



# RESIDENTIAL SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS) (TO BE COMPLETED BY SELLER)



THE PRINTED PORTION OF THIS FORM HAS BEEN APPROVED BY THE ARIZONA ASSOCIATION OF REALTORS. THIS IS NOT INTENDED TO BE A BINDING CONTRACT.

### MESSAGE TO THE SELLER:

Sellers are obligated by law to disclose all known material (important) facts about the Property to the Buyer. The SPDS is designed to assist you in making these disclosures. If you know something important about the Property that is not addressed on the SPDS, add that information to the form. Prospective Buyers may rely on the information you provide.

**INSTRUCTIONS:** (1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a question, use the explanation lines to explain. By signing below you acknowledge that the failure to disclose known material information about the Property may result in liability.

### MESSAGE TO THE BUYER:

Although Sellers are obligated to disclose all known material (important) facts about the Property, there are likely facts about the Property that the Sellers do not know. Therefore, it is important that you take an active role in obtaining information about the Property.

**INSTRUCTIONS:** (1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the SPDS. (5) Review all other applicable documents, such as CC&R's, association bylaws, rules, and the title report or commitment. (6) Obtain professional inspections of the Property. (7) Investigate the surrounding area.

THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT VERIFIED BY THE BROKER(S) OR AGENT(S).

## OWNERSHIP AND PROPERTY

1. As used herein, "Property" shall mean the real property and all fixtures and improvements thereon and appurtenances incidental thereto, plus fixtures and personal property described in the Contract.

3. **PROPERTY ADDRESS:** 1111 W. UNIV. DR. TEMPE AZ 85281  
(STREET ADDRESS) (CITY) (STATE) (ZIP)

4. Is the Property located in an unincorporated area of the county?  Yes  No **If yes, and five or fewer parcels of land other than subdivided land are being transferred, the Seller must furnish the Buyer with a written Affidavit of Disclosure in the form required by law.**

6. **LEGAL OWNER(S) OF PROPERTY:** MOHASEN & PARISA ABAIE Date Purchased: 9/13/2005

7. Is the legal owner(s) of the Property a foreign person or a non-resident alien pursuant to the Foreign Investment in Real Property Tax Act (FIRPTA)?  Yes  No **If yes, consult a tax advisor; mandatory withholding may apply.**

9. Is the property located in a community defined by the fair housing laws as housing for older persons?  Yes  No

10. Explain: \_\_\_\_\_

11. Approximate year built: 2005. **If Property was built prior to 1978, Seller must furnish the Buyer with a lead-based paint disclosure form.**

12. The Property is currently:  Owner-occupied  Leased  Estate  Foreclosure  Vacant **If vacant, how long?** 2 WEEKS

13. If a rental property, how long? 1 1/2 YEAR Expiration date of current lease: NONE (Attach a copy of the lease if available.)

14. If any refundable deposits or prepaid rents are being held, by whom and how much? Explain: \_\_\_\_\_

15. \_\_\_\_\_

YES NO

16.  YES  NO Have you entered into any agreement to transfer your interest in the Property in any way, including rental renewals or options to purchase? Explain: \_\_\_\_\_

