



NEW JERSEY ASSOCIATION OF REALTORS® STANDARD FORM OF  
SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT



1 Property Address: 162 Washington St  
 2 Berkeley Heights, NJ  
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 5 Seller: Joseph & Marlene F Simone  
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10 The purpose of this Disclosure Statement is to disclose, to the best of Seller's knowledge, the condition of the Property, as of  
 11 the date set forth below. The Seller acknowledges that he/she is under an obligation to disclose any known material defects in the  
 12 Property even if not addressed in this printed form. Seller alone is the source of all information contained in this form. All  
 13 prospective buyers of the Property are cautioned to carefully inspect the Property and to carefully inspect the surrounding area for  
 14 any off-site conditions that may adversely affect the Property. Moreover, this Disclosure Statement is not intended to be a  
 15 substitute for prospective buyer's hiring of qualified experts to inspect the Property.

16 If your property consists of multiple units, systems and/or features, please provide complete answers on all such units,  
 17 systems and/or features even if the question is phrased in the singular, such as if a duplex has multiple furnaces, water heaters and  
 18 fireplaces.

19 OCCUPANCY  
 20 Yes No Unknown

21     
 22 1. Age of House, if known 42 yrs  
 23 2. Does the Seller currently occupy this property?  
 24 If not how long has it been since Seller occupied the property?  
 25   3. What year did the seller buy the property? 1980  
 26 3a. Do you have in your possession the original or a copy of the deed evidencing your ownership of  
 27 the property? If "yes," please attach a copy of it to this form

29 ROOF  
 30 Yes No Unknown

31     
 32 4. Age of roof 10/03  
 33 5. Has roof been replaced or repaired since seller bought the property?  
 34 6. Are you aware of any roof leaks?  
 35 7. Explain any "yes" answers that you give in this section:  
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37 ATTICS, BASEMENTS AND CRAWL SPACES (Complete only if applicable)

38 Yes No Unknown  
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8. Does the property have one or more sump pumps?  
 8a. Are there any problems with the operation of any sump pump?  
 9. Are you aware of any water leakage, accumulation, or dampness within the basement or  
 crawl spaces or any other areas within any of the structures on the property?  
 9a. Are you aware of the presence of any mold or similar natural substance within the basement  
 or crawl spaces or any other areas within any of the structures on the property?  
 10. Are you aware of any repairs or other attempts to control any water or dampness problem  
 in the basement or crawlspace? If "yes" describe the location, nature and date of the  
 repairs:  
 11. Are you aware of any cracks or bulges in the floor or foundation walls? If "yes", specify  
 location.  
 12. Are you aware of any restrictions on how the attic may be used as a result of the manner in  
 which the attic or roof was constructed?  
 13. Is the attic or house ventilated by:  a whole house fan?  an attic fan?  
 13a. Are you aware of any problems with the operation of such a fan?  
 14. In what manner is access to the attic space provided?  staircase  pull down stairs  
 crawl space with aid of ladder or other device  other  
 15. Explain any "yes" answers that you give in this section:  
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61 TERMITES/WOOD DESTROYING INSECTS, DRY ROT, PESTS

62 Yes No Unknown  
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16. Are you aware of any termites/wood destroying insects, dry rot, pests affecting the property?  
 17. Are you aware of any damage to the property caused by termites/wood destroying insects, dry  
 rot, or pests?  
 18. If "yes," has work been performed to repair the damage?  
 19. Is your property currently under contract by a licensed pest control company? If "yes", state the  
 name and address of licensed pest control company:  
 20. Are you aware of any termite/pest control inspections or treatments for the property in the  
 past?

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**STRUCTURAL ITEMS**

Yes No

21. Explain any "yes" answer that you give in this section:

[Empty box for explanation]

22. Are you aware of any movement, shifting, or other problems with walls, floors or foundations including any restrictions on how any space, other than the attic or roof, may be used as a result of the manner in which it was constructed?  
 23. Are you aware if the property or any of the structures on it have ever been damaged by fire, smoke, wind or flood?  
 24. Are you aware of any fire retardant plywood used in the construction?  
 25. Are you aware of any current or past problems with driveways, walkways, patios, sinkholes, or retaining walls on the property?  
 26. Are you aware of any present or past efforts made to repair any problems with the items in this section?

