



TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

1 PROPERTY ADDRESS 810 BUTLER RD CITY PORTLAND
2 SELLER'S NAME(S) GARY BRIZENDENE PROPERTY AGE 88
3 DATE SELLER ACQUIRED THE PROPERTY 3/25/2022 DO YOU OCCUPY THE PROPERTY? NO
4 IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPIED THE PROPERTY? N/A
5 (Check the one that applies) The property is a [X] site-built home [ ] non-site-built home

6 The Tennessee Residential Property Disclosure Act requires sellers of residential real property with one to four dwelling units
7 to furnish to a buyer one of the following: (1) a residential property disclosure statement (the "Disclosure"), or (2) a residential
8 property disclaimer statement (permitted only where the buyer waives the required Disclosure). Some property transfers may
9 be exempt from this requirement (See Tenn. Code Ann. § 66-5-209). The following is a summary of the buyers' and sellers'
10 rights and obligations under the Act. A complete copy of the Act may be found at http://www.lexisnexis.com/hottopics/tncode/
11 (See Tenn. Code Ann. § 66-5-201, et seq.)

- 12 1. Sellers must disclose all known material defects and must answer the questions on the Disclosure form in good faith to the
13 best of the seller's knowledge as of the Disclosure date.
14 2. Sellers must give the buyers the Disclosure form before the acceptance of a purchase contract.
15 3. Sellers must inform the buyers, at or before closing, of any inaccuracies or material changes in the condition that have
16 occurred since the time of the initial Disclosure, or certify that there are no changes.
17 4. Sellers may give the buyers a report or opinion prepared by a professional inspector or other expert(s) or certain information
18 provided by a public agency, in lieu of responding to some or all of the questions on the form (See Tenn. Code Ann. § 66-
19 5-204).
20 5. Sellers are not required to have a home inspection or other investigation in order to complete the Disclosure form.
21 6. Sellers are not required to repair any items listed on the Disclosure form or on any past or future inspection report unless
22 agreed to in the purchase contract.
23 7. Sellers involved in the first sale of a dwelling must disclose the amount of any impact fees or adequate facility taxes paid.
24 8. Sellers are not required to disclose if any occupant was HIV-positive, or had any other disease not likely to be transmitted
25 by occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or occurrence which
26 had no effect on the physical structure of the property.
27 9. Sellers may provide an "as is", "no representations or warranties" disclaimer statement in lieu of the Disclosure form only
28 if the buyer waives the right to the required disclosure, otherwise the sellers must provide the completed Disclosure form
29 (See Tenn. Code Ann. § 66-5-202).
30 10. Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public auctions,
31 court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not resided on the
32 property at any time within the prior 3 years). (See Tenn. Code Ann. § 66-5-209).
33 11. Buyers are advised to include home, wood infestation, well, water sources, septic system, lead-based paint, radon, mold,
34 and other appropriate inspection contingencies in the contract, as the Disclosure form is not a warranty of any kind by the
35 seller, and is not a substitute for any warranties or inspections the buyer may desire to purchase.
36 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, seller is
37 not required to repair any such items.
38 13. Buyers may, but do not have to, waive their right to receive the Disclosure form from the sellers if the sellers provide a
39 disclaimer statement with no representations or warranties (See Tenn. Code Ann. § 66-5-202).
40 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to buyer
41 and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such matters.

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- 42 15. Representations in the Disclosure form are those of the sellers only, and not of any real estate licensee, although licensees  
 43 are required to disclose to all parties adverse facts of which the licensee has actual knowledge or notice.
- 44 16. Pursuant to Tenn. Code Ann. § 47-18-104(b), sellers of newly constructed residences on a septic system are prohibited  
 45 from knowingly advertising or marketing a home as having more bedrooms than are permitted by the subsurface sewage  
 46 disposal system permit.
- 47 17. Sellers must disclose the presence of any known exterior injection well, the presence of any known sinkhole(s), the results  
 48 of any known percolation test or soil absorption rate performed on the property that is determined or accepted by the  
 49 Department of Environment and Conservation, and whether the property is located within a Planned Unit Development as  
 50 defined by Tenn. Code Ann. § 66-5-213 and, if requested, provide buyers with a copy of the development's restrictive  
 51 covenants, homeowner bylaws and master deed. Sellers must also disclose if they have knowledge that the residence has  
 52 ever been moved from an existing foundation to another foundation.

