



Department of State Licensing Services

New York State
Department of State
Division of Licensing Services
P.O. Box 22001
Albany, NY 12201-2001
Customer Service: (518) 474-4429
<https://dos.ny.gov>

Property Condition Disclosure Statement

Name of Seller or Sellers: Lorne Rudy

Property Address: 303 Barrett Lane Sullivan NY

General Instructions:

The Property Condition Disclosure Act requires the seller of residential real property to cause this disclosure statement or a copy of thereof to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract of sale.

Purpose of Statement:

This is a statement of certain conditions and information concerning the property known to the seller. This Disclosure Statement is not a warranty of any kind by the seller or by any agent representing the seller in this transaction. It is not a substitute for any inspections or tests and the buyer is encouraged to obtain his or her own independent professional inspections and environmental tests and also is encouraged to check public records pertaining to the property.

A knowingly false or incomplete statement by the seller on this form may subject the seller to claims by the buyer prior to or after the transfer of title.

"Residential real property" means real property improved by a one to four family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of one or more persons, but shall not refer to (a) unimproved real property upon which such dwellings are to be constructed or (b) condominium units or cooperative apartments or (c) property on a homeowners' association that is not owned in fee simple by the seller.

Instruction to the Seller:

- Answer all questions based upon your actual knowledge.
- Attach additional pages with your signature if additional space is required.
- Complete this form yourself.
- If some items do not apply to your property, check "NA" (Non-applicable). If you do not know the answer check "Unkn" (Unknown).

Seller's Statement:

The seller makes the following representations to the buyer based upon the seller's actual knowledge at the time of signing this document. The seller authorized his or her agent, if any, to provide a copy of this statement to a prospective buyer of the residential real property. The following are representations made by the seller and are not the representations of the seller's agent.

GENERAL INFORMATION

- How long have you owned the property? 19 years
- How long have you occupied the property? 19 years
- What is the age of the structure or structures?
Note to buyer – If the structure was built before 1978 you are encouraged to investigate for the presence of lead based paint.
- Does anybody other than yourself have a lease, easement or any other right to use or occupy any part of your property other than those stated in documents available in the public record, such as rights to use a road or path or cut trees or crops? ☐ Yes ☐ No ☒ Unkn ☐ NA
- Does anybody else claim to own any part of your property? If yes, explain below ☐ Yes ☒ No ☐ Unkn ☐ NA
- Has anyone denied you access to the property or made a formal legal claim challenging your title to the property? If yes, explain below ☐ Yes ☒ No ☐ Unkn ☐ NA

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7. Are there any features of the property shared in common with adjoining landowners or a home-owner's association, such as walls, fences or driveways? *If yes, describe below* ☐ Yes ☒ No ☐ Unkn ☐ NA

8. Are there any electric or gas utility surcharges for line extensions, special assessments or home-owner or other association fees that apply to the property? *If yes, describe below* ☐ Yes ☒ No ☐ Unkn ☐ NA

9. Are there certificates of occupancy related to the property? *If no, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

ENVIRONMENTAL

Note to Seller:

In this section, you will be asked questions regarding petroleum products and hazardous or toxic substances that you know to have been spilled, leaked or otherwise been released on the property or from the property onto any other property. Petroleum products may include, but are not limited to, gasoline, diesel fuel, home heating fuel, and lubricants. Hazardous or toxic substances are products or other material that could pose short or long-term danger to personal health or the environment if they are not properly disposed of, applied or stored. These include, but are not limited to, fertilizers, pesticides and insecticides, paint including paint thinner, varnish remover and wood preservatives, treated wood, construction materials such as asphalt and roofing materials, antifreeze and other automotive products, batteries, cleaning solvents including septic tank cleaners, household cleaners, pool chemicals and products containing mercury and lead and indoor mold.

Note to Buyer:

If contamination of this property from petroleum products and/or hazardous or toxic substances is a concern to you, you are urged to consider soil and groundwater testing of this property.

