



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)



SELLER'S DISCLOSURE NOTICE

CONCERNING THE PROPERTY AT 16211 Rutley Cir, Spring, TX 77379 (Street Address and City)

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller [ ] is [x] is not occupying the Property. If unoccupied, how long since Seller has occupied the Property? Never Occupied

1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

- Y Range, Y Dishwasher, Y Washer/Dryer Hookups, Y Security System, Y Oven, U Trash Compactor, U Window Screens, U Fire Detection Equipment, U Smoke Detector, U Smoke Detector-Hearing Impaired, U Carbon Monoxide Alarm, U Emergency Escape Ladder(s), U TV Antenna, Y Ceiling Fan(s), Y Central A/C, Y Plumbing System, Y Patio/Decking, N Pool, N Pool Equipment, N Fireplace(s) & Chimney (Wood burning), Y Natural Gas Lines, U Liquid Propane Gas, Garage: N Attached, Garage Door Opener(s): U Electronic, Water Heater: Y Gas, Water Supply: N City, N Well, Y MUD, U Oven, U Trash Compactor, U Window Screens, U Fire Detection Equipment, U Smoke Detector, U Smoke Detector-Hearing Impaired, U Carbon Monoxide Alarm, U Emergency Escape Ladder(s), U Cable TV Wiring, U Attic Fan(s), Y Central Heating, N Septic System, N Outdoor Grill, N Sauna, N Pool Heater, U Microwave, U Disposal, Y Rain Gutters, U Intercom System, U Satellite Dish, Y Exhaust Fan(s), N Wall/Window Air Conditioning, Y Public Sewer System, Y Fences, N Spa, N Hot Tub, U Automatic Lawn Sprinkler System, Y Fireplace(s) & Chimney (Mock), U Gas Fixtures, U LP on Property, N Carport, N Control(s), N Electric, N Co-op

Buyer is aware that security system does not convey with sale of home. Kwikset 914 lock will be replaced upon close.

Are you (Seller) aware of any of the above items that are not in working condition, that have known defects, or that are in need of repair? [ ] Yes [ ] No [x] Unknown. If yes, then describe. (Attach additional sheets if necessary):

\_\_\_\_\_

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code?\*  Yes  No  Unknown. If the answer to this question is no or unknown, explain (Attach additional sheets if necessary): Detectors have been brought to code for age of home.

\* Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information. A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing impaired and specifies the locations for the installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

3. Are you (Seller) aware of any known defects/malfunctions in any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

- |  |                             |                            |
|--|-----------------------------|----------------------------|
| <u>N</u> Interior Walls                                | <u>N</u> Ceilings           | <u>N</u> Floors            |
| <u>N</u> Exterior Walls                                | <u>N</u> Doors              | <u>N</u> Windows           |
| <u>N</u> Roof  | <u>N</u> Foundation/Slab(s) | <u>N</u> Sidewalks         |
| <u>N</u> Walls/Fences                                  | <u>N</u> Driveways          | <u>N</u> Intercom System   |
| <u>N</u> Plumbing/Sewers/Septics                       | <u>N</u> Electrical Systems | <u>N</u> Lighting Fixtures |
| <u>N</u> Other Structural Components (Describe): _____ |                             |                            |

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): \_\_\_\_\_

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

4. Are you (Seller) aware of any of the following conditions? Write Yes (Y) if you are aware, write No (N) if you are not aware.

- |   |  |
|---|--|
| <u>N</u> Active Termites (includes wood destroying insects) | <u>Y</u> Previous Structural or Roof Repair          |
| <u>N</u> Termite or Wood Rot Damage Needing Repair          | <u>N</u> Hazardous or Toxic Waste                    |
| <u>N</u> Previous Termite Damage                            | <u>N</u> Asbestos Components                         |
| <u>N</u> Previous Termite Treatment                         | <u>N</u> Urea-formaldehyde Insulation                |
| <u>N</u> Improper Drainage                                  | <u>N</u> Radon Gas                                   |
| <u>N</u> Water Damage Not Due to a Flood Event              | <u>N</u> Lead Based Paint                            |
| <u>N</u> Landfill, Settling, Soil Movement, Fault Lines     | <u>N</u> Aluminum Wiring                             |
| <u>N</u> Single Blockable Main Drain in Pool/Hot Tub/Spa*   | <u>N</u> Previous Fires                              |
|   | <u>N</u> Unplatted Easements                         |
|   | <u>N</u> Subsurface Structure or Pits                |
|   | <u>N</u> Previous Use of Premises for Manufacture of |
|   | <u>N</u> Methamphetamine                             |

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): \_\_\_\_\_

Age of roof indicates previous seller replaced it in prior years. - Details unknown.

