

Seller's Property Disclosure – Residential

Notice to Licensee and Seller: Only the **Seller** should fill out this form.

Notice to Seller: Florida law¹ requires a **Seller** of a home to disclose to the **Buyer** all known facts that materially affect the value of the property being sold and that are not readily observable or known by the **Buyer**. This disclosure form is designed to help you comply with the law. However, this disclosure form may not address every significant issue that is unique to the Property. You should think about what you would want to know if you were buying the Property today; and if you need more space for additional information, comments, or explanations, check the Paragraph 12 checkbox and attach an addendum.

Notice to Buyer: The following representations are made by **Seller** and **not** by any real estate licensee. This disclosure is not a guaranty or warranty of any kind. It is not a substitute for any inspections, warranties, or professional advice you may wish to obtain. It is not a substitute for your own personal judgment and common sense. The following information is based only upon **Seller's** actual knowledge of the Property's condition. **Sellers** can disclose only what they actually know. **Seller** may not know about all material or significant items. You should have an independent, professional home inspection to verify the condition of the Property and determine the cost of repairs, if any. This disclosure is not a contract and is not intended to be a part of any contract for sale and purchase.

Seller makes the following disclosure regarding the property described as: _____

163 Vivian James Dr, St Augustine, FL 32092 _____ (the "Property")

The Property is Owner Occupied

If unoccupied, how long has it been since **Seller** occupied the Property? _____

1. Structures; Systems; Appliances

a) Are the structures including ceilings; walls; doors; windows; foundation; and pool, hot tub, and spa, if any, structurally sound and free of leaks? Yes

If no, please explain: _____

b) Is seawall, if any, and dockage, if any, structurally sound? Yes

If no, please explain: _____

c) Are existing major appliances and heating, cooling, mechanical, electrical, security, and sprinkler systems, in working condition, i.e., operating in the manner in which the item was designed to operate? Yes

If no, please explain: _____

d) Does the property have aluminum wiring other than the primary service line? No

e) Are any of the appliances leased? No

If yes, which ones? _____

¹Johnson v. Davis, 480 So.2d 625 (Fla. 1985).

Buyer (____) (____) and **Seller** (TSP) (DSP) acknowledge receipt of a copy of this page, which is Page 1 of 8.

2. Termites; Other Wood-Destroying Organisms; Pests

a) Are termites; other wood-destroying organisms, including fungi; or pests present on the Property or has the property had any structural damage by them? No

If yes, please explain: _____

b) Has the property been treated for termites; other wood-destroying organisms, including fungi; or pests? Yes

If yes, please explain: There is a termite bait system to prevent termites, but otherwise no treatment for termites.

3. Water Intrusion; Drainage; Flooding

a) Has past or present water intrusion affected the property? No

If yes, please explain: _____

b) Have past or present drainage or flooding problems affected the property? No

If yes, please explain: _____

c) Is any of the property located in a special flood hazard area? No

If yes, please explain: _____

d) Is any of the property located seaward of the coastal construction control line? No

If yes, please explain: _____

e) Does your lender require flood insurance? No

f) Do you have an elevation certificate? If yes, please attach a copy. No

4. Plumbing

a) What is your drinking water source? Public

b) Have you ever had a problem with the quality, supply, or flow of potable water? No

If yes, please explain: _____

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4. Plumbing (continued)

c) Do you have a water treatment system? Yes

If yes, is it owned

If yes, please explain: water softener

d) Do you have a Sewer

if septic system, describe the location of each system: _____

e) Are any septic tanks, drain fields, or wells that are not currently being used located on the property? No

If yes, please explain: _____

f) Have there been any plumbing leaks since you have owned the property? No

If yes, please explain: _____

g) Are any polybutylene pipes on the property? No

If yes, please explain: _____

5. Roof and Roof-Related Items

a) To your knowledge, is the roof structurally sound and free of leaks? Yes

b) The age of the roof is 7 years OR date installed: 2019

c) Has the roof ever leaked during your ownership? No

d) To your knowledge, has there been any repair, restoration, replacement (indicate full or partial) or other work undertaken on the roof? No

if yes, please explain: _____

e) Are you aware of any defects to the roof, fascia, soffits, flashings, or any other component of the roof system? No

If yes, please explain: _____

6. Pools; Hot Tubs; Spas

Note: Florida law requires swimming pools, hot tubs, and spas that received a certificate of completion on or after October 1, 2000, to have at least one safety feature as specified by Section 515.27, Florida Statutes.

- a) If the property has a swimming pool, hot tub, or spa that received a certificate of completion on or after October 1, 2000, indicate the existing safety feature(s):
 - enclosure that meets the pool barrier requirements approved safety pool cover
 - required door & window exit alarms required door locks none
- b) Has an in-ground pool on the property been demolished and/or filled? No

7. Sinkholes

Note: When an insurance claim for sinkhole damage has been made by the **Seller** and paid by the insurer, Section 627.7073(2)(c), Florida Statutes, requires the **Seller** to disclose to the **Buyer** that a claim was paid and whether or not the full amount paid was used to repair the sinkhole damage.

- a) Does past or present settling, soil movement, or sinkhole(s) affect the property or adjacent properties? No

If yes, please explain: _____

- b) Has any insurance claim for sinkhole damage been made? No

If yes, was the claim paid?

Please explain: _____

- a. If the claim was paid, were all the proceeds used to repair the damage?

