any pet odors or damage? Yes No
- 24. Are you aware of any past or present existence of any pests (i.e., termites, ants, mice, etc.)? Yes No
If yes, please explain: _____
- 25. Have any insurance claims been made in the past five years? Yes No Don't know If yes, please explain: _____
Were repairs completed? Yes No
- 26. Has any insurance application or prior coverage regarding all or any part of the property been rejected or will not be renewed? Yes No If yes, explain: _____
- 27. Has notice been received that any existing insurance coverage will be subjected to increased premium rates? Yes No

For additional information or further explanation (indicate item #): _____

HOMEOWNERS' AND CONDOMINIUM OWNERS' ASSOCIATIONS

The following questions can be used for various types of Homeowner Associations. If the Property is a residential resale condominium that is subject to be Condominium Act, the Seller should obtain from the Homeowners' Association a resale certificate for the Buyer that includes all the disclosures that are required by law (including some items not listed here). (See RANM Form 2302A.)

- 1. Name, address and phone number of homeowners' association: _____
- 2. Does the homeowners' association have a right of first refusal? Yes No
- 3. Association fees? \$ _____ per yr. What is included in the association fees? Water/sewer Trash Building insurance Gas utility Electric utility Grounds maintenance Property taxes Streets Snow removal Other: _____
- 4. Any contemplated future dues increases or special assessments? Yes No Don't know If yes, give details: _____
- 5. Security: Intercom Closed circuit TV Guards Electric gate Other: _____
- 6. Does each unit have its own designated parking space(s)? Yes No Don't know If yes, how many? _____
- 7. Please check the existence of the following documents: Covenants, Conditions and Restrictions or Declaration of Condominium Regulations currently in force Current financial statement of Association Articles of Incorporation of Association Association Bylaws Minutes of Board Meetings

For additional information or further explanation (indicate item #): _____





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ENVIRONMENTAL

Is the Seller aware of:

1. Any noticeable continuous or periodic odors (such as from waste, agriculture, industry, etc.)? Yes No
2. Any excessive noises (such as airplanes, trains, trucks, freeways, etc.)? Yes No
3. Any hazards or hazardous materials on or in close proximity to the property (such as asbestos, dumps, pesticides, chemical labs, underground fuel storage tanks or leaks)? Yes No
4. Any radon tests performed on the property? Yes No Results? _____
Reports attached? Yes No
5. Any part of the property located in a designated special flood hazard zone? Yes No
6. Any portion of the property having ever flooded? Yes No
7. Mine shaft(s) or abandoned well(s) on the property? Yes No

For additional information or further explanation (indicate item #): _____

RENTAL INFORMATION

1. Is the property rented or occupied by a tenant? Yes No If yes, attach copy of Lease or Rental Agreement.
2. Does the tenant have the right to extend the rental agreement? Yes No
3. Are security deposits or prepaid rents being held? Yes No If yes, by whom and how much? _____

For additional information or further explanation (indicate item #): _____

IRRIGATION RIGHTS

1. Is the property irrigated from a ditch or acequia? Yes No (See RANM Form 2308a)
Ditch name: _____
Mayordomo: _____
Association name: _____
Fees? \$ _____
2. Are Association or ditch fees current? Yes No If no, explain: _____
3. Are water rights registered with the State Engineer? Yes No File/permit number _____

For additional information or further explanation (indicate item #): _____

OTHER

Does the Seller know of any other information pertaining to the condition of the Property not addressed in the questions listed above? If so, please explain: _____





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PLEASE NOTE: There is currently no legal or statutory requirement in the State of New Mexico that obligates or requires Sellers or Brokers to disclose to any prospective Buyer that the subject property is or has been: (1) the site of a natural death, homicide, suicide or any other crime classified as a felony; (2) owned or occupied by a person or persons exposed to HIV or diagnosed with AIDS or any other disease not known to be transmitted through the common occupancy of real estate; or (3) located in the vicinity of a convicted sex offender. If Buyer has concerns about any of the conditions cited above, Buyer is urged to conduct his/her own due diligence and contact the appropriate local, state or Federal health and law enforcement authorities to obtain accurate and reliable information.

THIS IS NOT A CONTRACT.

The above disclosures are made to the best of the Seller's knowledge. The person who signed as or on behalf of Seller lacks actual knowledge of the Property for the following reason:

- Personal Representative
- Administrator of Estate
- Trustee
- Receiver
- Does not occupy the Property
- Other

The law does not protect a Seller who makes an intentional misrepresentation.

SELLER

Seller Date Time

Seller Date Time

It is Buyer's responsibility to undertake his/her own due diligence and verify the accuracy of the Property Disclosure Statement. Buyer is not relieved of this responsibility by virtue of delivery of this Statement to Buyer.

BUYER

Buyer acknowledges receipt of this Statement.

Buyer Date Time

Buyer Date Time