27. Explain any "yes" answers that you give in this section. Please describe the location and nature of

[Empty box for explanation]

**ADDITIONS/REMODELS**

Yes No Unknown

28. Are you aware of any additions, structural changes or other alterations to the structures on the property made by any present or past owners?  
 29. Were the proper building permits and approvals obtained? Explain any "yes" answers you give in this section:

[Empty box for explanation]

**PLUMBING, WATER AND SEWAGE**

Yes No Unknown

30. What is the source of your drinking water?  Public  Community System  Well on property  Other (explain)  
 31. If your drinking water supply is not public have you performed any tests on the water? If so when? Attach a copy of or describe the results.  
 32. Does the wastewater from any clothes washer, dishwasher, or other appliance discharge to any location other than the sewer, septic, or other system that services the rest of the property?  
 33. When was well installed? Location of Well? Do you have a softener, filter, or other water purification system?  Leased  Owned  
 34. What is the type of sewage system?  Public Sewer  Private Sewer  Septic System  Cesspool  Other (explain):  
 35. If you answered "septic system," have you ever had the system inspected to confirm that it is a true septic system and not a cesspool?  
 36. If Septic System, when was it installed? Location?  
 37. When was the Septic System or Cesspool last cleaned and/or serviced?  
 38. Are you aware of any abandoned Septic Systems or Cesspools on your property?  
 39a. If "yes," is the closure in accordance with the municipality's ordinance? (explain):  
 40. Are you aware of any leaks, backups, or other problems relating to any of the plumbing systems and fixtures (including pipes, sinks, tubs and showers), or of any other water or sewage related problems? If "yes," explain:  
 41. Are you aware of any shut off, disconnected, or abandoned wells, underground water or sewage tanks, or dry wells on the property?  
 42. Is either the private water or sewage system shared? If "yes," explain:  
 43. Water Heater:  Electric  Fuel Oil  Gas  
 Age of Water Heater 12/15  
 43a. Are you aware of any problems with the water heater?  
 44. Explain any "yes" answers that you give in this section:

[Empty box for explanation]

**HEATING AND AIR CONDITIONING**

Yes No Unknown

45. Type of air conditioning:  
 Central one zone  Central multiple zone  Wall/Window Unit  None  
 46. List any areas of the house that are not air conditioned:  
 47. What is the age of Air Conditioning System 5/08  
 48. Type of heat:  Electric  Fuel Oil  Natural Gas  Propane  Unheated  Other  
 49. What is the type of heating system? (for example, forced air, hot water or base board, radiator, steam heat) Baseboard



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50. If it is a centralized heating system, is it one zone or multiple zones?
51. Age of Furnace 32008 Date of Last Service 8/10
52. List any areas of the house that are not heated: \_\_\_\_\_
53. Are you aware of any tanks on the property, either above or underground, used to store fuel or other substances?
54. If tank is not in use, do you have a closure certificate?
55. Are you aware of any problems with any items in this section? If "yes," explain: \_\_\_\_\_

**WOOD BURNING STOVE OR FIREPLACE**

- Yes No Unknown
56. Do you have  wood burning stove?  fireplace?  insert?  Other
- 56a. Is it presently usable?
57. If you have a fireplace, when was the flu last cleaned? \_\_\_\_\_
- 57a. Was the flue cleaned by a professional or non-professional? \_\_\_\_\_
58. Have you obtained any required permits for any such item? \_\_\_\_\_
59. Are you aware of any problems with any of these items? If "yes," please explain: \_\_\_\_\_

**ELECTRICAL SYSTEM**

- Yes No Unknown
60. What type of wiring is in this structure?  Copper  Aluminum  Other  Unknown
61. What amp service does it have?  
 60  100  150  200  Other  Unknown
62. Does it have 240 volt service? Which are present?  Circuit Breakers  Fuses or  Both?
63. Are you aware of any additions to the original service? If "yes" were the additions done by a licensed electrician? Name and address: \_\_\_\_\_
64. If yes, were proper building permits and approvals obtained? \_\_\_\_\_
65. Are you aware of any wall switches, light fixtures or electrical outlets in need of repair? \_\_\_\_\_
66. Explain any "yes" answers you give in this section: \_\_\_\_\_

**LAND (SOILS, DRAINAGE AND BOUNDARIES)**

- Yes No Unknown
67. Are you aware of any fill or expansive soil on the property?
68. Are you aware of any past or present mining operations in the area in which the property is located?
69. Is the property located in a flood hazard zone?
70. Are you aware of any drainage or flood problems affecting the property?
71. Are there any areas on the property which are designated as protected wetlands?
72. Are you aware of any encroachments, utility easements, boundary line disputes, or drainage or other easements affecting the property?
73. Are there any water retention basins on the property or the adjacent properties?
74. Are you aware if any part of the property is being claimed by the State of New Jersey as land presently or formerly covered by tidal water (Riparian claim or lease grant)? Explain: \_\_\_\_\_
75. Are you aware of any shared or common areas (for example, driveways, bridges, docks, walls, bulkheads, etc.) or maintenance agreements regarding the property? \_\_\_\_\_
76. Explain any "yes" answers to the preceding questions in this section: \_\_\_\_\_
77. Do you have a survey of the property?