8. Homeowners' Association Restrictions; Boundaries; Access Roads

- a) Is membership in a homeowner's association mandatory or do any covenants, conditions or restrictions (CCRs) affect the property? (CCRs include deed restrictions, restrictive covenants and declaration of covenants.) Yes

Notice to Buyer: If yes, you should read the association's official records and/or the CCRs before making an offer to purchase. These documents contain information on significant matters, such as recurring dues or fees; special assessments; capital contributions, penalties; and architectural, building, landscaping, leasing, parking, pet, resale, vehicle and other types of restrictions.

If yes, please explain: Arbor Mill at Mill Creek HOA

- b) Are there any proposed changes to any of the restrictions? No

If yes, please explain: _____

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8. Homeowners' Association Restrictions; Boundaries; Access Roads (continued)

c) Are any driveways, walls, fences, or other features shared with adjoining landowners? Yes

part of fence is shared with homeowner at 174 vivian
If yes, please explain: James Drive.

d) Are there any encroachments on the Property or any encroachments by the Property's improvements on other lands? No

if yes, please explain: _____

e) Are there any boundary line disputes or easements affecting the property? No

If yes, please explain: _____

f) Are you aware of any existing, pending or proposed legal or administrative action affecting homeowner's association common areas (such as clubhouse, pools, tennis courts or other areas)? No

If yes, please explain: _____

g) Have any subsurface rights, as defined by Section 689.29(3)(b), Florida Statutes been severed from the Property? No

If yes, is there a right of entry?

If yes, please explain: _____

h) Are access roads public

If private, describe the terms and conditions of the maintenance agreement: _____

9. Environmental

a) Was the property built before 1978? If yes, please see Lead-Based Paint Disclosure. No

b) Does anything exist on the Property that may be considered an environmental hazard, including but not limited to, lead-based paint; asbestos; mold; urea formaldehyde; radon gas; methamphetamine contamination; defective drywall; fuel, propane, or chemical storage tanks (active or abandoned); or contaminated soil or water? No

If yes, please explain: _____

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9. Environmental (continued)

c) Has there been any damage, clean up, or repair to the property due to any of the substances or materials listed in subsection (b) above? No

If yes, please explain: _____

d) Are any mangroves, archeological sites, or other environmentally sensitive areas located on the property? No

If yes, please explain: _____

10. Governmental, Claims and Litigation

a) Are there any existing, pending or proposed legal or administrative claims affecting the property? Yes

If yes, please explain: There is a lawsuit against Ashley Homes for improper installation of stucco. The claim is transferable to the new owner.

b) Are you aware of any existing or proposed municipal or county special assessments affecting the property? No

If yes, please explain: _____

c) Are you aware of the property ever having been, or is it currently, subject to litigation or claim, including but not limited to, defective building products, construction defects and/or title problems? Yes

If yes, please explain: See above.

d) Have you ever had any claims filed against your homeowner's insurance policy? No

If yes, please explain: _____

e) Are there any zoning violations or nonconforming uses? No

If yes, please explain: _____

f) Are there any zoning restrictions affecting improvements or replacement of the property? No

If yes, please explain: _____

10. Governmental, Claims and Litigation (continued)

g) Do any zoning, land use or administrative regulations conflict with the existing use of the Property? No

If yes, please explain: _____

h) Do any restrictions other than association or flood area requirements, affect improvements or replacement of the Property? No

If yes, please explain: _____

i) Are any improvements, located below the base flood elevation? No

If yes, please explain: _____

j) Have any improvements been constructed in violation of applicable local flood guidelines? No

If yes, please explain: _____

k) Have any improvements to the Property, whether by you or by others, been constructed in violation of building codes or without necessary permits? No

If yes, please explain: _____

l) Are there any active permits on the Property that have not been closed by a final inspection? No

If yes, please explain: _____

m) Is there any violation or non-compliance regarding any unrecorded liens; code enforcement violations; or governmental, building, environmental and safety codes, restrictions or requirements? No

If yes, please explain: _____

11. Foreign Investment in Real Property Tax Act ("FIRPTA")

a) Is the **Seller** subject to FIRPTA withholding as per Section 1445 of the Internal Revenue Code? No

If yes, Buyer and Seller should seek legal and tax advice regarding compliance.

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12. Other Matters; Additional Comments

The following section contains additional information, explanation, or comments.

Seller represents that the information provided on this form and any attachments is accurate and complete to the best of **Seller's** knowledge on the date signed by **Seller**. **Seller** authorizes listing broker to provide this disclosure statement to real estate licensees and prospective **buyers** of the Property. **Seller** understands and agrees that **Seller** will promptly notify **Buyer** in writing if any information set forth in this disclosure becomes inaccurate or incorrect.

Seller: Signed by: Teri Smith Poduval / Teri Smith Poduval Date: 4/6/2026
3D347D1E5C9047C2
(signature) (print)

Seller: Signed by: Dilip Sankar Poduval / Dilip Sankar Poduval Date: 4/6/2026
C84B98468EA47D2
(signature) (print)

Buyer acknowledges that **Buyer** has read, understands, and has received a copy of this disclosure statement.

Buyer: _____ / _____ Date: _____
(signature) (print)

Buyer: _____ / _____ Date: _____
(signature) (print)

Buyer (____) (____) and **Seller** (^{Initial}TSP) (^{Initial}DSP) acknowledge receipt of a copy of this page,
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