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

\* A single blockable main drain may cause a suction entrapment hazard for an individual.

5. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair?  Yes (if you are aware)  No (if you are not aware). If yes, explain (attach additional sheets if necessary): \_\_\_\_\_

\_\_\_\_\_  
Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

6. Are you (Seller) aware of any of the following conditions?\* Write Yes (Y) if you are aware, write No (N) if you are not aware.
- N Present flood insurance coverage
- N Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir
- N Previous water penetration into a structure on the property due to a natural flood event

Write Yes (Y) if you are aware, and check wholly or partly as applicable, write No (N) if you are not aware.

- N Located  wholly  partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)
- N Located  wholly  partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))
- N Located  wholly  partly in a floodway
- N Located  wholly  partly in a flood pool
- N Located  wholly  partly in a reservoir

If the answer to any of the above is yes, explain (attach additional sheets if necessary): \_\_\_\_\_

\_\_\_\_\_  
Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

\*For purposes of this notice:

"100-year floodplain" means any area of land that:

- (A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, AH, VE, or AR on the map;
- (B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding; and
- (C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that:

- (A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and
- (B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

"Flood pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"Flood insurance rate map" means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.).

"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation of more than a designated height.

"Reservoir" means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

7. Have you (Seller) ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)?\*  Yes  No. If yes, explain (attach additional sheets as necessary): \_\_\_\_\_

\_\_\_\_\_  
Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

\*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (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).

8. Have you (Seller) ever received assistance from FEMA or the U.S. Small Business Administration (SBA) for flood damage to the property?  Yes  No. If yes, explain (attach additional sheets as necessary): \_\_\_\_\_

\_\_\_\_\_  
Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

9. Are you (Seller) aware of any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.
- Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at that time.
  - Homeowners' Association or maintenance fees or assessments.
  - Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.
  - Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
  - Any lawsuits directly or indirectly affecting the Property.
  - Any condition on the Property which materially affects the physical health or safety of an individual.
  - Any rainwater harvesting system located on the property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source.
  - Any portion of the property that is located in a groundwater conservation district or a subsidence district.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary):Champion Forest HOA (713) 329-7100

Main fee Annually \$250.00 Please see attached for HOA-related expenses provided to Seller at the time Seller purchased this property. Buyer is encouraged to contact HOA for current information. Property Located in Harris-Galveston Subsidence District

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

10. If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
11. This property may be located near a military installation and may be affected by high noise or air installation compatible use zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed on the Internet website of the military installation and of the county and any municipality in which the military installation is located.

Authorized signer on behalf of Opendoor Property J LLC

Jason Cline  
Signature of Seller

11/24/2019  
Date

\_\_\_\_\_  
Signature of Seller

\_\_\_\_\_  
Date

The undersigned purchaser hereby acknowledges receipt of the foregoing notice.

\_\_\_\_\_  
Signature of Purchaser

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Purchaser

\_\_\_\_\_  
Date



This form was prepared by the Texas Real Estate Commission in accordance with Texas Property Code § 5.008(b) and is to be used in conjunction with a contract for the sale of real property entered into on or after September 1, 2019. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC NO. OP-H