10. Is any or all of the property located in a Federal Emergency Management Agency (FEMA) designated floodplain? *If yes, explain below* ☒ Yes ☐ No ☐ Unkn ☐ NA

11. Is any or all of the property located wholly or partially in the Special Flood Hazard Area ("SFHA"; "100-year floodplain") according to the Federal Emergency Management Agency's (FEMA's) current flood insurance rate maps for your area? *If yes, explain below* ☐ Yes ☐ No ☒ Unkn ☐ NA

12. Is any or all of the property located wholly or partially in a Moderate Risk Flood Hazard Area ("500-year floodplain") according to FEMA's current flood insurance rate maps for your area? *If yes, explain below* ☐ Yes ☐ No ☒ Unkn ☐ NA

13. Is the property subject to any requirement under federal law to obtain and maintain flood insurance on the property? *If yes, explain below* ☒ Yes ☐ No ☐ Unkn ☐ NA
• Homes in the Special Flood Hazard Area, also known as High Risk Flood Zones, on FEMA's flood insurance rate maps with mortgages from federally regulated or insured lenders are required to obtain and maintain flood insurance. Even when not required, FEMA encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s). Also note that homes in coastal areas may be subject to increased risk of flooding over time due to projected sea level rise and increased extreme storms caused by climate change which may not be reflected in current flood insurance rate maps.

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14. Have you ever received assistance, or are you aware of any previous owners receiving assistance, from the Federal Emergency Management Agency (FEMA), the U.S. Small Business Administration (SBA), or any other federal disaster flood assistance for flood damage to the property? *If yes, explain below*..... ☐ Yes ☒ No ☐ Unkn ☐ NA
- For properties that have received federal disaster assistance, the requirement to obtain flood insurance passes down to all future owners. Failure to obtain and maintain flood insurance can result in an individual being ineligible for future assistance.
15. Is there flood insurance on the property? *If yes, attach a copy of the policy*..... ☐ Yes ☒ No ☐ Unkn ☐ NA
- A standard homeowner's insurance policy typically does not cover flood damage. You are encouraged to examine your policy to determine whether you are covered.
16. Is there a FEMA elevation certificate available for the property?
If yes, attach a copy of the certificate..... ☐ Yes ☒ No ☐ Unkn ☐ NA
- An elevation certificate is a FEMA form, completed by a licensed surveyor or engineer. The form provides critical information about the flood risk of the property and is used by flood insurance providers under the National Flood Insurance Program (NFIP) to help determine the appropriate flood insurance rating for the property. A buyer may be able to use the elevation certificate from a previous owner for their flood insurance policy. *Survey shows elevation*
17. Have you ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)? *If yes, explain below*..... ☐ Yes ☒ No ☐ Unkn ☐ NA
18. Is any or all of the property located in a designated wetland? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
19. Is the property located in an agricultural district? *If yes, explain below* ☐ Yes ☐ No ☒ Unkn ☐ NA
20. Was the property ever the site of a landfill? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
21. Are there or have there ever been fuel storage tanks above or below the ground on the property?
• If yes, are they currently in use? ☐ Yes ☒ No ☐ Unkn ☐ NA
- Location(s)
 - Are they leaking or have they ever leaked? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
22. Is there asbestos in the structure? *If yes, state location or locations below* ☐ Yes ☒ No ☐ Unkn ☐ NA
23. Is lead plumbing present? *If yes, state location or locations below* ☐ Yes ☒ No ☐ Unkn ☐ NA
24. Has a radon test been done? *If yes, attach a copy of the report* ☐ Yes ☒ No ☐ Unkn ☐ NA

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25. Has motor fuel, motor oil, home heating fuel, lubricating oil or any other petroleum product, methane gas, or any hazardous or toxic substance spilled, leaked or otherwise been released on the property or from the property onto any other property? *If yes, describe below* ☐ Yes ☒ No ☐ Unkn ☐ NA
26. Has the property been tested for the presence of motor fuel, motor oil, home heating fuel, lubricating oil, or any other petroleum product, methane gas, or any hazardous or toxic substance? *If yes, attach report(s)* ☐ Yes ☐ No ☒ Unkn ☐ NA
27. Has the property been tested for indoor mold? *If yes, attach a copy of the report* ☐ Yes ☒ No ☐ Unkn