**ENVIRONMENTAL HAZARDS**

- Yes No Unknown
78. Have you received any written notification from any public agency or private concern informing you that the property is adversely affected, or may be adversely affected, by a condition that exists on a property in the vicinity of this property? If "yes," attach a copy of any such notice currently in your possession.
- 78a. Are you aware of any condition that exists on any property in the vicinity which adversely affects, or has been identified as possibly adversely affecting, the quality or safety of the air, soil, water, and/or physical structures present on this property? If "yes," explain: \_\_\_\_\_
79. Are you aware of any underground storage tanks (UST) or toxic substances now or previously present on this property or adjacent property (structure or soil), such as polychlorinated biphenyl (PCB), solvents, hydraulic fluid, petro-chemicals, hazardous wastes, pesticides, chromium, thorium, lead or other hazardous substances in the soil? If "yes," explain: \_\_\_\_\_
80. Are you aware if any underground storage tank has been tested? (Attach a copy of each test report or closure certificate if available).

- 228    81. Are you aware if the property has been tested for the presence of any other toxic substances, such as lead-based paint, urea-formaldehyde foam insulation, asbestos-containing materials, or others? (Attach copy of each test report if available).
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- 232 82. If "yes" to any of the above, explain:
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- 235 82a. If "yes" to any of the above, were any actions taken to correct the problem? Explain:
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- 238 83. Is the property in a designated Airport Safety Zone?

**DEED RESTRICTIONS, SPECIAL DESIGNATIONS, HOMEOWNERS ASSOCIATIONS/CONDOMINIUMS AND CO-OPS**

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- 241 Yes No Unknown
- 242    84. Are you aware if the property is subject to any deed restrictions or other limitations on how it may be used due to its being situated within a designated historic district, or a protected area like the New Jersey Pinelands, or its being subject to similar legal authorities other than typical local zoning ordinances?
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- 246    85. Is the property part of a condominium or other common interest ownership plan?
- 247    85a. If so, is the property subject to any covenants, conditions, or restrictions as a result of its being part of a condominium or other form of common interest ownership?
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- 249    86. As the owner of the property, are you required to belong to a condominium association or homeowners association, or other similar organization or property owners?
- 250
- 251    86a. If so, what is the Association's name and telephone number?
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- 253    86b. If so, are there any dues or assessments involved? If "yes," how much?
- 254    87. Are you aware of any defect, damage, or problem with any common elements or common areas that materially affects the property?
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- 257    88. Are you aware of any condition or claim which may result in an increase in assessments or fees?
- 258    89. Since you purchased the property, have there been any changes to the rules or by-laws of the Association that impact the property?
- 259
- 260 90. Explain any "yes" answers you give in this section:
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**MISCELLANEOUS**

- 264
- 265 Yes No Unknown
- 266    91. Are you aware of any existing or threatened legal action affecting the property or any condominium or homeowners association to which you, as an owner, belong?
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- 268    92. Are you aware of any violations of Federal, State or local laws or regulations relating to this property?
- 269
- 270    93. Are you aware of any zoning violations, encroachments on adjacent properties, non-conforming uses, or set-back violations relating to this property? If so, please state whether the condition is pre-existing non-conformance to present day zoning or a violation to zoning and/or land use laws.
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- 275    94. Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain unpaid? Are you aware of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected?
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- 278    95. Are there mortgages, encumbrances or liens on this property?
- 279    95a. Are you aware of any reason, including a defect in title, that would prevent you from conveying clear title?
- 280
- 281    96. Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form? (A defect is "material," if a reasonable person would attach importance to its existence or non-existence in deciding whether or how to proceed in the transaction.) If "yes," explain:
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- 286    97. Other than water and sewer charges, utility and cable tv fees, your local property taxes, any special assessments and any association dues or membership fees, are there any other fees that you pay on an ongoing basis with respect to this property, such as garbage collection fees?
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- 290 98. Explain any other "yes" answers you give in this section:
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**RADON GAS Instructions to Owners**

By law (N.J.S.A. 26:2D-73), a property owner who has had his or her property tested or treated for radon gas may require that information about such testing and treatment be kept confidential until the time that the owner and a buyer enter into a contract of sale, at which time a copy of the test results and evidence of any subsequent mitigation or treatment shall be provided to the buyer. The law also provides that owners may waive, in writing, this right of confidentiality. As the owner(s) of this property, do you wish to waive this right?

301 Yes No

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304 (Initials) (Initials)



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If you responded "yes," answer the following questions. If you responded "no," proceed to the next section.

Yes  No  Unknown

- 99. Are you aware if the property has been tested for radon gas? (Attach a copy of each test report if available.)
- 100. Are you aware if the property has been treated in an effort to mitigate the presence of radon gas? (If "yes," attach a copy of any evidence of such mitigation or treatment.)
- 101. Is radon remediation equipment now present in the property?
- 101a. If "yes," is such equipment in good working order?

**MAJOR APPLIANCES AND OTHER ITEMS**

The terms of any final contract executed by the seller shall be controlling as to what appliances or other items, if any, shall be included in the sale of the property. Which of the following items are present in the property? (For items that are not present, indicate "not applicable.")

Yes  No  Unknown  N/A

- 102. Electric Garage Door Opener
- 102a. If "yes," are they reversible? Number of Transmitters 2
- 103. Smoke Detectors
- Battery  Electric  Both How many 3
- Carbon Monoxide Detectors How many 2
- Location \_\_\_\_\_

104. With regard to the above items, are you aware that any item is not in working order?  
104a. If "yes," identify each item that is not in working order or defective and explain the nature of the problem:

- 105.  In-ground pool  Above-ground pool  Pool Heater  Spa/Hot Tub
- 105a. Were proper permits and approvals obtained?
- 105b. Are you aware of any leaks or other defects with the filter or the walls or other structural or mechanical components of the pool or spa/hot tub?
- 105c. If an in-ground pool, are you aware of any water seeping behind the walls of the pool?

106. Indicate which of the following may be included in the sale? (Indicate Y for yes N for no.)

- Refrigerator
- Range
- Microwave Oven
- Dishwasher
- Trash Compactor
- Garbage Disposal
- In-Ground Sprinkler System
- Central Vacuum System
- Security System
- Washer
- Dryer
- Intercom
- Other

107. Of those that may be included, is each in working order? If "no," identify each item not in working order, explain the nature of the problem:

**ACKNOWLEDGMENT OF SELLER**

The undersigned Seller affirms that the information set forth in this Disclosure Statement is accurate and complete to the best of Seller's knowledge, but is not a warranty as to the condition of the Property. Seller hereby authorizes the real estate brokerage firm representing or assisting the seller to provide this Disclosure Statement to all prospective buyers of the Property, and to other real estate agents. Seller alone is the source of all information contained in this statement. If the Seller relied upon any credible representations of another, the Seller should state the name(s) of the person(s) who made the representation(s) and describe the information that was relied upon.

Joseph Simone SELLER 8/17/22 DATE

Marlene Simone SELLER 8/17/22 DATE

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**EXECUTOR, ADMINISTRATOR, TRUSTEE**

(If applicable). The undersigned has never occupied the property and lacks personal knowledge necessary to complete this Disclosure Statement.

[Redacted Signature]

DATE

[Redacted Signature]

DATE

**RECEIPT AND ACKNOWLEDGMENT BY PROSPECTIVE BUYER**

The undersigned Prospective Buyer acknowledges receipt of this Disclosure Statement prior to signing a Contract of Sale pertaining to this Property. Prospective Buyer acknowledges that this Disclosure Statement is not a warranty by Seller and that it is Prospective Buyer's responsibility to satisfy himself or herself as to the condition of the Property. Prospective Buyer acknowledges that the Property may be inspected by qualified professionals, at Prospective Buyer's expense, to determine the actual condition of the Property. Prospective Buyer further acknowledges that this form is intended to provide information relating to the condition of the land, structures, major systems and amenities, if any, included in the sale. This form does not address local conditions which may affect a purchaser's use and enjoyment of the property such as noise, odors, traffic volume, etc. Prospective Buyer acknowledges that they may independently investigate such local conditions before entering into a binding contract to purchase the property. Prospective Buyer acknowledges that he or she understands that the visual inspection performed by the Seller's real estate broker/broker-salesperson/salesperson does not constitute a professional home inspection as performed by a licensed home inspector

[Redacted Signature]

PROSPECTIVE BUYER

DATE

[Redacted Signature]

PROSPECTIVE BUYER

DATE

**ACKNOWLEDGMENT OF REAL ESTATE BROKER/BROKER-SALESPERSON/SALESPERSON**

The undersigned Seller's real estate broker/broker-salesperson/ salesperson acknowledges receipt of the Property Disclosure Statement form and that the information contained in the form was provided by the Seller.

The Seller's real estate broker/broker-salesperson/salesperson also confirms that he or she visually inspected the property with reasonable diligence to ascertain the accuracy of the information disclosed by the seller, prior to providing a copy of the property disclosure statement to the buyer.

The Prospective Buyer's real estate broker/broker-salesperson/ salesperson also acknowledges receipt of the Property Disclosure Statement form for the purpose of providing it to the Prospective Buyer.

[Redacted Signature]

PROSPECTIVE BUYER'S REAL ESTATE  
BROKER / BROKER - SALESPERSON /  
SALESPERSON

DATE

[Redacted Signature]

SELLER'S REAL ESTATE BROKER/  
BROKER-SALESPERSON/SALESPERSON

DATE