



DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date July 14, 2023
2. Page 1 of _____ pages: RECORDS AND
3. REPORTS, IF ANY, ARE ATTACHED AND MADE A
4. PART OF THIS DISCLOSURE

5. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

6. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
7. Under Minnesota law, sellers of residential property, with limited exceptions listed on page nine (9), are obligated to
8. disclose to prospective buyers all material facts of which Seller is aware that could adversely and significantly affect
9. an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
10. MN Statute 513.58 requires Seller to notify buyer in writing as soon as reasonably possible, but in any event before
11. closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing,
12. of any facts disclosed here (new or changed) of which Seller is aware that could adversely and significantly affect the
13. Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing.
14. Seller has disclosure alternatives allowed by MN Statutes. See *Disclosure Statement: Seller's Disclosure Alternatives*
15. form for further information regarding disclosure alternatives. **This disclosure is not a warranty or a guarantee of any**
16. **kind by Seller or licensee(s) representing or assisting any party in the transaction and is not a substitute for**
17. **any inspections or warranties the party(ies) may wish to obtain.**

18. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:

19. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a
20. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103,
21. clause (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.

22. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in
23. residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase, or any
24. other option.

25. **INSTRUCTIONS TO BUYER:** Buyers are encouraged to thoroughly inspect the property personally or have it
26. inspected by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers "NO" to any of
27. the questions listed below, it does not necessarily mean that it does not exist on the property, did not occur, or does
28. not apply. "NO" may mean that Seller is unaware.

29. **INSTRUCTIONS TO SELLER:** (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or
30. inspection report(s) when completing this form. (3) Describe conditions affecting the property to the best of your
31. knowledge. (4) Attach additional pages, with your signature, if additional space is required. (5) Answer all questions.
32. (6) If any items do not apply, write "NA" (not applicable).

33. Property located at 5040 Newton Ave. S,

34. City of Minneapolis, County of Hennepin,

35. State of Minnesota, Zip Code 55419 ("Property").

36. **A. GENERAL INFORMATION:** The following questions are to be answered to the best of Seller's knowledge.

37. (1) What date did you ☒ Acquire ☐ Build the home? Oct. 2011
----- (Check one) -----

38. (2) Type of title evidence: ☒ Abstract ☐ Registered (Torrens) ☐ Unknown

39. Location of Abstract: In home

40. Is there an existing Owner's Title Insurance Policy? ☒ Yes ☐ No

41. (3) Have you occupied this home continuously during your ownership? ☒ Yes ☐ No

42. If "No," explain: _____

43. (4) Is the home suitable for year-round use? ☒ Yes ☐ No

44. (5) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.) ☐ Yes ☒ No

45. (6) Does the Property include a manufactured home? ☐ Yes ☒ No

46. If "Yes," HUD #(s) is/are _____

47. Has the title been surrendered to the Registrar of Motor Vehicles for cancellation? ☐ Yes ☐ No

MN:DS:SPDS-1 (8/22)

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49. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

50. Property located at 5040 Newton Ave. S
51. (7) Is the Property located on a public or a private road? ☒ Public ☐ Private ☐ Public: no maintenance
52. (8) Flood Insurance: All properties in the state of Minnesota have been assigned a flood zone designation. Some
53. flood zones may require flood insurance.
54. (a) Do you know which zone the Property is located in? ☐ Yes ☒ No
55. If "Yes," which zone? _____
56. (b) Have you ever had a flood insurance policy? ☐ Yes ☒ No
57. If "Yes," is the policy in force? ☐ Yes ☐ No
58. If "Yes," what is the annual premium? \$ _____
59. If "Yes," who is the insurance carrier? _____
60. (c) Have you ever had a claim with a flood insurance carrier or FEMA? ☐ Yes ☒ No
61. If "Yes," please explain: _____
62. _____
63. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood insurance
64. premiums are increasing, and in some cases will rise by a substantial amount over the premiums
65. previously charged for flood insurance for the Property. As a result, Buyer should not rely on the
66. premiums paid for flood insurance on this Property previously as an indication of the premiums that
67. will apply after Buyer completes their purchase.
68. Are there any
69. (9) homeowners associations or shared amenities? ☐ Yes ☒ No
70. (10) encroachments? ☐ Yes ☒ No
71. (11) covenants, historical registry, reservations, or restrictions, that affect
72. or may affect the use or future resale of the Property? ☐ Yes ☒ No
73. (12) governmental requirements or restrictions that affect or may affect the use or future
74. enjoyment of the Property (e.g., shoreland restrictions, non-conforming use, etc.)? ☐ Yes ☒ No
75. (13) easements, other than utility or drainage easements? ☐ Yes ☒ No
76. (14) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:
77. _____
78. _____

79. **B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they
80. currently exist on the Property?