STRUCTURAL

28. Is there any rot or water damage to the structure or structures? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
29. Is there any fire or smoke damage to the structure or structures? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
30. Is there any termite, insect, rodent or pest infestation or damage? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
31. Has the property been tested for termite, insect, rodent or pest infestation or damage? *If yes, please attach report(s)* ☐ Yes ☒ No ☐ Unkn ☐ NA
32. What is the type of roof/roof covering (slate, asphalt, other)? Asphalt
• Any known material defects? Small leak
• How old is the roof? 25+/-
• Is there a transferable warranty on the roof in effect now? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
33. Are there any known material defects in any of the following structural systems: footings, beams, girders, lintels, columns or partitions? *If yes, explain below* ☐ Yes ☐ No ☒ Unkn ☐ NA

MECHANICAL SYSTEMS AND SERVICES

34. What is the water source? (Check all that apply) ☐ Well ☐ Private ☒ Municipal
☒ Other: _____
• If municipal, is it metered? ☒ Yes ☐ No ☐ Unkn ☐ NA

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35. Has the water quality and/or flow rate been tested? *If yes, describe below* ☐ Yes ☐ No ☐ Unkn ☒ NA

36. What is the type of sewage system? *(Check all that apply)* ☒ Public sewer ☐ Private sewer

☐ Septic ☐ Cesspool

• If septic or cesspool, age?

• Date last pumped?

• Frequency of pumping?

• Any known material defects? *If yes, explain below* ☐ Yes ☐ No ☐ Unkn ☐ NA

37. Who is your electric service provider? National Grid

• What is the amperage? 200

• Does it have circuit breakers or fuses? YES.

• Private or public poles? Private

• Any known material defects? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

38. Are there any flooding, drainage or grading problems that resulted in standing water on any portion of the property? *If yes, state locations and explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

39. Has the structure(s) experienced any water penetration or damage due to seepage or a natural flood event, such as from heavy rainfall, coastal storm surge, tidal inundation or river overflow? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

Property Condition Disclosure Statement

SELLER'S CERTIFICATION:

Seller certifies that the information in this Property Condition Disclosure Statement is true and complete to the seller's actual knowledge as of the date signed by the seller. If a seller of residential real property acquires knowledge which renders materially inaccurate a Property Condition Disclosure Statement provided previously, the seller shall deliver a revised Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, shall a seller be required to provide a revised Property Condition Disclosure Statement after the transfer of title from the seller to the buyer or occupancy by the buyer, whichever is earlier.

Seller's Signature  Lorne E Rudy 08/19/24
X _____ Date _____

Seller's Signature  Mary Rudy 08/19/24
X _____ Date _____

BUYER'S ACKNOWLEDGMENT:

Buyer acknowledges receipt of a copy of this statement and buyer understands that this information is a statement of certain conditions and information concerning the property known to the seller. It is not a warranty of any kind by the seller or seller's agent and is not a substitute for any home, pest, radon or other inspections or testing of the property or inspection of the public records.

Buyer's Signature
X _____ Date _____

Buyer's Signature
X _____ Date _____

PROPERTY INFORMATION

Name of Seller or Sellers: Lorne Rudy

Property Address: 303 Barrett Lane Sullivan NY

NEW YORK STATE AGRICULTURAL AND MARKET LAW Section 310: Disclosure Prior to the Sale of Real Property.
"It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors. Prospective residents are also informed that the location of property within an agricultural district may impact the ability to access water and/or sewer services for such property under certain circumstances.

Prospective purchasers are urged to contact the New York State Department of Agriculture and Markets to obtain additional information or clarification regarding their rights and obligations under article 25-AA of the Agriculture and Markets Law."

Premises ☐ are ☐ are not located partially or wholly within an agricultural district.

NEW YORK STATE REAL PROPERTY LAW Section 242: Disclosure Prior to the Sale of Real Property.

The above property ☒ does ☐ does not have utility electric service available to it. This property ☒ is ☐ is not subject to an electrical and/or gas utility surcharge. This type of surcharge is: . The purpose of the surcharge is . The amount of the surcharge is \$. The surcharge is payable: ☐ Monthly, ☐ Annually, ☐ other basis .