18.  YES  NO Are you aware if there are any association(s) governing this Property?

19. If yes, provide contact(s) information: Name: ROBERTA PORTER Phone #: 602-277-76

20. If yes, are there any fees? How much? \$ 180.00 How often? MONTHLY

21.  YES  NO Are you aware of any proposed or existing association assessment(s)? Explain: \_\_\_\_\_

22. \_\_\_\_\_

23.  YES  NO Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)?

24. Explain: WE ARE IN LITIGATIONS WITH

25.  YES  NO Are you aware of any of the following recorded against the Property? (Check all that apply):

26.  Judgment liens  Tax liens  Other non-consensual liens

27. Explain: \_\_\_\_\_

- YES NO
28.   Are you aware of any assessments affecting this Property? (Check all that apply):  
 29.  Paving  Sewer  Water  Electric  Other \_\_\_\_\_  
 30. Explain: \_\_\_\_\_
31.   Are you aware of any title issues affecting this Property? (Check all that apply):  
 32.  Recorded easements  Use restrictions  Lot line disputes  Encroachments  
 33.  Unrecorded easements  Use permits  Other \_\_\_\_\_  
 34. Explain: \_\_\_\_\_
35.   Are you aware of any public or private use paths or roadways on or across this Property?  
 36. Explain: \_\_\_\_\_
37.   Are you aware of any problems with legal or physical access to the Property? Explain: \_\_\_\_\_
38. The road/street access to the Property is maintained by the  County  City  Homeowners' Association  Privately
39.   If privately maintained, is there a recorded road maintenance agreement? Explain: \_\_\_\_\_
40.   Are you aware of any violation(s) of any of the following? (Check all that apply):  
 41.  Zoning  Building Codes  Utility Service  Sanitary health regulations  
 42.  Covenants, Conditions, Restrictions (CC&R's)  Other \_\_\_\_\_ (Attach a copy of notice(s) of violation if available.)  
 43. Explain: \_\_\_\_\_  
 44. \_\_\_\_\_
45.   Are you aware of any homeowner's insurance claims having been filed against the Property?  
 46. Explain: \_\_\_\_\_

### BUILDING AND SAFETY INFORMATION

- YES NO
- STRUCTURAL:**
47.   Are you aware of any past or present roof leaks? Explain: \_\_\_\_\_
48.   Are you aware of any other past or present roof problems? Explain: \_\_\_\_\_
49.   Are you aware of any roof repairs? Explain: \_\_\_\_\_
50.   Is there a roof warranty? (Attach a copy of warranty if available.)  
 51.   If yes, is the roof warranty transferable? Cost to transfer \_\_\_\_\_
- NOTICE TO BUYER: CONTACT A PROFESSIONAL TO VERIFY THE CONDITION OF THE ROOF.**
52.   Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: \_\_\_\_\_
53.   Are you aware of any cracks or settling involving the foundation, exterior walls or slab? Explain: \_\_\_\_\_
54.   Are you aware of any chimney or fireplace problems, if applicable? Explain: \_\_\_\_\_
55.   Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):  
 56.  Flood  Fire  Wind  Expansive soil(s)  Water  Hail  Other \_\_\_\_\_  
 57. Explain: \_\_\_\_\_
- WOOD INFESTATION**
58. Are you aware of any of the following:
59.   Past presence of termites or other wood destroying organisms on the Property?  
 60.   Current presence of termites or other wood destroying organisms on the Property?  
 61.   Past or present damage to the Property by termites or other wood destroying organisms?  
 62. Explain: \_\_\_\_\_  
 63. \_\_\_\_\_

Initials: \_\_\_\_\_ BUYER / BUYER

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73. YES  NO  Are you aware of past or present treatment of the Property for termites or other wood destroying organisms?  
 74. If yes, date last treatment was performed: \_\_\_\_\_  
 75. Name of treatment provider: \_\_\_\_\_  
 76. YES  NO  Is there a treatment warranty? (Attach a copy of warranty if available.)  
 77. YES  NO  If yes, is the treatment warranty transferrable?  
 78. **NOTICE TO BUYER: CONTACT STATE OF ARIZONA STRUCTURAL PEST CONTROL COMMISSION**  
 79. **FOR PAST TERMITE REPORTS OR TREATMENT HISTORY.**

80. **HEATING & COOLING:**  
 81. Heating: Type(s) ELECTRIC  
 82. Cooling: Type(s) REFRIGERATION  
 83. YES  NO  Are you aware of any past or present problems with the heating or cooling system(s)?  
 84. Explain: \_\_\_\_\_