81. (ANSWERS APPLY TO ALL STRUCTURES, SUCH AS GARAGE AND OUTBUILDINGS.)
82. (1) Has there been any damage by wind, fire, flood, hail, or other cause(s)? ☐ Yes ☒ No
83. If "Yes," give details of what happened and when: _____
84. _____
85. (2) Have you ever had an insurance claim(s) related to the Property? ☐ Yes ☒ No
86. If "Yes," what was the claim(s) for (e.g., hail damage to roof)? _____
87. _____
88. Did you receive compensation for the claim(s)? ☐ Yes ☐ No
89. Did you have the items repaired? ☐ Yes ☐ No
90. What dates did the claim(s) occur? _____

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92. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

93. Property located at 5040 Newton Ave. S

94. (3) (a) Has/Have the structure(s) been altered?
 95. (e.g., additions, altered roof lines, changes to load-bearing walls) ☐ Yes ☒ No
 96. If "Yes," please specify what was done, when, and by whom (owner or contractor):

97. _____
 98. _____

99. (b) Has any work been performed on the Property? (e.g., additions to the
 100. Property, wiring, plumbing, retaining wall, general finishing) ☒ Yes ☐ No
 101. If "Yes," please explain: Refinished attic, kitchen, and bathroom (w/ associated
 102. electrical & plumbing); New stone retaining wall; re-lined chimney

103. (c) Are you aware of any work performed on the Property for which
 104. appropriate permits were not obtained? ☐ Yes ☒ No
 105. If "Yes," please explain: _____
 106. _____

107. (4) Has there been any damage to flooring or floor covering? ☐ Yes ☒ No
 108. If "Yes," give details of what happened and when: _____
 109. _____

110. (5) Do you have or have you previously had any pets? ☒ Yes ☐ No
 111. If "Yes," indicate type Dog and number 1

112. (6) **THE FOUNDATION:** The type of foundation is (i.e., block, poured, wood, stone, other):
 113. Part block and part poured

114. (7) **THE BASEMENT, CRAWLSPACE, SLAB:**
 115. (a) cracked floor/walls? ☐ Yes ☒ No (e) leakage/seepage? ☐ Yes ☒ No
 116. (b) drain tile problem? ☐ Yes ☒ No (f) sewer backup? ☐ Yes ☒ No
 117. (c) flooding? ☐ Yes ☒ No (g) wet floors/walls? ☐ Yes ☒ No
 118. (d) foundation problem? ☐ Yes ☒ No (h) other? ☒ Yes ☐ No

119. Give details to any questions answered "Yes":
 120. Poured foundation walls are original and they do "breathe."
 121. No water has ever entered the basement, but the

122. (8) **THE ROOF:** "breathing" does over a long period of time result
 123. (a) What is the age of the roofing material? in occasional flaking of wall
 124. Home: 10 years Garage(s)/Outbuilding(s): 10 years Material.

125. (b) Has there been any interior or exterior damage? ☐ Yes ☒ No
 126. (c) Has there been interior damage from ice buildup? ☐ Yes ☒ No
 127. (d) Has there been any leakage? ☐ Yes ☒ No
 128. (e) Have there been any repairs or replacements made to the roof? ☐ Yes ☒ No

129. Give details to any questions answered "Yes": _____
 130. _____

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132. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

133. Property located at 5040 Newton Ave. S
134. (9) THE EXTERIOR AND INTERIOR WALLS/SIDING/WINDOWS: Exterior- Stucco & cedar shingles
Interior- Plaster & drywall
135. (a) The type(s) of siding is (e.g., vinyl, stucco, brick, other):
136. (b) cracks/damage? ☐ Yes ☒ No
137. (c) leakage/seepage? ☐ Yes ☒ No
138. (d) other? ☐ Yes ☒ No
139. Give details to any questions answered "Yes":

140.

141. C. APPLIANCES, HEATING, PLUMBING, ELECTRICAL, AND OTHER MECHANICAL SYSTEMS:

142. NOTE: Check "NA" if the item is not physically located on the Property. Check "Yes" for items in working
143. condition. Check "No" for items not in working condition. Working order means all components of the
144. items specified below.

	NA	Working Order Yes	No		NA	Working Order Yes	No
145. Air-conditioning.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	145. Pool and equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
146. <input checked="" type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window				146. Propane tank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
147. Air exchange system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	147. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
148. Carbon monoxide detector	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	148. Range/oven.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
149. Ceiling fan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	149. Range hood	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
150. Central vacuum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	150. Refrigerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
151. Clothes dryer.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	151. Security system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
152. Clothes washer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	152. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
153. Dishwasher.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	153. Smoke detectors (battery)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
154. Doorbell.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	154. Smoke detectors (hardwired).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
155. Drain tile system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	155. Solar collectors	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
156. Electrical system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	156. Sump pump	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
157. Environmental remediation system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	157. Toilet mechanisms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
158. (e.g., radon, vapor intrusion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	158. Trash compactor.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
159. Exhaust system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	159. TV antenna system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
160. Fire sprinkler system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	160. TV cable system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
161. Fireplace.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	161. TV receiver	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
162. Fireplace mechanisms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	162. TV satellite dish.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
163. Freezer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	163. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
164. Furnace humidifier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	164. Water heater	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
165. Garage door auto reverse	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	165. Water purification system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
166. Garage door opener.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	166. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
167. Garage door opener remote.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	167. Water softener	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
168. Garbage disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	168. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
169. Heating system (central).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	169. Water treatment system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
170. Heating system (supplemental).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	170. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
171. Incinerator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	171. Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
172. Intercom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	172. Window treatments.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
173. In-ground pet containment system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	173. Wood-burning stove	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
174. Lawn sprinkler system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	174. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
175. Microwave.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	175. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
176. Plumbing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	176. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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181. **THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**

182. Property located at 5040 Newton Ave. S

183. Are there any items or systems on the Property connected or controlled wirelessly,
184. via internet protocol ("IP"), to a router or gateway or directly to the cloud? ☐ Yes ☒ No

185. Comments regarding issues in Section C: _____

186. _____

187. **D. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**

188. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) (Check appropriate box.)

189. Seller ☐ DOES ☒ DOES NOT know of a subsurface sewage treatment system on or serving the above-described
----- (Check one.) -----

190. real Property. (If answer is **DOES**, and the system does not require a state permit, see *Disclosure Statement:*
191. *Subsurface Sewage Treatment System*.)

192. ☐ There is an abandoned subsurface sewage treatment system on the above-described real Property.
193. (See *Disclosure Statement: Subsurface Sewage Treatment System*.)

194. **E. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)

195. (Check appropriate box(es).)

196. ☒ Seller does not know of any wells on the above-described real Property.

197. ☐ There are one or more wells located on the above-described real Property. (See *Disclosure Statement: Well*.)

198. ☐ This Property is in a Special Well Construction Area.

199. ☐ There are wells serving the above-described Property that are not located on the Property.

200. (1) How many properties or residences does the shared well serve? _____

201. (2) Is there a maintenance agreement for the shared well? ☐ Yes ☐ No

202. If "Yes," what is the annual maintenance fee? \$ _____

203. **F. PROPERTY TAX TREATMENT:**

204. **Preferential Property Tax Treatment**

205. Is the Property subject to any preferential property tax status or any other credits

206. affecting the Property? (e.g., Disabled Veterans' Benefits, Disability, Green Acres,

207. Non-Profit Status, RIM, Rural Preserve, etc.) ☐ Yes ☒ No

208. If "Yes," would these terminate upon the sale of the Property? ☐ Yes ☐ No

209. Explain: _____

210. _____

211. **G. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):** Section 1445 of the Internal Revenue Code

212. provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must
213. withhold tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.

214. Seller represents that Seller ☐ IS ☒ IS NOT a foreign person (i.e., a non-resident alien individual, foreign corporation,
----- (Check one.) -----

215. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall
216. survive the closing of any transaction involving the Property described here.

217. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the
218. transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In non-
219. exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.

220. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring
221. Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal
222. Revenue Code.

223. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility
224. for withholding the applicable tax, Buyer and Seller should **seek appropriate legal and tax advice regarding**
225. **FIRPTA compliance, as the respective licensees representing or assisting either party will be unable to**
226. **assure either party whether the transaction is exempt from the FIRPTA withholding requirements.**

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230. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

231. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

232. ☒ Seller is not aware of any methamphetamine production that has occurred on the Property.

233. ☐ Seller is aware that methamphetamine production has occurred on the Property.

234. (See Disclosure Statement: Methamphetamine Production.)

235. **I. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The Property may be in or near an airport safety
236. zone with zoning regulations adopted by the governing body that may affect the Property. Such zoning regulations
237. are filed with the county recorder in each county where the zoned area is located. If you would like to determine
238. if such zoning regulations affect the Property, you should contact the county recorder where the zoned area is
239. located.

240. **J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:** MN Statute 299F.51 requires Carbon Monoxide
241. Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not
242. be personal property and may or may not be included in the sale of the home.

243. **K. CEMETERY ACT:** The following questions are to be answered to the best of Seller's knowledge.

244. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A
245. person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal
246. remains or human burial grounds is guilty of a felony.

247. Are you aware of any human remains, burials, or cemeteries located on the Property? ☐ Yes ☒ No

248. If "Yes," please explain: _____

249. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in
250. contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN
251. Statute 307.08, Subd. 7.

252. **L. ENVIRONMENTAL CONCERNS:** To your knowledge, have any of the following previously existed or do they
253. currently exist on the Property?

254. (1) Animal/Insect/Pest Infestation? ☒ Yes ☐ No (6) Lead? (e.g., paint, plumbing) ☐ Yes ☒ No

255. (2) Asbestos? ☐ Yes ☒ No (7) Mold? ☒ Yes ☐ No

256. (3) Diseased trees? ☐ Yes ☒ No (8) Soil problems? ☐ Yes ☒ No

257. (4) Formaldehyde? ☐ Yes ☒ No (9) Underground storage tanks? ☐ Yes ☒ No

258. (5) Hazardous waste/substances? ☐ Yes ☒ No (10) Vapor intrusion? ☐ Yes ☒ No

259. (11) Other? _____ ☐ Yes ☒ No

260. (12) Have you ever been contacted or received any information from any governmental
261. authority pertaining to possible or actual environmental contamination (e.g., vapor
262. intrusion, drinking water, and/or soil contamination, etc.) affecting the Property? ☐ Yes ☒ No

263. (13) Are you aware if there are currently, or have previously been, any orders issued
264. on the Property by any governmental authority ordering the remediation of a
265. public health nuisance on the Property? ☐ Yes ☒ No

266. If answer above is "Yes," all orders ☐ HAVE ☐ HAVE NOT been vacated.

------(Check one.)-----

267. (14) Please provide clarification or further explanation for all applicable "Yes" responses in Section L.

268. • In 2019, we had 2 little brown bats in the unfinished
269. portion of the attic. They were successfully excluded, and
270. we sealed the entry point.

271. • As noted above, the concrete foundation "breathes"
and occasionally we have had small spots of
mold on the foundation walls, which we have
cleaned with vinegar.

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275. **M. RADON DISCLOSURE:** (The following Seller disclosure satisfies MN Statute 144.496.)

276. **RADON WARNING STATEMENT:** The Minnesota Department of Health strongly recommends that ALL
277. homebuyers have an indoor radon test performed prior to purchase or taking occupancy, and recommends
278. having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can
279. easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

280. Every buyer of any interest in residential real property is notified that the property may present exposure to
281. dangerous levels of indoor radon gas that may place occupants at risk of developing radon-induced lung cancer.
282. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second leading
283. cause overall. The seller of any interest in residential real property is required to provide the buyer with any
284. information on radon test results of the dwelling.

285. **RADON IN REAL ESTATE:** By signing this Statement, Buyer hereby acknowledges receipt of the Minnesota
286. Department of Health's publication entitled **Radon in Real Estate Transactions**, which is attached hereto and
287. can be found at www.health.state.mn.us/communities/environment/air/radon/radonre.html.

288. A seller who fails to disclose the information required under MN Statute 144.496, and is aware of material facts
289. pertaining to radon concentrations in the Property, is liable to the Buyer. A buyer who is injured by a violation of MN
290. Statute 144.496 may bring a civil action and recover damages and receive other equitable relief as determined by
291. the court. Any such action must be commenced within two years after the date on which the buyer closed the
292. purchase or transfer of the real Property.

