



AUSTIN BOARD OF REALTORS®
SELLER'S DISCLOSURE NOTICE

THIS FORM IS FURNISHED BY THE AUSTIN/CENTRAL TEXAS REALTY INFORMATION SERVICE FOR USE BY ITS PARTICIPANTS AND REPRESENTED SELLERS.

SECTION 5.008 OF THE TEXAS PROPERTY CODE REQUIRES A SELLER OF RESIDENTIAL REAL PROPERTY OF NOT MORE THAN ONE DWELLING UNIT TO DELIVER A COPY OF THE SELLER'S DISCLOSURE NOTICE, COMPLETE TO THE BEST OF THE SELLER'S BELIEF AND KNOWLEDGE, TO A PURCHASER ON OR BEFORE THE EFFECTIVE DATE OF A CONTRACT FOR THE SALE OF THE PROPERTY.

CONCERNING THE PROPERTY AT 4414 Castle Dr Santa Fe (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.

Seller [X] is [ ] is not occupying the Property.
If unoccupied, how long since Seller has occupied the Property? (approximate date)
Seller [ ] is [X] is not knowledgeable of the current condition of the Property.
The Property [ ] is [X] is not currently leased and [ ] has [X] has not been leased in the last two (2) years.
If leased, how long? N/A
During the last year the Property [ ] has [X] has not been vacant.
If yes, how long was the Property vacant? N/A

1. FEATURES AND EQUIPMENT (Mark all appropriate items that EXIST and their WORKING CONDITION):
NOTE: This notice does not establish which items will or will not be conveyed.
The terms of the Contract will determine which items will and will not be conveyed.

Y = Yes, N = No, U = Unknown

Table with 4 columns: Exists, Item, Working Condition, and Additional Information. Rows include Bathroom Heater, Cable TV Wiring, Carport, Carbon Monoxide Detector, Central Air Conditioning, Central Heating, Central Vacuum, Chimney, Cook Top/Stove, Deck, Dishwasher, Disposal, Dryer, Dryer Hookups, Emergency Escape Ladder(s), Evaporative Cooler, and Fans.

Features and Equipment Continues Next Page

Initialed for Identification by Seller [initials] and Buyer [initials]

Seller's Disclosure Notice Concerning Property At:

Exists	Item	Working Condition			Additional Information
		Y	N	U	
	Fencing	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Full <input type="checkbox"/> Partial <input type="checkbox"/> Type:
	Fire Alarm/Detector	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	#
	Fireplace	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	Fireplace Logs	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	French Drain	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
	Garage	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Attached: <input checked="" type="radio"/> <input type="radio"/> # Spaces
	Garage Door Opener	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	#
	Garage Remote Control(s)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	#
	Gas Lighting Fixtures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	Gas Lines	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	[NAT] [LP]
	Gazebo	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Grinder Pump	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
	Ice Machine	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
	Intercom System	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
	Lawn Sprinkler System	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Full <input type="checkbox"/> Partial <input type="checkbox"/> Automatic <input type="checkbox"/> Manual <input type="checkbox"/>
	Liquid Propane Gas	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	LP Community (Captive) <input type="checkbox"/> LP on Property <input type="checkbox"/>
	Microwave	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Mock Fireplace	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	With Chimney <input type="checkbox"/> Without Chimney <input type="checkbox"/>
	Outdoor Grill	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	[NAT] [LP] [E]
	Oven	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	[E] [G]
	Patio	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Covered <input type="checkbox"/> Uncovered <input type="checkbox"/>
	Plumbing System	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Pool	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Inground <input type="checkbox"/> Above Ground <input type="checkbox"/> Other <input type="checkbox"/>
	Pool Accessories	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
	Pool Heater	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
	Pool Maintenance Equip.	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
	Portable Storage Buildings	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	Public Sewer System	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Rain Gutters	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Full <input type="checkbox"/> Partial <input type="checkbox"/>
	Range	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	[E] [G]
	Refrigerator	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	#
	Roof Attic Vents	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Satellite Dish System	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Owned <input type="checkbox"/> Leased <input type="checkbox"/>
	Sauna	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	Security System	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Owned <input type="checkbox"/> Leased <input type="checkbox"/> Mo. Lease \$
	Septic System/Tank	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Date Last Pumped:
	Smoke Detector(s)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	# Hearing Impaired <input type="checkbox"/> <input type="checkbox"/>
	Solar Panels	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Owned <input type="checkbox"/> Leased <input type="checkbox"/>
	Spa/Hot Tub	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	#
	Spa Heater	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	# [E] [G] [Solar]
	Space Heater	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	# [E] [G]
	Speakers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	
	Specialty Wiring	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Audio <input type="checkbox"/> Data <input type="checkbox"/> Speakers <input type="checkbox"/> Visual <input type="checkbox"/>
	Sump Pump	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	Trash Compactor	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	TV Antenna	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	Wall/Window A/C	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	#
	Washer	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Washer Hookups	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Water Heater	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	# [E] [G] [Solar]
	Water Softener	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	Owned <input type="checkbox"/> Leased <input type="checkbox"/> Mo. Lease/Service Chg \$
	Window Screens	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	# Type:
	Other:	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
	Other:	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

Initialed for Identification by Seller CF, SV and Buyer \_\_\_\_\_

Seller's Disclosure Notice Concerning Property At: \_\_\_\_\_

**4. CURRENT CONDITIONS OF THE PROPERTY:**

Are you (SELLER) aware of any of the following? Mark Yes [Y] if you are aware, mark No [N] if you are not aware.

Active Termites	Y	(N)	Subsurface Structure(s)	Y	(N)
Wood-Destroying Insects	Y	(N)	Pit(s)	Y	(N)
Termite or Wood Rot Needing Repair	Y	(N)	Underground Spring(s)	Y	(N)
Termite Damage	Y	(N)	Intermittent/Weather Spring(s)	Y	(N)
Termite Treatment	Y	(N)	Underground Storage Tank(s)	Y	(N)
Water Penetration of Structure	Y	(N)	Endangered Species/Habitat on Property	Y	(N)
Structural or Roof Repair	Y	(N)	Hazardous or Toxic Waste	Y	(N)
Asbestos Components	Y	(N)	Diseased Trees	Y	(N)
Urea Formaldehyde Insulation	Y	(N)	Fence Lines Not Corresponding to Property Boundaries	Y	(N)
Radon Gas	Y	(N)	Wetlands on Property	Y	(N)
Lead-Based Paint or Lead-Based Paint Hazards	Y	(N)	Unplatted Easement(s)	Y	(N)
Aluminum Wiring	Y	(N)	Underground Electrical Line(s)	(Y)	(N)
Foundation Repair	Y	(N)	Dampness in Crawl Spaces	Y	(N)
Improper Drainage	Y	(N)	Water Heater Leak(s)	Y	(N)
Settling or Soil Movement Present	Y	(N)	HVAC System Leak(s) - Overflow Pan or Other Defect	Y	(N)
Fault Lines	Y	(N)	Single Blockable Main Drain in Pool/Hot Tub/Spa*	Y	(N)
Landfill	Y	(N)	Other Conditions	Y	(N)

If the answer to any of the above is Yes [Y], explain. Attach additional sheets From breaker box to spa is buried electrical line

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

**5. PREVIOUS CONDITIONS OF THE PROPERTY:**

Are you (SELLER) aware of the following previously defective conditions? Mark Yes [Y] if you are aware, mark No [N] if you are not aware.

Previous Flooding into the Structure	(Y)	(N)
Previous Flooding onto the Property	(Y)	(N)
Previous Fires	Y	(N)
Previous Foundation Repairs	Y	(N)
Previous Roof Repairs	Y	(N)
Previous Treatment for Termites or Wood-Destroying Insects	(Y)	(N)
Previous Termite or Wood-Destroying Insect Damage Repaired	Y	(N)
Previous Use of Premises for Manufacture of Methamphetamine	Y	(N)

Other Conditions: \_\_\_\_\_

If the answer to any of the above is Yes [Y], explain. Attach additional sheets as necessary.

Small amount of water in master bedroom & back kitchen door entry of some water

**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.

Y Present flood insurance coverage

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4414 Castle Dr

Seller's Disclosure Notice Concerning Property At: \_\_\_\_\_

- N Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir
- Y 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)
- U 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, attach Form TXR 1414 and explain INSURANCE CLAIM AFTER HURRICANE HARVEY.

\* 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 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, attach Form TXR 1414 and explain \_\_\_\_\_.

\*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).

Initialed for Identification by Seller UF, SF and Buyer \_\_\_\_\_, \_\_\_\_\_

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, attach form TXR 1414 and explain \_\_\_\_\_

9. SYSTEMS IN NEED OF REPAIR:  
Are you (SELLER) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this Notice? YES  NO

If Yes, explain. Attach additional sheets as necessary.

10. MISCELLANEOUS CONDITIONS:  
Are you (SELLER) aware of any of the following? Mark Yes [Y] if you are aware, mark No [N] if you are not aware.

- Y  N
- Room additions, structural modifications, or other alterations or repairs made without necessary permits, with unresolved permits, or not in compliance with building code at the time of construction?
- Any "common area" facilities, i.e., pools, tennis courts, walkways, or other areas, co-owned in undivided interest with others?
- Are there any optional charges or user fees for "common area" facilities? If yes, describe: \_\_\_\_\_
- Any notices of violations of deed restrictions or governmental ordinances, zoning, use, or impervious cover limitations affecting the condition or use of the Property?
- Any lawsuits or other legal proceedings directly affecting the Property or Seller's ability to convey property, e.g., bankruptcy, probate, guardianship, etc.?
- Any condition of the Property which materially affects the physical health or safety of an individual?
- Features of the Property shared in common with adjoining landowners, e.g., walls, fences, and driveways, whose use of responsibility for maintenance may have an effect on the Property?
- Any encroachments of improvements on the subject Property onto another property or of improvements on another property onto the subject Property, easements, (recorded or unrecorded), or similar matters that may affect your interest in the Property?
- Landfill - compacted or otherwise - on the Property or any portion thereof?
- Any settling from any cause or slippage, sliding or other soil problems?
- Damage to the Property or any of the structures from fire, earthquake, floods or landslides?
- Any future highway, freeway, or air traffic patterns which affects the Property?
- Any future annexation plans which affect the Property?
- Within the previous 12 months, has there been an equity loan on the Property? If Yes, date \_\_\_/\_\_\_/\_\_\_
- Any pending flood plain changes known?
- Any ordinances that restrict flood coverage or rebuilding any portion of the structure to its previous use?
- Previous FEMA claim paid?
- Death on the Property other than death caused by: natural causes, suicide, or accident unrelated to the Property's condition?
- Was the dwelling built before 1978? Unknown
- Any repairs or treatment, other than routine maintenance, made to the Property to eliminate environmental hazards such as asbestos, radon, lead-based paint, urea formaldehyde, or mold?

Initialed for Identification by Seller AF SF and Buyer \_\_\_\_\_

Seller's Disclosure Notice Concerning Property At:

- Any historic preservation restriction or ordinance or archeological designation associated with the Property?
- Any IRS or tax redemption periods which will affect the sale of the Property?
- Any rainwater harvesting system connected to the property's public water supply?
- Any portion of the property that is located in a groundwater conservation district or subsidence district?
- Any other item(s) of concern?

If the answer to any of the above is Yes [Y], explain. Attach additional sheets as necessary.

**11. AD VALOREM TAXES:**

Check any Tax Exemption(s) which you (SELLER) currently claim for the Property:

- Homestead     Over 65     Disabled     Disabled Veteran     Wildlife Management
- Agricultural     Unknown     None     Other \_\_\_\_\_

Have you or a third party on your behalf ever supplied information regarding property defects or condition at the Appraisal District?     Yes     No

Have you ever testified or had an agent testify on your behalf in a valuation hearing at an Appraisal District Value Protest Hearing?     Yes     No If so, which Appraisal District? \_\_\_\_\_

Is property located in a Statutory Tax District?     Yes     No

**12. INSPECTIONS AND DISCLOSURES:**

Have you (SELLER) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or engineers or otherwise permitted by law to perform inspections in the past four (4) years?     Yes     No

Chapter 6-7 of the Austin City Code requires an energy audit be completed for certain properties before the time of sale. Has an energy audit been completed on the Property within the last 10 years?     Yes     No     N/A

If Yes to either of these questions, list the information below and attach copies of the reports:

<u>Date of Inspection</u>	<u>Name of Document</u>	<u>Author of Report</u>	<u>Number of Pages</u>
N/A			

Is a previous Seller's Disclosure available?     Yes     No    If so, please attach.

Is a current Survey available?     Yes     No    If so, please attach. Date of Current Survey: \_\_\_/\_\_\_/\_\_\_

If yes, attach survey with notarized T-47 Affidavit.

**13. SMOKE DETECTORS:**

Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code?\*     Yes     No     Unknown If no or unknown, explain. (Attach additional sheets if necessary): \_\_\_\_\_

\*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.

Initialed for Identification by Seller AF, SF and Buyer \_\_\_\_\_

Seller's Disclosure Notice Concerning Property At: \_\_\_\_\_

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 installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

**14. MAJOR REPAIRS OR IMPROVEMENTS MADE:**

Have you (SELLER) made, or had made, major repairs or improvements (costing \$500 or more) to the Property during the time you have owned the Property? [ ] Yes [  ] No

Are you (SELLER) aware of major repairs or improvements made by previous owners?

[ ] Yes [  ] No

If Yes to either, please explain. (Attach additional sheet(s) as necessary.) \_\_\_\_\_

**15. INSURANCE CLAIMS:**

In the last 5 years have you (SELLER) filed an insurance claim related to this property? [ ] Yes [  ] No

If there was a monetary settlement, were the funds used to make the repair? [ ] Yes [  ] No

**16. GOVERNMENT OR OTHER PENDING OR RECEIVED NOTICES:**

SELLER has not received any notices, either oral or written, regarding the need for repair or replacement or any portion of the Property from any governmental agency, appraiser, inspector, mortgage lender, repair service or others, except:

NO

SELLER has not received any notices from any governmental agency or private company of pending condemnation on any portion of the Property, except:

NO

**17. ADDITIONAL DISCLOSURE FORMS ATTACHED:** [ ] Yes [  ] No

- [ ] Addendum for Seller's Disclosure of Information on Lead-Based Paint (TAR 1906)
- [ ] Environmental Assessment, Threatened or Endangered Species, and Wetlands Addendum (TAR 1917)
- [ ] Energy Audit
- [ ] Information About On-Site Sewer Facility (TAR 1407)
- [ ] §49.452 Notice to Purchase (TREC OP-C) [ ] Yes [  ] No
- [ ] Information About Special Flood Hazard Areas (TAR 1414)
- [ ] Relocation Addendum (TAR 1941)
- [ ] Other \_\_\_\_\_

THE ABOVE DISCLOSURES ARE TRUE AND CORRECT TO THE BEST KNOWLEDGE OF THE SELLER(S). SELLER acknowledges that the statements in this Disclosure are true to the best of the Seller's belief and that no person, including the Broker(s) and their Agent(s) has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Antonio Fuentes Jr  
Seller's Signature  
ANTONIO FUENTES JR  
Printed Name  
7/1/2020  
Date

Sylvia Fuentes  
Seller's Signature  
Sylvia Fuentes  
Printed Name  
7/1/2020  
Date

Initialed for Identification by Buyer \_\_\_\_\_