**Resale Certificate**  
**Champion Forest Fund**

**PLEASE REFER TO PAGE 2 FOR COMPLETE ESCROW INSTRUCTIONS AND DETAILS**

Order #: 6-01226125

Statement Date: 10/11/2019

Property Address: <u>16211 Rutley Circle</u>	Escrow: <u>198464</u>
Order Date: <u>10/4/2019 11:23:21 AM</u>	Owner / Seller: <u>Gene J and Elizabeth Gandine</u>
Requested By: <u>SOU Processing</u>	Closing Date: <u>11/18/2019</u>
Phone #: <u>(678) 282-5790</u>	Buyer's Name: <u>Opendoor Property J LLC</u>
Fax #: <u>(678) 281-8876</u>	Buyer's Address: <u>6360 E Thomas Road , #200</u>
Contact Name: <u>Kenyatta Willis</u>	City/State/Zip: <u>Scottsdale , AZ 85251</u>
Contact Phone: <u>678-514-1960</u>	Buyer's Phone: _____
Contact Email: _____	

**FEES DUE TO PRINCIPAL MANAGEMENT GROUP OF HOUSTON**

Order #	Processing Fee	Expedite Fee	Delivery Fee	Adjustment	Conv Fee	Tax	Amount Due	Amount Paid	Balance
6-01226125	\$425.00	\$0.00	\$0.00	\$0.00	\$15.00	\$0.00	\$440.00	\$440.00	\$0.00
							<b>Post-Closing Fee</b>		\$200.00
							<b>Other Fee</b>		\$0.00
							<b>Total Due</b>		<b>\$200.00</b>

Please reference ALL order number(s) from above on all checks you issue.

**ALL FEES/AMOUNTS PAYABLE AT CLOSING**

Mail all payments to: **PRINCIPAL MANAGEMENT GROUP OF HOUSTON**  
**1225 ALMA RD SUITE 100**  
**RICHARDSON, TX 75081**

**PLEASE PROVIDE SEPARATE CHECKS FOR AMOUNTS BELOW:**

- Please collect **\$200.00** for above noted fees.

**MAKE CHECK PAYABLE TO: Principal Management Group of Houston**

- Please collect **\$0.00** for Association fees. (See page 2 for Comments & Fee Details)

**MAKE CHECK PAYABLE TO: Champion Forest Fund**

Please provide Principal Management Group of Houston a copy of:

- **Assignment of Lease/Deed and mortgage; or copy of Agreement of Sale.**

*This information is being provided by Principal Management Group of Houston as a courtesy service to lenders and other real estate professionals. Although Principal Management Group of Houston believes that the information provided is complete and accurate the requesting party understands and acknowledges that this information is subject to change without notice and that Principal Management Group of Houston is not responsible for any inaccurate or omitted information.*

**Resale Certificate**  
**Champion Forest Fund**

**FEES DUE TO ASSOCIATION**

**ADDITIONAL COMMENTS**

<b>ASSESSMENTS PAID THROUGH 12/31/2019</b>	
<b>Current Balance</b>	<b><u>\$0.00</u></b>
Association Transfer Fee	<u>\$0.00</u>
Working Capital Contribution	<u>\$0.00</u>
Reserve Contribution	<u>\$0.00</u>
Legal Fees	<u>\$0.00</u>
Buyer's Advanced Assessments	<u>\$0.00</u>
Other Fee	<u>\$0.00</u>
Other Fee	<u>\$0.00</u>
Other Fee	<u>\$0.00</u>
<b>TOTAL DUE:</b>	<b><u>\$0.00</u></b>

**\*\*\*IMPORTANT NOTE: If Seller is paying fees by direct debit. Please note that if this is not cancelled by the seller it will continue. So, should a homeowner wish to cancel their direct debit / ACH, they need to complete a copy of the attached Direct Debit form filled out to advise to STOP auto payment. (no copies of banking information needed for STOP) If the buyer wishes to be setup on direct debit, Using the Direct Debit Form, fill out the form and return with Banking information as directed on the form.\*\*\***

**NOTE: PMG staff is not in the position to provide or sign 60 day letters as we do not have ability to track mortgagees. In most instances, the association is the second lien holder as the mortgagee supersedes the association. Please refer to governing documents to confirm this information.**

**Association Assessments**

Amount of Property Assessment is?	<b>\$250.00</b>
Frequency of Assessment payment?	<b>Annual</b>
The Late Fee is (enter the actual amount):	<b>\$50.00</b>
Assessments are due on the (for instance, "5th" / "10th"):	<b>1st</b>
The Late Fee Interest is (for instance, "10% per Annum"):	<b>10% per annum</b>
Assessments are past due on (for instance, "the 5th" / "the 10th"):	<b>31st</b>
Other Assessment amount?	<b>\$0.00</b>
Purpose of other Assessment?	<b>N/A</b>
Amount of any active Special Assessments?	<b>\$0.00</b>
Purpose of Special Assessment?	<b>N/A</b>

**FINANCIAL INFORMATION**

Is there a Community Enhancement or Capitalization Fee?

If so, how is Fee determined / calculated?

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## Resale Certificate

### Champion Forest Fund

Amount of money in the designated reserve fund intended to be used for long term capital needs? **\$152,645.01**

If a Unit/Home is acquired through foreclosure, is mortgage company responsible for Association Assessments? If so, explain?

**Foreclosure Forward**

Does the Association have any active leasehold that affects the Association? If so, what is the nature of the leasehold, and what is the remaining term of said leasehold?

### LEGAL INFORMATION

Does the Association hold the Right of First Refusal, other than a right of first refusal that is prohibited by statute, on this property transaction? If so, explain the process for obtaining a waiver.

**No**

Do the governing documents specifically allow the Association to foreclose on an owner's property for failure to pay Assessments? **Yes**  **No**

Are there any liens against this specific Property? If so, explain?

Is the Association involved with any litigation with this specific Association Member? If so, explain?

Are there any active judgments against the Association? If so, explain?

**No**

The style and cause number of any pending lawsuits to which the property owners' Association is a party, other than lawsuits relating to unpaid ad valorem taxes of an individual member of the association:

**N/A**

Capital expenditures, if any, approved by the property owners' association for the property owners' association's current fiscal year:

Has notice been received from any governmental authority concerning any health, safety or building code issues in regards to common area, or Units/Homes, to our knowledge? If so, explain?

**No**

### COVENANT COMPLIANCE INFORMATION

Has the Unit/Home been specifically inspected for compliance with covenants in conjunction with this inquiry? **Yes**  **No**

A description of any conditions on the owner's property, or limited common area assigned thereto that the Association has actual knowledge are in violation of the Covenants/Restrictions, Bylaws or Rules applying to the subdivision/condominium:

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**Resale Certificate**  
**Champion Forest Fund**

**GENERAL INFORMATION**

Type of Association/Community? **Single Family**

If Sub or Master Association, explain? **N/A**

Is Unit/Home held in Fee Simple? **Yes  No**

Date of Association Fiscal Year End? **December 31**

Are pets permitted? If so, are there any restrictions?  
**ONLY 2 DOGS OR CATS AND NO LIVESTOCK (PG. 3 OF SECTION ONE RESTRICTIONS)**

Is there a key to common areas? If so, is there a deposit/amount?  
**No**

Is street parking permitted? If so, are there any restrictions?  
**Yes**

Is RV storage permitted? If so, are there any restrictions?  
**No**

What areas of the community is the owner responsible to maintain other than their Unit/Home/Lot?  
**None**

**INSURANCE INFORMATION**

Insurer's Name? **Philidelphia**

Phone Number? **713-358-5754**

Contact Information? **Arthur J Gallagher**

Are any Common Area structures located in a Special Flood Hazard Area? **Yes  No**

The amount of Fidelity coverage for Directors and Officers? **\$1,000,000,000.00**

Does the Association have General Liability and Property Insurance coverage? **Yes  No**

Amount of General Liability Insurance? **\$1,000,000,000.00**

Amount of Property Insurance coverage? **\$385,000.00**

**MANAGEMENT COMPANY INFORMATION**

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**Resale Certificate**  
**Champion Forest Fund**

Principal Management Group  
11000 Corporate Centre Drive Suite 150  
Houston, TX 77041  
Phone: 713.329.7100  
Fax: 713.329.7198

I hereby certify that the above information is true and correct to the best of my knowledge and belief.

*Customer Service*

Signature

10/11/2019

Date

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