53 The Buyers and Sellers involved in the current or prospective real estate transaction for the property listed above acknowledge  
 54 that they were informed of their rights and obligations regarding Residential Property Disclosures, and that this information  
 55 was provided by the real estate licensee(s) prior to the completion or reviewing of a Tennessee Residential Property Condition  
 56 Disclosure, a Tennessee Residential Property Condition Disclaimer Statement, or a Tennessee Residential Property Condition  
 57 Exemption Notification. Buyers and Sellers also acknowledge that they were advised to seek the advice of an attorney on any  
 58 legal questions they may have regarding this information or prior to taking any legal actions.

59 The Tennessee Residential Property Disclosure Act states that anyone transferring title to residential real property must  
 60 provide information about the condition of the property. This completed form constitutes that disclosure by the Seller. The  
 61 information contained in the disclosure is the representation of the owner and not the representation of the real estate licensee  
 62 or sales person, if any. This is not a warranty or a substitute for any professional inspections or warranties that the purchasers  
 63 may wish to obtain.

64 **Buyers and Sellers should be aware that any sales agreement executed between the parties shall supersede this form  
 65 as to the terms of sale, property included in the sale and any obligations on the part of the seller to repair items  
 66 identified below and/or the obligation of the buyer to accept such items "as is."**

67 **INSTRUCTIONS TO THE SELLER**

68 Complete this form yourself and answer each question to the best of your knowledge. If an answer is an estimate, clearly  
 69 label it as such. The Seller hereby authorizes any agent(s) representing any party in this transaction to provide a copy of this  
 70 statement to any person or entity in connection with any actual or anticipated sale of the subject property.

71 **A. THE SUBJECT PROPERTY INCLUDES THE ITEMS CHECKED BELOW:**

- |  |  |  |
|--|--|--|
| 72 <input checked="" type="checkbox"/> Range                     | <input checked="" type="checkbox"/> Wall/Window Air Conditioning | <input type="checkbox"/> Garage Door Opener(s) (Number of openers _____)                               |
| 73 <input type="checkbox"/> Window Screens                       | <input checked="" type="checkbox"/> Oven                         | <input type="checkbox"/> Fireplace(s) (Number) _____   |
| 74 <input type="checkbox"/> Intercom                             | <input type="checkbox"/> Microwave                               | <input type="checkbox"/> Gas Starter for Fireplace   |
| 75 <input type="checkbox"/> Garbage Disposal                     | <input type="checkbox"/> Gas Fireplace Logs                      | <input type="checkbox"/> TV Antenna/Satellite Dish   |
| 76 <input type="checkbox"/> Trash Compactor                      | <input type="checkbox"/> Smoke Detector/Fire Alarm               | <input type="checkbox"/> Central Vacuum System and attachments   |
| 77 <input type="checkbox"/> Spa/Whirlpool Tub                    | <input type="checkbox"/> Burglar Alarm                           | <input type="checkbox"/> Current Termite contract  |
| 78 <input type="checkbox"/> Water Softener                       | <input checked="" type="checkbox"/> Patio/Decking/Gazebo         | <input type="checkbox"/> Hot Tub   |
| 79 <input type="checkbox"/> 220 Volt Wiring                      | <input type="checkbox"/> Installed Outdoor Cooking Grill         | <input type="checkbox"/> Washer/Dryer Hookups  |
| 80 <input type="checkbox"/> Sauna                                | <input type="checkbox"/> Irrigation System                       | <input type="checkbox"/> Pool  |
| 81 <input type="checkbox"/> Dishwasher                           | <input checked="" type="checkbox"/> A key to all exterior doors  | <input type="checkbox"/> Access to Public Streets  |
| 82 <input type="checkbox"/> Sump Pump                            | <input type="checkbox"/> Rain Gutters                            | <input type="checkbox"/> Heat Pump   |
| 83 <input checked="" type="checkbox"/> Central Heating           | <input type="checkbox"/> Central Air                             |  |
| 84 <input checked="" type="checkbox"/> Other <u>Refrigerator</u> | <input type="checkbox"/> Other _____                             |  |
| 85 Water Heater: <input checked="" type="checkbox"/> Electric    | <input type="checkbox"/> Gas                                     | <input type="checkbox"/> Solar   |
| 86 Garage: <input type="checkbox"/> Attached                     | <input type="checkbox"/> Not Attached                            | <input type="checkbox"/> Carport   |
| 87 Water Supply: <input checked="" type="checkbox"/> City        | <input type="checkbox"/> Well                                    | <input type="checkbox"/> Private <input type="checkbox"/> Utility <input type="checkbox"/> Other _____ |
| 88 Gas Supply: <input checked="" type="checkbox"/> Utility       | <input type="checkbox"/> Bottled                                 | <input type="checkbox"/> Other   |
| 89 Waste Disposal: <input type="checkbox"/> City Sewer           | <input checked="" type="checkbox"/> Septic Tank                  | <input type="checkbox"/> Other _____   |