293. **SELLER'S REPRESENTATIONS:** The following are representations made by Seller to the extent of Seller's actual
294. knowledge.

295. (a) Radon test(s) ☐ HAVE ☒ HAVE NOT occurred on the Property.
------(Check one.)-----

296. (b) Describe any known radon concentrations, mitigation, or remediation. **NOTE:** Seller shall attach the most
297. current records and reports pertaining to radon concentration within the dwelling:

298. _____

299. _____

300. (c) There ☐ IS ☒ IS NOT a radon mitigation system currently installed on the Property.
------(Check one.)-----

301. If "IS," Seller shall disclose, if known, information regarding the radon mitigation system, including system
302. description and documentation.

303. _____

304. _____

305. **EXCEPTIONS:** See Section R for exceptions to this disclosure requirement.

306. **N. NOTICES/OTHER DEFECTS/MATERIAL FACTS:** The following questions are to be answered to the best of
307. Seller's knowledge.

308. **Notices:** Seller ☐ HAS ☒ HAS NOT received a notice regarding any proposed improvement project from any
------(Check one.)-----

309. assessing authorities, the costs of which project may be assessed against the Property. If "HAS," please attach
310. and/or explain:

311. _____

312. _____

313. _____

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315. **THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**

316. Property located at 5040 Newton Ave. S

317. **Other Defects/Material Facts:** Are there any other material facts that could adversely and significantly affect an
318. ordinary buyer's use or enjoyment of the Property or any intended use of the Property? ☐ Yes ☒ No

319. If "Yes," explain:

320. _____

321. _____

322. _____

323. _____

324. **O. WATER INTRUSION AND MOLD GROWTH:** Studies have shown that various forms of water intrusion affect
325. many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture
326. leaving the home.

327. Examples of exterior moisture sources may be:

- 328. • improper flashing around windows and doors,
- 329. • improper grading,
- 330. • flooding,
- 331. • roof leaks.

332. Examples of interior moisture sources may be:

- 333. • plumbing leaks,
- 334. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
- 335. • overflow from tubs, sinks, or toilets,
- 336. • firewood stored indoors,
- 337. • humidifier use,
- 338. • inadequate venting of kitchen and bath humidity,
- 339. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
- 340. • line-drying laundry indoors,
- 341. • houseplants—watering them can generate large amounts of moisture.

342. In addition to the possible structural damage water intrusion may do to the Property, water intrusion may also result
343. in the growth of mold, mildew, and other fungi. Mold growth may also cause structural damage to the Property.
344. Therefore, it is very important to detect and remediate water intrusion problems.

345. Fungi are present everywhere in our environment, both indoors and outdoors. Many molds are beneficial to
346. humans. However, molds have the ability to produce mycotoxins that may have a potential to cause serious
347. health problems, particularly in some immunocompromised individuals and people who have asthma or allergies
348. to mold.

349. To complicate matters, mold growth is often difficult to detect, as it frequently grows within the wall structure. If you
350. have a concern about water intrusion or the resulting mold/mildew/fungi growth, you may want to consider having the
351. Property inspected for moisture problems before entering into a purchase agreement or as a condition of your
352. purchase agreement. Such an analysis is particularly advisable if you observe staining or musty odors on the
353. Property.

354. **P. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory
355. offender registry and persons registered with the predatory offender registry under MN Statute 243.166
356. may be obtained by contacting the local law enforcement offices in the community where the property
357. is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of
358. Corrections web site at www.corr.state.mn.us.

**DISCLOSURE STATEMENT: SELLER'S
PROPERTY DISCLOSURE STATEMENT**

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360.	THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.
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361. Property located at _____.
362. **Q. MN STATUTES 513.52 THROUGH 513.60: SELLER'S MATERIAL FACT DISCLOSURE:**
363. **Exceptions:** The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to
364. (1) real property that is not residential real property;
365. (2) a gratuitous transfer;
366. (3) a transfer pursuant to a court order;
367. (4) a transfer to a government or governmental agency;
368. (5) a transfer by foreclosure or deed in lieu of foreclosure;
369. (6) a transfer to heirs or devisees of a decedent;
370. (7) a transfer from a co-tenant to one or more other co-tenants;
371. (8) a transfer made to a spouse, parent, grandparent, child, or grandchild of Seller;
372. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property
373. agreement incidental to that decree;
374. (10) a transfer of newly constructed residential property that has not been inhabited;
375. (11) an option to purchase a unit in a common interest community, until exercised;
376. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with
377. respect to a declarant under section 515B.1-103, clause (2);
378. (13) a transfer to a tenant who is in possession of the residential real property; or
379. (14) a transfer of special declarant rights under section 515B.3-104.
380. **MN STATUTES 144.496: RADON AWARENESS ACT**
381. The seller disclosure requirements of MN Statute 144.496 DO NOT apply to (1)-(9) and (11)-(14) above. Sellers
382. of newly constructed residential property must comply with the disclosure requirements of MN Statute 144.496.
383. **Waiver:** The written disclosure required under sections 513.52 to 513.60 may be waived if Seller and the
384. prospective Buyer agree in writing. Waiver of the disclosure required under sections 513.52 to 513.60 does not
385. waive, limit, or abridge any obligation for seller disclosure created by any other law.
386. **No Duty to Disclose:**
387. (A) There is no duty to disclose the fact that the Property
388. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
389. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
390. (2) was the site of a suicide, accidental death, natural death, or perceived paranormal activity; or
391. (3) is located in a neighborhood containing any adult family home, community-based residential facility, or
392. nursing home.
393. (B) **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to
394. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely
395. manner, provides a written notice that information about the predatory offender registry and persons
396. registered with the registry may be obtained by contacting the local law enforcement agency where the
397. property is located or the Department of Corrections.
398. (C) The provisions in paragraphs (A) and (B) do not create a duty to disclose any facts described in paragraphs
399. (A) and (B) for property that is not residential property.
400. (D) **Inspections.**
401. (1) Except as provided in paragraph (2), Seller is not required to disclose information relating to the real
402. Property if a written report that discloses the information has been prepared by a qualified third party
403. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a
404. federal, state, or local governmental agency, or any person whom Seller or prospective buyer reasonably
405. believes has the expertise necessary to meet the industry standards of practice for the type of inspection
406. or investigation that has been conducted by the third party in order to prepare the written report.
407. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any
408. information included in a written report under paragraph (1) if a copy of the report is provided to Seller.

DISCLOSURE STATEMENT: SELLER'S
PROPERTY DISCLOSURE STATEMENT

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410. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

411. Property located at 5040 Newton Ave. S

412. R. ADDITIONAL COMMENTS:

413. N/A

414. _____

415. _____

416. _____

417. _____

418. _____

419. _____

420. S. SELLER'S STATEMENT:

421. (To be signed at time of listing.)

422. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s) representing
423. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity
424. in connection with any actual or anticipated sale of the Property. A seller may provide this Disclosure Statement
425. to a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the
426. real estate licensee representing or assisting a prospective buyer is considered to have been provided to the
427. prospective buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting
428. the prospective buyer, the real estate licensee must provide a copy to the prospective buyer.

429. Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed
430. here (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's
431. use or enjoyment of the Property or any intended use of the Property that occur up to the time of closing.
432. To disclose new or changed facts, please use the *Amendment to Disclosure Statement* form.

433. Jane Smith 7/14/23 Jana Hunt 7/14/23
(Seller) (Date) (Seller) (Date)

434. T. BUYER'S ACKNOWLEDGEMENT:

435. (To be signed at time of purchase agreement.)

436. I/We, the Buyer(s) of the Property, acknowledge receipt of this *Seller's Property Disclosure Statement* and agree
437. that no representations regarding facts have been made other than those made above. This Disclosure Statement
438. is not a warranty or a guarantee of any kind by Seller or licensee(s) representing or assisting any party in the
439. transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

440. The information disclosed is given to the best of Seller's knowledge.

441. _____
(Buyer) (Date) (Buyer) (Date)

442. LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE
443. NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.



Radon in Real Estate Transactions

All Minnesota homes can have dangerous levels of radon gas. Radon is a colorless, odorless and tasteless radioactive gas that can seep into homes from the soil. When inhaled, its radioactive particles can damage the lungs. Long-term exposure to radon can lead to lung cancer. About 21,000 lung cancer deaths each year in the United States are caused by radon.

The only way to know how much radon gas has entered the home is to conduct a radon test. MDH estimates 2 in 5 homes exceed the 4.0 pCi/L (picocuries per liter) action level. Whether a home is old or new, any home can have high levels of radon.

The purpose of this publication is to educate and inform potential home buyers of the risks of radon exposure, and how to test for and reduce radon as part of real estate transactions.

Disclosure Requirements

Effective January 1, 2014, the Minnesota Radon Awareness Act requires specific disclosure and education be provided to potential home buyers during residential real estate transactions in Minnesota.

Before signing a purchase agreement to sell or transfer residential real property, the seller shall provide this publication and shall disclose in writing to the buyer:

1. whether a radon test or tests have occurred on the property
2. the most current records and reports pertaining to radon concentrations within the dwelling
3. a description of any radon levels, mitigation, or remediation
4. information on the radon mitigation system, if a system was installed
5. a radon warning statement

Radon Facts

How dangerous is radon? Radon is the number one cause of lung cancer in non-smokers, and the second leading cause overall. Your risk for lung cancer increases with higher levels of radon, prolonged exposure, and whether or not you are a current smoker or former smoker.

Where is your greatest exposure to radon? For most Minnesotans, your greatest exposure is at home where radon can concentrate indoors.

What is the recommended action based on my results? If the average radon in the home is at or above 4.0 pCi/L, the home's radon level should be reduced. Also, consider mitigating if radon levels are between 2.0 pCi/L and 3.9 pCi/L. Any amount of radon, even below the recommended action level, carries some risk.

Radon Warning Statement

"The Minnesota Department of Health strongly recommends that ALL homebuyers have an indoor radon test performed prior to purchase or taking occupancy, and recommends having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

Every buyer of any interest in residential real property is notified that the property may present exposure to dangerous levels of indoor radon gas that may place the occupants at risk of developing radon-induced lung cancer. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second leading cause overall. The seller of any interest in residential real property is required to provide the buyer with any information on radon test results of the dwelling"

Radon Testing

Any test lasting less than three months requires **closed-house conditions**. This means keep all windows and doors closed, except for normal entry and exit.

Before testing: Begin closed-house conditions at least 12 hours before the start of the radon test.

During testing: Maintain closed-house conditions during the entire duration of the short-term test. Operate home heating or cooling systems normally during the test.

Where should the test be conducted? Any radon test conducted for a real estate transaction needs to be placed in the lowest livable area of the home suitable for occupancy. This is typically in the basement, whether finished or unfinished.

Place the test kit:

- 20 inches to 6 feet above the floor
- 3 feet from exterior doors and windows
- 1 foot from exterior walls
- 4 inches away from other objects
- in a location where it won't be disturbed
- not in enclosed areas or areas of high heat/humidity

How are radon tests conducted in real estate transactions?

There are special protocols for radon testing in real estate transactions. Here are the two most common.

Continuous Radon Monitor (CRM)

This test is completed by a certified radon measurement professional with a calibrated CRM for a minimum of 48 hours. The data is analyzed to ensure a valid test. A report is generated by the measurement professional.

Simultaneous Short-Term Testing

Two short-term test kits are used at the same time, placed 4 inches apart, for a minimum of 48 hours. Test kits are sent to the lab for analysis. The lab generates a report. The two test results are averaged to get the radon level.

All radon tests should be conducted by a licensed professional. This ensures the test was conducted properly, in the correct location(s), which includes testing the lowest liveable level in each unique foundation type and under appropriate building conditions. A list of these licensed radon measurement professionals can be found at MDH's Radon web site.

Radon Mitigation

When elevated levels of radon are found, they can be easily reduced by a licensed professional. A list of these licensed radon mitigation professionals can be found on MDH's Radon website.

Radon mitigation is the process or system used to reduce radon concentrations in the breathing zones of occupied buildings. The goal of a radon mitigation system is to reduce the indoor radon levels to below the action level. This is done by drawing soil gas from under the house and venting it above the roof. A quality mitigation system is often able to reduce the annual average radon level to below 2.0 pCi/L. The cost of a radon mitigation system averages \$1,200 to \$2,500.

After a radon mitigation system is installed perform an independent short-term test to ensure the reduction system is effective. Operate the radon system during the entire test. This short-term test will confirm low levels in the home. Be sure to retest the house every two years to confirm continued radon reduction.

Radon Information on the Web:

www.health.state.mn.us/radon

Last Updated 3/2021

MDH Indoor Air Unit

PO Box 64975

St Paul, MN 55164-0975

651-201-4601

800-798-9050

health.indoorair@state.mn.us