



NEW JERSEY ASSOCIATION OF REALTORS® STANDARD FORM OF  
SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT



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Property Address: 38 HIGHLAND AVE # C3  
JERSEY CITY, NJ 07306

Seller: LINDA IANACE

The purpose of this Disclosure Statement is to disclose, to the best of Seller's knowledge, the condition of the Property, as of the date set forth below. The Seller acknowledges that he/she is under an obligation to disclose any known material defects in the Property even if not addressed in this printed form. Seller alone is the source of all information contained in this form. All prospective buyers of the Property are cautioned to carefully inspect the Property and to carefully inspect the surrounding area for any off-site conditions that may adversely affect the Property. Moreover, this Disclosure Statement is not intended to be a substitute for prospective buyer's hiring of qualified experts to inspect the Property.

If your property consists of multiple units, systems and/or features, please provide complete answers on all such units, systems and/or features even if the question is phrased in the singular, such as if a duplex has multiple furnaces, water heaters and fireplaces.

**OCCUPANCY**

- |                                     |                                     |                                     |  |
|-------------------------------------|-------------------------------------|-------------------------------------|--|
| Yes                                 | No                                  | Unknown                             |  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Age of House, if known _____  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 2. Does the Seller currently occupy this property?<br>If not how long has it been since Seller occupied the property? <u>15 years</u>                              |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | 3. What year did the seller buy the property? <u>1989</u>  |
|                                     |                                     |                                     | 3a. Do you have in your possession the original or a copy of the deed evidencing your ownership of the property? If "yes," please attach a copy of it to this form |

**ROOF**

- |                                     |                                     |                                     |   |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| Yes                                 | No                                  | Unknown                             |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | 4. Age of roof _____  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 5. Has roof been replaced or repaired since seller bought the property? |
|                                     |                                     |                                     | 6. Are you aware of any roof leaks?                                     |
|                                     |                                     |                                     | 7. Explain any "yes" answers that you give in this section: _____       |

**ATTICS, BASEMENTS AND CRAWL SPACES (Complete only if applicable)**

- |                          |                                     |                          |   |
|--------------------------|-------------------------------------|--------------------------|---|
| Yes                      | No                                  | Unknown                  |   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. Does the property have one or more sump pumps?   |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | 8a. Are there any problems with the operation of any sump pump?   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9. Are you aware of any water leakage, accumulation, or dampness within the basement or crawl spaces or any other areas within any of the structures on the property?   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9a. Are you aware of the presence of any mold or similar natural substance within the basement or crawl spaces or any other areas within any of the structures on the property?   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 10. Are you aware of any repairs or other attempts to control any water or dampness problem in the basement or crawlspace? If "yes" describe the location, nature and date of the repairs: _____  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 11. Are you aware of any cracks or bulges in the floor or foundation walls? If "yes", specify location: _____   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 12. Are you aware of any restrictions on how the attic may be used as a result of the manner in which the attic or roof was constructed?  |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | 13. Is the attic or house ventilated by: <input type="checkbox"/> a whole house fan? <input type="checkbox"/> an attic fan?   |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | 13a. Are you aware of any problems with the operation of such a fan?  |
|                          |                                     |                          | 14. In what manner is access to the attic space provided? <input type="checkbox"/> staircase <input type="checkbox"/> pull down stairs <input type="checkbox"/> crawl space with aid of ladder or other device <input type="checkbox"/> other |
|                          |                                     |                          | 15. Explain any "yes" answers that you give in this section: _____  |

**TERMITES/WOOD DESTROYING INSECTS, DRY ROT, PESTS**

- |                          |                                     |                          |  |
|--------------------------|-------------------------------------|--------------------------|--|
| Yes                      | No                                  | Unknown                  |  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 16. Are you aware of any termites/wood destroying insects, dry rot, pests affecting the property?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 17. Are you aware of any damage to the property caused by termites/wood destroying insects, dry rot, or pests?   |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | 18. If "yes," has work been performed to repair the damage?  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 19. Is your property currently under contract by a licensed pest control company? If "yes", state the name and address of licensed pest control company: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 20. Are you aware of any termite/pest control inspections or treatments for the property in the past?  |

72 21. Explain any "yes" answer that you give in this section:  
73 \_\_\_\_\_  
74 \_\_\_\_\_  
75 \_\_\_\_\_

