

## DEFECT / CONDITION DISCLOSURES BY SELLER

This annexure can be used for all sales [i.e. whether affected by the CPA or not].

This disclosure relates to the immovable property situated at:

.....

Erf no.....

Section number .....

### DISCLOSURE INFORMATION

The Seller of the property provides the information contained in this document so that prospective Purchasers may benefit from the contents in making their decision on whether to buy the property and if so, on what terms. The Seller does not warrant that his responses to the various questions accurately represent the true status of the defect/condition enquired about but **does warrant** that his answers constitute his true and honest belief about the status. The Seller understands and accepts that the estate agent to whom this disclosure document is given shall provide a copy of this document to any potential Purchasers and that this document will be incorporated into any sale agreement with such Purchaser.

QUESTION NUMBER	QUESTION	YES	NO	N/A
1	Are you aware of any defects in the roof to any structures on your property?			
2	Are you bound to a lease agreement with a tenant in respect of the property?			
3	Are you aware of any defects in any part of the plumbing system servicing the property, including the supply of water to the property and the disposal of waste and/or sewerage and/or storm water?			
4	Are you aware of any defects in the heating and/or air conditioning systems, including air filters and humidifiers?			
5	If your property has a swimming pool are you aware of any defects in the pool or the pool filtration system including more particularly leakage of water and/or inappropriate amounts of air being drawn into the water reticulation system?			
6	Are you aware of any structural defects to the property and/or in the basement or foundations of the property, including cracks, bulges and/or subsidence?			
7	Are you aware of any boundary line disputes or any encroachments?			
8	Are you aware of any constructions on the property which have been made without proper approved building plans and/or proper permissions from the relevant local authority?			
9	Are you aware of any changes which your neighbours and /or near neighbours plan to make to their properties?			
10	Are you aware of any municipal urban planning policies or permissions which are likely to impact significantly on the area in which your property is situated?			
11	Are you aware of circumstances or conditions within the proximity of your property which are a source of regular nuisance (i.e. noise or smells) or threat to residents of your property?			

12	Are <u>all</u> fixtures and fittings on your property in good working order? This includes items (in no particular order) like electrical plugs and switches, doors and windows, ovens, hobs and extractors, hot water geysers, solar heating systems, garden/external lights and fountains, alarm systems and other security systems, automatic door and gate openers, remote and/centrally controlled systems, intercom systems, doorbells, pool pump, pool filtration system, automatic pool cleaners, pool chlorinator, pool lights, gutters and downpipes, chimneys, irrigation system including computerized controls, air conditioners, underfloor or wall mounted heating systems ,extractor systems ,bore holes and associated equipment.			
13	If any of the fixtures and fittings on your property are not in good working order are you willing to fix such items so that on the day your purchaser takes transfer of your property they will be in good working order?			
14	Are you aware of any water leakage or water penetration problems in any of the constructions on your property?			
15	Are you aware of any flooding problems on your property?			
16	Do you have any reason to believe that the electrical supply to your property is inadequate for the property and ordinary use of the electrical appliances / systems upon your property?			
17	Are you aware of any significant defects in your property which you have caused to be repaired in the last 12 months?			
18	Do you know what the municipality has valued your property at for purposes of rates and taxes and are you happy with the valuation?			
19	Is your property subject to any Home Owners Association?			
20	If your property is part of a sectional title development are you aware of the possibility of a special levy being raised in the short to medium term?			
21	If your property is part of a sectional title development are the finances of the body corporate in a sound condition?			
22	If your property is part of a sectional title development does the original developer have the right to return to the property and to construct any further buildings?			
23	If your property is part of a sectional title development are you happy with the management of the body corporate?			

**If you answered YES to any of the questions posed in the questionnaire set out above, then you are required to briefly explain and amplify your answer in the place provided for below:**

QUESTION NUMBER	ADDITIONAL INFORMATION
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**HISTORY OF OWNERSHIP AND OCCUPATION**

- 1. When did you become the owner of the property? .....
- 2. Have you personally occupied property for the entire time of ownership?  
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- 3. If you did not personally occupy the property for the entire time of ownership, when did you last personally occupy the property and for how long?  
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**DISCLAIMER**

As already intimated this disclosure document is designed to communicate to any potential Purchaser of the property to which this disclosure relates, the honestly held beliefs of the Seller of the property and is not designed to represent that the potential conditions canvassed in the questionnaire do not in fact exist. The duty therefore still rests on any potential Purchaser to properly and thoroughly examine the property and if concerned about any potential defect/condition [whether patent or latent] to obtain independent advice from an appropriate expert before concluding any binding sale agreement.

Dated at \_\_\_\_\_ on \_\_\_\_\_

\_\_\_\_\_

**Seller**

Acknowledgement of receipt of copy by \_\_\_\_\_

[Insert name of potential Purchaser]

\_\_\_\_\_

**Signature by potential Purchaser**