85. **PLUMBING:**  
 86. YES  NO  Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC or polybutylene?  
 87. If yes, identify: COPPER  
 88. YES  NO  Are you aware of any past or present plumbing problems? Explain: \_\_\_\_\_  
 89. \_\_\_\_\_  
 90. YES  NO  Are you aware of any water pressure problems? Explain: \_\_\_\_\_  
 91. Type of water heater(s):  Gas  Electric  Solar Approx. age(s): \_\_\_\_\_  
 92. YES  NO  Are you aware of any past or present water heater problems? Explain: \_\_\_\_\_  
 93. \_\_\_\_\_  
 94. YES  NO  Is there a landscape watering system? If yes, type:  automatic timer  manual  both  
 95. YES  NO  If yes, are you aware of any past or present problems with the landscape watering system?  
 96. Explain: \_\_\_\_\_  
 97. YES  NO  Are there any water treatment systems? (Check all that apply):  
 98.  water filtration  reverse osmosis  water softener  Other \_\_\_\_\_  
 99. Is water treatment system(s)  owned  leased (Attach a copy of lease if available.)  
 100. YES  NO  Are you aware of any past or present problems with the water treatment system(s)?  
 101. Explain: \_\_\_\_\_

102. **SWIMMING POOL/SPA/HOT TUB/SAUNA/WATER FEATURE:**  
 103. YES  NO  Does the Property contain any of the following? (Check all that apply):  
 104. COMMUNITY  Swimming pool  Spa  Hot tub  Sauna  Water feature  
 105. YES  NO  If yes, are either of the following heated?  Swimming pool  Spa If yes, type of heat: \_\_\_\_\_  
 106. YES  NO  Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?  
 107. Explain: \_\_\_\_\_

108. **ELECTRICAL AND OTHER RELATED SYSTEMS:**  
 109. YES  NO  Are you aware of any past or present problems with the electrical system? Explain: \_\_\_\_\_  
 110. \_\_\_\_\_  
 111. YES  NO  Is there a security system? If yes, is it (Check all that apply):  
 112.  Leased (Attach copy of lease if available)  Owned  Monitored  Other \_\_\_\_\_  
 113. YES  NO  Are you aware of any past or present problems with the security system? Explain: \_\_\_\_\_  
 114. \_\_\_\_\_  
 115. YES  NO  Does the Property contain any of the following systems or detectors?(Check all that apply):  
 116.  Smoke/fire detection  Fire suppression (sprinklers)  Carbon monoxide detector  
 117. If yes, are you aware of any past or present problems with the above systems? Explain: \_\_\_\_\_  
 118. \_\_\_\_\_

YES NO

MISCELLANEOUS:

- 119.
- 120.   Are you aware of or have you observed any of the following on the Property? (Check all that apply):
- 121.  Scorpions  Rabid animals  Bee swarms  Rodents  Ow/s  Reptiles  Other: CROKETS
- 122. Explain: \_\_\_\_\_
- 123. How often is the Property serviced or treated for pests, reptiles, insects or animals? CALL H.O.A.
- 124. Name of service provider: CALL H.O.A. Date of last service: CALL H.O.A.
- 125.   Are you aware of any work done on the Property, such as building, plumbing, electrical or other improvements?
- 126. (If no, skip to line 135.)
- 127. Explain: \_\_\_\_\_
- 128.   Are you aware of any rooms added to the Property or converted to bedrooms?
- 129.   Were permits for the work required? Explain: \_\_\_\_\_
- 130.   If yes, were permits for the work obtained? Explain: \_\_\_\_\_
- 131.   Was the work performed by a person licensed to perform the work? Explain: \_\_\_\_\_
- 132.   Was approval for the work required by any association governing the property? Explain: \_\_\_\_\_
- 133.   If yes, was approval granted by the association? Explain: \_\_\_\_\_
- 134.   Was the work completed? Explain: \_\_\_\_\_
- 135.   Are there any security bars or other obstructions to door or window openings? Explain: \_\_\_\_\_
- 136.   Are you aware of any past or present problems with any built-in appliances? Explain: \_\_\_\_\_
- 137. \_\_\_\_\_
- 138.   Are there any leased propane tanks, equipment or other systems on the Property? Explain: \_\_\_\_\_
- 139.

