

Seller's Property Disclosure

When you list your property for sale, you disclose the condition of your property for potential buyers. This becomes your best protection against liability after closing. With full disclosure up front, the buyer buys fully aware of what you know about the property.

Your sales professional will provide you a form which will guide you through the disclosure. As a rule of thumb, you should disclose anything which would influence a buyer in making an offer. This includes major repair work, existing reports on the property, known defective conditions, items not performing properly or in need of repair, environmental hazards, etc.

If you are in doubt about an item, you should disclose it. It is better to over-disclose than to omit an item that could cause a problem at a later time.

The buyer's offer price should reflect the true condition of the property. Therefore the buyer would take into account items needing repair when making an offer. During the purchase process, a buyer will most likely have the property inspected. This may reveal latent defects with the property. A latent defect is a condition which may be in need of repair in the future but is not known to the seller now.

The goal of seller disclosure and property inspection is for the buyer to learn about the property. When the buyer is fully informed, you are relieved of liability in the future.