76 **STRUCTURAL ITEMS**

- 77 Yes No  
78 [ ]  22. Are you aware of any movement, shifting, or other problems with walls, floors or foundations including any restrictions on how any space, other than the attic or roof, may be used as a result of the manner in which it was constructed?  
79  
80  
81 [ ]  23. Are you aware if the property or or any of the structures on it have ever been damaged by fire, smoke, wind or flood?  
82  
83 [ ]  24. Are you aware of any fire retardant plywood used in the construction?  
84 [ ]  25. Are you aware of any current or past problems with driveways, walkways, patios, sinkholes, or retaining walls on the property?  
85  
86 [ ] [ ] 26. Are you aware of any present or past efforts made to repair any problems with the items in this section?  
87  
88 27. Explain any "yes" answers that you give in this section. Please describe the location and nature of  
89 \_\_\_\_\_  
90 \_\_\_\_\_  
91 \_\_\_\_\_

92 **ADDITIONS/REMODELS**

- 93 Yes No Unknown  
94 [ ]  28. Are you aware of any additions, structural changes or other alterations to the structures on the property made by any present or past owners?  
95  
96 [ ] [ ] [ ] 29. Were the proper building permits and approvals obtained? Explain any "yes" answers you give in this section:  
97 \_\_\_\_\_  
98 \_\_\_\_\_  
99 \_\_\_\_\_

100  
101 **PLUMBING, WATER AND SEWAGE**

- 102 Yes No Unknown  
103 30. What is the source of your drinking water?  Public [ ] Community System [ ]  
104 Well on property [ ] Other (explain) \_\_\_\_\_  
105 [ ] [ ] 31. If your drinking water supply is not public have you performed any tests on the water?  
106 If so when? \_\_\_\_\_  
107 Attach a copy of or describe the results.  
108 [ ]  [ ] 32. Does the wastewater from any clothes washer, dishwasher, or other appliance discharge to any location other than the sewer, septic, or other system that services the rest of the property?  
109  
110 [ ] [ ] 33. When was well installed? \_\_\_\_\_  
111 Location of Well? \_\_\_\_\_  
112 [ ]  34. Do you have a softener, filter, or other water purification system?  
113 [ ] Leased [ ] Owned  
114 35. What is the type of sewage system?  Public Sewer [ ] Private Sewer [ ] Septic System  
115 [ ] Cesspool [ ] Other (explain): \_\_\_\_\_  
116 [ ] [ ] 36. If you answered "septic system," have you ever had the system inspected to confirm that it is a true septic system and not a cesspool?  
117 [ ] [ ] 37. If Septic System, when was it installed? \_\_\_\_\_  
118 Location? \_\_\_\_\_  
119 [ ] [ ] 38. When was the Septic System or Cesspool last cleaned and/or serviced? \_\_\_\_\_  
120 [ ] [ ] 39. Are you aware of any abandoned Septic Systems or Cesspools on your property?  
121 [ ] [ ] [ ] 39a. If "yes," is the closure in accordance with the municipality's ordinance? (explain): \_\_\_\_\_  
122  
123  
124 [ ]  40. Are you aware of any leaks, backups, or other problems relating to any of the plumbing systems and fixtures (including pipes, sinks, tubs and showers), or of any other water or sewage related problems? If "yes," explain: \_\_\_\_\_  
125  
126  
127  
128 [ ]  41. Are you aware of any shut off, disconnected, or abandoned wells, underground water or sewage tanks, or dry wells on the property?  
129  
130 [ ]  [ ] 42. Is either the private water or sewage system shared? If "yes," explain: \_\_\_\_\_  
131  
132 43. Water Heater: [ ] Electric  Fuel Oil [ ] Gas  
133 Age of Water Heater ? I think the building bought a new oil burner about 5 years ago.  
134 [ ]  [ ] 43a. Are you aware of any problems with the water heater?  
135 44. Explain any "yes" answers that you give in this section:  
136 \_\_\_\_\_  
137 \_\_\_\_\_  
138 \_\_\_\_\_

139 **HEATING AND AIR CONDITIONING**

- 140 Yes No Unknown  
141 45. Type of air conditioning:  
142 [ ] Central one zone [ ] Central multiple zone [ ] Wall/Window Unit  None  
143 46. List any areas of the house that are not air conditioned:  
144 \_\_\_\_\_  
145 [ ] 47. What is the age of Air Conditioning System \_\_\_\_\_  
146 48. Type of heat: [ ] Electric  Fuel Oil [ ] Natural Gas [ ] Propane [ ] Unheated [ ] Other  
147 49. What is the type of heating system? (for example, forced air, hot water or base board, radiator, steam heat) radiator  
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50. If it is a centralized heating system, is it one zone or multiple zones?

one zone

51. Age of Furnace NSyn. Date of Last Service ?

52. List any areas of the house that are not heated:

53. Are you aware of any tanks on the property, either above or underground, used to store fuel or other substances?

54. If tank is not in use, do you have a closure certificate?

55. Are you aware of any problems with any items in this section? If "yes," explain:

#### WOOD BURNING STOVE OR FIREPLACE

Yes No Unknown

56. Do you have  wood burning stove?  fireplace?  insert?  Other

56a. Is it presently usable?