UTILITIES

140. DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES? PROVIDER
141.   Electricity: A.P.S. \_\_\_\_\_
142.   Fuel:  Natural gas  Propane  Oil \_\_\_\_\_
143.   Cable: Cox \_\_\_\_\_
144.   Telephone: RHET. \_\_\_\_\_
145.   Garbage Collection: CITY \_\_\_\_\_
146.   Fire: CITY \_\_\_\_\_
147.   Irrigation: \_\_\_\_\_
148.   Water Source:  Public  Private water co.  Private well  Shared well  Hauled water
149. If water source is a private or shared well, complete and attach DOMESTIC WATER WELL/WATER USE ADDENDUM.
150. If source is public, a private water company, or hauled water, Provider is: \_\_\_\_\_
151.   Are you aware of any past or present drinking water problems? Explain: \_\_\_\_\_
152. \_\_\_\_\_
153.   Are there any alternate power systems serving the Property? If yes, indicate type (Check all that apply):
154.  Solar  Wind  Generator  Other \_\_\_\_\_
155. If yes, are you aware of any past or present problems with the alternate power system(s)? Explain: \_\_\_\_\_
156. \_\_\_\_\_

ENVIRONMENTAL INFORMATION

157.   Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply):
158.  Soil settlement/expansion  Drainage/grade  Erosion  Dampness/molsture  Other
159. Explain: \_\_\_\_\_

- |      | YES                                 | NO                                  |   |
|------|-------------------------------------|-------------------------------------|---|
| 160. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware of any past or present issues or problems in close proximity to the Property related to any of the following? (Check all that apply):   |
| 161. |                                     |                                     |   |
| 162. |                                     |                                     | <input type="checkbox"/> Soil settlement/expansion <input type="checkbox"/> Drainage/grade <input type="checkbox"/> Erosion <input type="checkbox"/> Other _____  |
| 163. |                                     |                                     | Explain: _____  |
| 164. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):  |
| 165. |                                     |                                     | <input type="checkbox"/> Airport noise <input checked="" type="checkbox"/> Traffic noise <input type="checkbox"/> Rail line noise <input type="checkbox"/> Neighborhood noise <input type="checkbox"/> Landfill <input type="checkbox"/> Toxic waste disposal |
| 166. |                                     |                                     | <input type="checkbox"/> Odors <input type="checkbox"/> Nuisances <input type="checkbox"/> Sand/gravel operations <input type="checkbox"/> Other _____  |
| 167. |                                     |                                     | Explain: _____  |
| 168. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware if the Property is located in the vicinity of an airport (military, public, or private)?  |
| 169. |                                     |                                     | Explain: _____  |
| 170. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):   |
| 171. |                                     |                                     | <input type="checkbox"/> Asbestos <input type="checkbox"/> Radon gas <input type="checkbox"/> Lead-based paint <input type="checkbox"/> Pesticides <input type="checkbox"/> Underground storage tanks <input type="checkbox"/> Fuel/chemical storage          |
| 172. |                                     |                                     | Explain: _____  |
| 173. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware if the Property is located within any of the following? (Check all that apply):   |
| 174. |                                     |                                     | <input type="checkbox"/> Superfund/ WQARF/ CERCLA <input type="checkbox"/> Wetlands area  |
| 175. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware of any open mine shafts/tunnels or abandoned wells on the Property?   |
| 176. |                                     |                                     | If yes, describe location: _____  |
| 177. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware if any portion of the Property is in a flood plain/way? Explain: _____  |
| 178. |                                     |                                     | _____   |
| 179. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware of any portion of the Property ever having been flooded? Explain: _____   |
| 180. |                                     |                                     | _____   |
| 181. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware of any water damage or water leaks of any kind on the Property? Explain: _____  |
| 182. |                                     |                                     | _____   |
| 183. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware of any past or present mold growth on the Property? If yes, explain: _____  |
| 184. |                                     |                                     | _____   |