90 Roof(s): Type Corrugated Metal/Asphalt Age (approx): 2

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91 Other Items:

92  
93

94 To the best of your knowledge, are any of the above NOT in operating condition?  YES  NO

95 If YES, then describe (attach additional sheets if necessary):

96  
97  
98

99 **B. ARE YOU (SELLER) AWARE OF ANY DEFECTS/MALFUNCTIONS IN ANY OF THE FOLLOWING?**

	YES	NO	UNKNOWN		YES	NO	UNKNOWN
100 Interior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roof	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
101 Ceilings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Basement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
102 Floors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Foundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
103 Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Slab	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
104 Doors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Driveway	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
105 Insulation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sidewalks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
106 Plumbing System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Heating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
107 Sewer/Septic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Heat Pump	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
108 Electrical System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Air Conditioning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
109 Exterior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				

110 If any of the above is/are marked YES, please explain:

111

112 **C. ARE YOU (SELLER) AWARE OF ANY OF THE FOLLOWING:**

	YES	NO	UNKNOWN
113 1. Substances, materials or products which may be environmental hazards 114 such as, but not limited to: asbestos, radon gas, lead-based paint, fuel 115 or chemical storage tanks, contaminated soil or 116 water, on the subject 117 property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
118 2. Features shared in common with adjoining land owners, such as walls, but 119 not limited to, fences, and/or driveways, with joint rights and obligations 120 for use and maintenance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
121 3. Any authorized changes in roads, drainage or utilities affecting the 122 property, or contiguous to the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
123 4. Any changes since the most recent survey of the property was done? 124 Most recent survey of the property: _____ (Date) (check here if unknown)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
125 5. Any encroachments, easements, or similar items that may affect your 126 ownership interest in the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
127 6. Room additions, structural modifications or other alterations or 128 repairs made without necessary permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
129 7. Room additions, structural modifications or other alterations or 130 repairs not in compliance with building codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
131 8. Landfill (compacted or otherwise) on the property or any portion 132 thereof?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
133 9. Any settling from any cause, or slippage, sliding or other soil problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
134 10. Flooding, drainage or grading problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
135 11. Any requirement that flood insurance be maintained on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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YES NO UNKNOWN

12. Property or structural damage from fire, earthquake, floods, or landslides?

YES  NO  UNKNOWN

If yes, please explain (use separate sheet if necessary).

[Empty box for explanation]

If yes, has said damage been repaired?

YES  NO  UNKNOWN

13. Is the property serviced by a fire department?

If yes, in what fire department's service area is the property located? (Fire Dept. Locator can be found: <https://tmap.m.gov/fdm/>)

*Portland*

Is the property owner subject to charges or fees for fire protection, such as subscriptions, association dues or utility fees?

YES  NO  UNKNOWN

14. Any zoning violations, nonconforming uses and/or violations of "setback" requirements?

YES  NO  UNKNOWN

15. Neighborhood noise problems or other nuisances?

YES  NO  UNKNOWN

16. Subdivision and/or deed restrictions or obligations?

YES  NO  UNKNOWN

17. A Condominium/Homeowners Association (HOA) which has any authority over the subject property?

YES  NO  UNKNOWN

Name of HOA:

HOA Address:

HOA Phone Number:

Monthly Dues:

Special Assessments:

Transfer Fees:

Management Company:

Management Co. Address:

18. Any "common area" (facilities such as, but not limited to, pools, tennis courts, walkways or other areas co-owned in undivided interest with others)?

YES  NO  UNKNOWN

19. Any notices of abatement or citations against the property?

YES  NO  UNKNOWN

20. Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects or will affect the property?

YES  NO  UNKNOWN

21. Is any system, equipment or part of the property being leased? If yes, please explain, and include a written statement regarding payment information.

YES  NO  UNKNOWN

22. Any exterior wall covering of the structure(s) covered with exterior insulation and finish systems (EIFS), also known as "synthetic stucco"? If yes, has there been a recent inspection to determine whether the structure has excessive moisture accumulation and/or moisture related damage?

YES  NO  UNKNOWN

(The Tennessee Real Estate Commission urges any buyer or seller who encounters this product to have a qualified professional inspect the structure in question for the preceding concern and provide a written report of the professional's finding.)

If yes, please explain. If necessary, please attach an additional sheet.

[Empty box for explanation]

23. Is there an exterior injection well anywhere on the property? Is seller aware of any percolation tests or soil absorption rates being performed on the property that are determined or accepted by the Tennessee Department of Environment and Conservation?

YES  NO  UNKNOWN

24. Has any residence on this property ever been moved from its original foundation to another foundation?

YES  NO  UNKNOWN

YES NO UNKNOWN

185 26. Is this property in a Planned Unit Development? Planned Unit Development 
186 is defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of land, 
187 controlled by one (1) or more landowners, to be developed under unified control
188 or unified plan of development for a number of dwelling units, commercial,
189 educational, recreational or industrial uses, or any combination of the
190 foregoing, the plan for which does not correspond in lot size, bulk or type of
191 use, density, lot coverage, open space, or other restrictions to the existing land
192 use regulations." Unknown is not a permissible answer under the statute.

193 27. Is a sinkhole present on the property? A sinkhole is defined pursuant to Tenn. 
194 Code Ann. § 66-5-212(c) as "a subterranean void created by the dissolution of 
195 limestone or dolostone strata resulting from groundwater erosion, causing a 
196 surface subsidence of soil, sediment, or rock and is indicated through the
197 contour lines on the property's recorded plat map."

198 28. Was a permit for a subsurface sewage disposal system for the Property issued 
199 during a sewer moratorium pursuant to Tenn. Code Ann. § 68-221-409? If 
200 yes, Buyer may have a future obligation to connect to the public sewer system.

201 D. CERTIFICATION. I/We certify that the information herein, concerning the
202 real property located at

810 BUTLER RD PORTLAND TN 37128

is true and correct to the best of my/our knowledge as of the date signed. Should any of these conditions change prior to
conveyance of title \_\_\_\_\_ an addendum to this document.

206 Transferor (Seller) Gary Brizendine dotloop verified 08/03/23 4:19 PM CDT EL89-4UMN-CODY-2820 Date \_\_\_\_\_ Time \_\_\_\_\_

207 Transferor (Seller) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Parties may wish to obtain professional advice and/or inspections of the property and to negotiate
appropriate provisions in the purchase agreement regarding advice, inspections or defects.

211 Transferee/Buyer's Acknowledgment: I/We understand that this disclosure statement is not intended as a substitute for any
212 inspection, and that I/we have a responsibility to pay diligent attention to and inquire about those material defects which are
213 evident by careful observation. I/We acknowledge receipt of a copy of this disclosure.

214 Transferee (Buyer) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

215 Transferee (Buyer) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

216 If the property being purchased is a condominium, the transferee/buyer is hereby given notice that the transferee/buyer is
217 entitled, upon request, to receive certain information regarding the administration of the condominium from the developer or
218 the condominium association as applicable, pursuant to Tennessee Code Annotated §66-27-502.

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