57. If you have a fireplace, when was the flu last cleaned? \_\_\_\_\_

57a. Was the flue cleaned by a professional or non-professional? \_\_\_\_\_

58. Have you obtained any required permits for any such item?

59. Are you aware of any problems with any of these items? If "yes," please explain:

#### ELECTRICAL SYSTEM

Yes No Unknown

60. What type of wiring is in this structure?  Copper  Aluminum  Other  Unknown

61. What amp service does it have?

60  100  150  200  Other  Unknown

62. Does it have 240 volt service? Which are present?  Circuit Breakers  Fuses or  Both?

63. Are you aware of any additions to the original service? If "yes" were the additions done by a licensed electrician? Name and address:

64. If yes, were proper building permits and approvals obtained?

65. Are you aware of any wall switches, light fixtures or electrical outlets in need of repair?

66. Explain any "yes" answers you give in this section:

#### LAND (SOILS, DRAINAGE AND BOUNDARIES)

Yes No Unknown

67. Are you aware of any fill or expansive soil on the property?

68. Are you aware of any past or present mining operations in the area in which the property is located?

69. Is the property located in a flood hazard zone?

70. Are you aware of any drainage or flood problems affecting the property?

71. Are there any areas on the property which are designated as protected wetlands?

72. Are you aware of any encroachments, utility easements, boundary line disputes, or drainage or other easements affecting the property?

73. Are there any water retention basins on the property or the adjacent properties?

74. Are you aware if any part of the property is being claimed by the State of New Jersey as land presently or formerly covered by tidal water (Riparian claim or lease grant)? Explain:

75. Are you aware of any shared or common areas (for example, driveways, bridges, docks, walls, bulkheads, etc.) or maintenance agreements regarding the property?

76. Explain any "yes" answers to the preceding questions in this section:

77. Do you have a survey of the property?

#### ENVIRONMENTAL HAZARDS

Yes No Unknown

78. Have you received any written notification from any public agency or private concern informing you that the property is adversely affected, or may be adversely affected, by a condition that exists on a property in the vicinity of this property? If "yes," attach a copy of any such notice currently in your possession.

78a. Are you aware of any condition that exists on any property in the vicinity which adversely affects, or has been identified as possibly adversely affecting, the quality or safety of the air, soil, water, and/or physical structures present on this property? If "yes," explain:

79. Are you aware of any underground storage tanks (UST) or toxic substances now or previously present on this property or adjacent property (structure or soil), such as polychlorinated biphenyl (PCB), solvents, hydraulic fluid, petro-chemicals, hazardous wastes, pesticides, chromium, thorium, lead or other hazardous substances in the soil? If "yes," explain:

80. Are you aware if any underground storage tank has been tested? (Attach a copy of each test report or closure certificate if available).

- 228    81. Are you aware if the property has been tested for the presence of any other toxic substances, such as  
 229 lead-based paint, urea-formaldehyde foam insulation, asbestos-containing materials, or others?  
 230 (Attach copy of each test report if available).  
 231 82. If "yes" to any of the above, explain:  
 232 \_\_\_\_\_  
 233 \_\_\_\_\_  
 234   82a. If "yes" to any of the above, were any actions taken to correct the problem? Explain:  
 235 \_\_\_\_\_  
 236 \_\_\_\_\_  
 237    83. Is the property in a designated Airport Safety Zone?

239 **DEED RESTRICTIONS, SPECIAL DESIGNATIONS, HOMEOWNERS ASSOCIATIONS/CONDOMINIUMS**  
 240 **AND CO-OPS**

- 241 Yes No Unknown  
 242   84. Are you aware if the property is subject to any deed restrictions or other limitations on how it may be  
 243 used due to its being situated within a designated historic district, or a protected area like the New  
 244 Jersey Pinelands, or its being subject to similar legal authorities other than typical local zoning  
 245 ordinances?  
 246   85. Is the property part of a condominium or other common interest ownership plan?  
 247   85a. If so, is the property subject to any covenants, conditions, or restrictions as a result of its being part  
 248 of a condominium or other form of common interest ownership?  
 249   86. As the owner of the property, are you required to belong to a condominium association or  
 250 homeowners association, or other similar organization or property owners?  
 251   86a. If so, what is the Association's name and telephone number?  
 252 Highland View Condo Assoc. c/o Louis Gelfand, LLC 201.656.5100  
 253    86b. If so, are there any dues or assessments involved? If "yes," how much? Maintenance 241.37/month  
 254   87. Are you aware of any defect, damage, or problem with any common elements or common areas that  
 255 materially affects the property?  
 256   88. Are you aware of any condition or claim which may result in an increase in assessments or fees?  
 257    89. Since you purchased the property, have there been any changes to the rules or by-laws of the  
 258 Association that impact the property?  
 259  
 260 90. Explain any "yes" answers you give in this section:  
 261 The heat + hot water are supplied by the Assoc. via the maintenance  
 262 fees + garbage

263 **MISCELLANEOUS**

- 264 Yes No Unknown  
 265   91. Are you aware of any existing or threatened legal action affecting the property or any condominium  
 266 or homeowners association to which you, as an owner, belong?  
 267   92. Are you aware of any violations of Federal, State or local laws or regulations relating to this  
 268 property?  
 269   93. Are you aware of any zoning violations, encroachments on adjacent properties, non-conforming  
 270 uses, or set-back violations relating to this property? If so, please state whether the condition is  
 271 pre-existing non-conformance to present day zoning or a violation to zoning and/or land use laws.  
 272 \_\_\_\_\_  
 273 \_\_\_\_\_  
 274 \_\_\_\_\_  
 275   94. Are you aware of any public improvement, condominium or homeowner association assessments  
 276 against the property that remain unpaid? Are you aware of any violations of zoning, housing,  
 277 building, safety or fire ordinances that remain uncorrected?  
 278   95. Are there mortgages, encumbrances or liens on this property?  
 279   95a. Are you aware of any reason, including a defect in title, that would prevent you from conveying clear  
 280 title?  
 281   96. Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed  
 282 elsewhere on this form? (A defect is "material," if a reasonable person would attach importance to its  
 283 existence or non-existence in deciding whether or how to proceed in the transaction.) If "yes,"  
 284 explain: \_\_\_\_\_  
 285 \_\_\_\_\_  
 286   97. Other than water and sewer charges, utility and cable tv fees, your local property taxes, any special  
 287 assessments and any association dues or membership fees, are there any other fees that you pay on  
 288 an ongoing basis with respect to this property, such as garbage collection fees?  
 289 98. Explain any other "yes" answers you give in this section:  
 290 I have a mortgage on this property  
 291 \_\_\_\_\_  
 292 \_\_\_\_\_  
 293 \_\_\_\_\_  
 294 \_\_\_\_\_

295 **RADON GAS Instructions to Owners**

296 By law (N.J.S.A. 26:2D-73), a property owner who has had his or her property tested or treated for radon gas may require  
 297 that information about such testing and treatment be kept confidential until the time that the owner and a buyer enter into a contract of  
 298 sale, at which time a copy of the test results and evidence of any subsequent mitigation or treatment shall be provided to the buyer.  
 299 The law also provides that owners may waive, in writing, this right of confidentiality. As the owner(s) of this property, do you wish  
 300 to waive this right?

301 Yes No  
 302   \_\_\_\_\_  
 303 (Initials) (Initials)  
 304

305 If you responded "yes," answer the following questions. If you responded "no," proceed to the next section.

306  
307 Yes No Unknown

- 308   99. Are you aware if the property has been tested for radon gas? (Attach a copy of each test report if available.)
- 309
- 310 100. Are you aware if the property has been treated in an effort to mitigate the presence of radon gas? (If "yes," attach a copy of any evidence of such mitigation or treatment.)
- 311
- 312   X 101. Is radon remediation equipment now present in the property?
- 313   101a. If "yes," is such equipment in good working order?
- 314
- 315

316 MAJOR APPLIANCES AND OTHER ITEMS

317 The terms of any final contract executed by the seller shall be controlling as to what appliances or other items, if any, shall be included in the sale of the property. Which of the following items are present in the property? (For items that are not present, indicate "not applicable.")

- 320
- 321 Yes No Unknown N/A
- 322     102. Electric Garage Door Opener
- 323     102a. If "yes," are they reversible? Number of Transmitters \_\_\_\_\_
- 324     103. Smoke Detectors
- 325  Battery  Electric  Both How many 2 - there are
- 326  Carbon Monoxide Detectors How many 2 / 2 dual units
- 327 Location \_\_\_\_\_
- 328    104. With regard to the above items, are you aware that any item is not in working order?
- 329

330 104a. If "yes," identify each item that is not in working order or defective and explain the nature of the problem:

331 \_\_\_\_\_

332 \_\_\_\_\_

333 \_\_\_\_\_

- 334
- 335     105.  In-ground pool  Above-ground pool  Pool Heater  Spa/Hot Tub
- 336     105a. Were proper permits and approvals obtained?
- 337     105b. Are you aware of any leaks or other defects with the filter or the walls or other structural or mechanical components of the pool or spa/hot tub?
- 338
- 339     105c. If an in-ground pool, are you aware of any water seeping behind the walls of the pool?
- 340
- 341 106. Indicate which of the following may be included in the sale? (Indicate Y for yes N for no.)
- 342  Refrigerator
- 343  Range
- 344  Microwave Oven
- 345  Dishwasher
- 346  Trash Compactor
- 347  Garbage Disposal
- 348  In-Ground Sprinkler System
- 349  Central Vacuum System
- 350  Security System
- 351  Washer
- 352  Dryer
- 353  Intercom
- 354  Other
- 355
- 356   107. Of those that may be included, is each in working order? If "no," identify each item not in working order, explain the nature of the problem:
- 357 \_\_\_\_\_
- 358 \_\_\_\_\_
- 359 \_\_\_\_\_
- 360 \_\_\_\_\_
- 361 \_\_\_\_\_

362 ACKNOWLEDGMENT OF SELLER

363 The undersigned Seller affirms that the information set forth in this Disclosure Statement is accurate and complete to the best of Seller's knowledge, but is not a warranty as to the condition of the Property. Seller hereby authorizes the real estate brokerage firm representing or assisting the seller to provide this Disclosure Statement to all prospective buyers of the Property, and to other real estate agents. Seller alone is the source of all information contained in this statement. If the Seller relied upon any credible representations of another, the Seller should state the name(s) of the person(s) who made the representation(s) and describe the information that was relied upon.

364 \_\_\_\_\_

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372 \_\_\_\_\_

373 Kenda Lanza

374 \_\_\_\_\_

375 SELLER

2.14.07

DATE

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379 SELLER

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**EXECUTOR, ADMINISTRATOR, TRUSTEE**

(If applicable). The undersigned has never occupied the property and lacks personal knowledge necessary to complete this Disclosure Statement.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

**RECEIPT AND ACKNOWLEDGMENT BY PROSPECTIVE BUYER**

The undersigned Prospective Buyer acknowledges receipt of this Disclosure Statement prior to signing a Contract of Sale pertaining to this Property. Prospective Buyer acknowledges that this Disclosure Statement is not a warranty by Seller and that it is Prospective Buyer's responsibility to satisfy himself or herself as to the condition of the Property. Prospective Buyer acknowledges that the Property may be inspected by qualified professionals, at Prospective Buyer's expense, to determine the actual condition of the Property. Prospective Buyer further acknowledges that this form is intended to provide information relating to the condition of the land, structures, major systems and amenities, if any, included in the sale. This form does not address local conditions which may affect a purchaser's use and enjoyment of the property such as noise, odors, traffic volume, etc. Prospective Buyer acknowledges that they may independently investigate such local conditions before entering into a binding contract to purchase the property. Prospective Buyer acknowledges that he or she understands that the visual inspection performed by the Seller's real estate broker/broker-salesperson/salesperson does not constitute a professional home inspection as performed by a licensed home inspector

\_\_\_\_\_  
PROSPECTIVE BUYER DATE

\_\_\_\_\_  
PROSPECTIVE BUYER DATE

**ACKNOWLEDGMENT OF REAL ESTATE BROKER/BROKER-SALESPERSON/SALESPERSON**

The undersigned Seller's real estate broker/broker-salesperson/salesperson acknowledges receipt of the Property Disclosure Statement form and that the information contained in the form was provided by the Seller.

The Seller's real estate broker/broker-salesperson/salesperson also confirms that he or she visually inspected the property with reasonable diligence to ascertain the accuracy of the information disclosed by the seller, prior to providing a copy of the property disclosure statement to the buyer.

The Prospective Buyer's real estate broker/broker-salesperson/salesperson also acknowledges receipt of the Property Disclosure Statement form for the purpose of providing it to the Prospective Buyer.

\_\_\_\_\_  
PROSPECTIVE BUYER'S REAL ESTATE BROKER / BROKER - SALESPERSON / SALESPERSON DATE

  
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SELLER'S REAL ESTATE BROKER/ BROKER-SALESPERSON/SALESPERSON DATE 2/17/07