The above property ☐ does ☐ does not have uncapped natural gas wells.

The Following Information Is Provided to the Best of the Seller's Knowledge:

Is the property or structure on a local, state or national historical register or listed on an eligibility list: ☐ Yes ☒ No

Property Tax Exemption: ☐ Yes ☒ No ☐ Basic STAR ☐ Veterans ☐ Other

HOA/Condo Fee: ☐ Yes ☒ No - Amount \$ Due: ☐ Monthly ☐ Qtrly ☐ Semi-Annual ☐ Yearly ☐ Other

Special Assessments or Other Fees: ☐ Yes ☒ No Amount \$ Due: ☐ Monthly ☐ Quarterly
☐ Semi-Annual ☐ Yearly ☐ Other - Explain:

Age of Water Heater: 4 yrs.
Age of Furnace or Boiler: F - 12y
B - 25+

Capacity of Gallons:
Age of Air Conditioning Unit:

Annual Bill for Fuel/Oil or Propane: \$
Average Monthly Utilities: Gas \$ Electric \$ Total: \$

Major Improvements known to Seller (up to fifteen (15) years):

I agree to furnish a copy of:

1. My deed and existing survey, if available, upon acceptance of contract for the buyer's use.
2. Restrictive covenants or deed restrictions of record, *if applicable*.
3. Condominium Bylaws, Rules, etc., *if applicable*.
4. Homeowner's Association Bylaws, Rules, etc., *if applicable*.
5. Utility bills upon request.

☒ Yes ☐ No

☒ Yes ☐ No

☐ Yes ☒ No

☐ Yes ☒ No

☒ Yes ☐ No

We make no representations or warranties either expressed or implied as to the condition of the property. Potential buyers are urged to carefully inspect the property and/or order a home inspection and/or other desired tests at buyer's expense which may address conditions or circumstances of local and national concern.

Seller Lorne C. Smith Date 8-17-2024

Seller Margie Smith Date 8-17-2024

I have read this Property Information Form and have received a copy of it. I acknowledge that this statement is not a representation or warranty of any kind by Seller or any agent of the Seller and is not a substitute for a home inspection or other tests that are available to me to assess the condition of the property.

Buyer _____ Date _____

Buyer _____ Date _____

Revised 12.02.21



**CONTINGENCY ADDENDUM AND
DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT
AND/OR LEAD-BASED PAINT HAZARDS
FOR TARGET HOUSING SALES**

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Property Address:

303 Barrett Lane		Sullivan	NY	13037
Street Address	Unit	City	State	ZIP

Seller's Disclosure

- (a) Presence of lead-based paint and/or lead-based paint hazards [check (i) or (ii) below]:
- (i) _____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):

- (ii) ☒ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- (b) Records and reports available to the purchaser [Check (i) or (ii) below]:
- (i) _____ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

- (ii) ☒ Seller has no reports pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

- (c) Records and reports supplied by the seller (initial (i) or (ii) below)
- (i) _____ Purchaser has received copies of all information listed above in (b) (i).
- (ii) _____ Seller provided no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.
- (d) _____ Purchaser has received the pamphlet **PROTECT YOUR FAMILY FROM LEAD IN YOUR HOME.**
- (e) Purchaser has (initial (i) or (ii) below):
- (i) _____ If this line is checked and by signatures of purchasers and sellers below, purchasers will receive a 10 day opportunity, beginning at 12:01 a.m. on the date of the execution of the purchase and sale agreement by all parties, to conduct a risk assessment or inspection, at purchasers expense, for the presence of lead-based paint and/or lead-based paint hazards. If lead based paint hazards are found by a qualified inspector and written notice to terminate the contract is not given by the purchasers to the sellers by 11:59 p.m. of the 10th day of the inspection period, then this contract is binding and enforceable
- (ii) _____ Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead based paint hazards.

Agent's Acknowledgment (initial)

- (f) AO Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

<u>Corne E Rudy</u>	08/19/24
Seller	Date
<u>Mary Rudy</u>	08/19/24
Seller	Date
<u>Allen Olmsted</u>	08/19/24
Agent	Date

Purchaser	Date
Purchaser	Date
Agent	Date