## SEWER/WASTEWATER TREATMENT

- |      | YES                                 | NO                                  |  |
|------|-------------------------------------|-------------------------------------|--|
| 185. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Is the entire Property connected to a sewer? Explain: _____  |
| 186. | <input type="checkbox"/>            | <input type="checkbox"/>            | If yes, has a professional verified the sewer connection? If yes, how and when: _____  |
| 187. |                                     |                                     | <b>NOTICE TO BUYER: CONTACT A PROFESSIONAL TO CONDUCT A SEWER VERIFICATION TEST.</b>   |
| 188. |                                     |                                     | Type of sewer: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> Planned and approved sewer system, but not connected |
| 189. |                                     |                                     | Name of Provider _____   |
| 190. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware of any past or present problems with the sewer? Explain: _____   |
| 191. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 205.)   |
| 192. |                                     |                                     | If yes, the Facility is: <input type="checkbox"/> Conventional septic system <input type="checkbox"/> Alternative system; type: _____                                    |
| 193. | <input type="checkbox"/>            | <input type="checkbox"/>            | If the Facility is an alternative system, is it currently being serviced under a maintenance contract?   |
| 194. |                                     |                                     | If yes, name of contractor: _____ Phone #: _____   |
| 195. |                                     |                                     | Approximate year Facility installed: _____ (Attach copy of permit if available.)   |
| 196. | <input type="checkbox"/>            | <input type="checkbox"/>            | Are you aware of any repairs or alterations made to this Facility since original installation?   |
| 197. |                                     |                                     | Explain: _____   |
| 198. |                                     |                                     | _____  |
| 199. |                                     |                                     | Approximate date of last Facility inspection and/or pumping of septic tank: _____  |
| 200. | <input type="checkbox"/>            | <input type="checkbox"/>            | Are you aware of any past or present problems with the Facility? Explain: _____  |
| 201. |                                     |                                     | _____  |
| 202. |                                     |                                     | <b>NOTICE TO SELLER AND BUYER: THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY</b>   |
| 203. |                                     |                                     | <b>REQUIRES A PRE-TRANSFER INSPECTION OF ON-SITE WASTEWATER TREATMENT FACILITIES ON</b>  |
| 204. |                                     |                                     | <b>RE-SALE PROPERTIES.</b>   |

Initials: \_\_\_\_\_ / \_\_\_\_\_  
BUYER BUYER

# OTHER CONDITIONS AND FACTORS

- 205. What other material (important) information are you aware of concerning the Property that might affect the buyer's decision-making
- 206. process, the value of the Property, or its use? Explain: \_\_\_\_\_
- 207. \_\_\_\_\_
- 208. \_\_\_\_\_
- 209. \_\_\_\_\_
- 210. \_\_\_\_\_
- 211. \_\_\_\_\_
- 212. \_\_\_\_\_
- 213. \_\_\_\_\_

# ADDITIONAL EXPLANATIONS

- 214. \_\_\_\_\_
- 215. \_\_\_\_\_
- 216. \_\_\_\_\_
- 217. \_\_\_\_\_
- 218. \_\_\_\_\_
- 219. \_\_\_\_\_
- 220. \_\_\_\_\_
- 221. \_\_\_\_\_
- 222. \_\_\_\_\_
- 223. \_\_\_\_\_
- 224. \_\_\_\_\_
- 225. \_\_\_\_\_
- 226. \_\_\_\_\_
- 227. \_\_\_\_\_
- 228. \_\_\_\_\_
- 229. \_\_\_\_\_

230. **SELLER CERTIFICATION:** Seller certifies that the information contained herein is true and complete to the best of Seller's  
 231. knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by  
 232. Seller to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections.

233. M. M. M. 5-18-07 Pasini Haval 5/18/07  
 SELLER MO/DA/YR SELLER MO/DA/YR

234. **Reviewed and updated:** Initials: \_\_\_\_\_  
 SELLER SELLER MO/DA/YR

235. **BUYER'S ACKNOWLEDGEMENT:** Buyer acknowledges that the information contained herein is based only on the Seller's actual  
 236. knowledge and is not a warranty of any kind. Buyer acknowledges Buyer's obligation to investigate any material (important) facts in  
 237. regard to the Property. Buyer is encouraged to obtain Property inspections by professional independent third parties and to  
 238. consider obtaining a home warranty protection plan.

239. **NOTICE:** Buyer acknowledges that by law, Sellers, Lessors and Brokers are not obligated to disclose that the Property is or has been:  
 240. (1) the site of a natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed