

INFORMATION ABOUT THE PROPERTY DISCLOSURE STATEMENT RESIDENTIAL

If this disclosure statement is being used for bare land strata, use the Property Disclosure Statement – Strata Properties along with this form.

THIS INFORMATION IS INCLUDED FOR THE ASSISTANCE OF THE PARTIES ONLY. IT DOES NOT FORM PART OF THE PROPERTY DISCLOSURE STATEMENT.

EFFECT OF THE PROPERTY DISCLOSURE STATEMENT:

The property disclosure statement will not form part of the Contract of Purchase and Sale unless so agreed by the buyer and the seller. This can be accomplished by inserting the following wording in the Contract of Purchase and Sale:

“The attached Property Disclosure Statement dated
October 30 yr. 2019 is incorporated into
and forms part of this contract.”

ANSWERS MUST BE COMPLETE AND ACCURATE:

The property disclosure statement is designed, in part, to protect the seller by establishing that all relevant information concerning the premises has been provided to the buyer. It is important that the seller not answer “do not know” or “does not apply” if, in fact, the seller knows the answer. An answer must provide all relevant information known to the seller. In deciding what requires disclosure, the seller should consider whether the seller would want the information if the seller was a potential buyer of the premises.

BUYER MUST STILL MAKE THE BUYER’S OWN INQUIRIES:

The buyer must still make the buyer’s own inquiries after receiving the property disclosure statement. Each question and answer must be considered, keeping in mind that the seller’s knowledge of the premises may be incomplete. Additional information can be requested from the seller or from an independent source such as the Municipality or Regional District. The buyer can hire an independent, licensed inspector to examine the premises and/or improvements to determine whether defects exist and to provide an estimate of the cost of repairing problems that have been identified on the property disclosure statement or on an inspection report.

FOUR IMPORTANT CONSIDERATIONS:

1. The seller is legally responsible for the accuracy of the information which appears on the property disclosure statement. Not only must the answers be correct, but they must be complete. The buyer will rely on this information when the buyer contracts to purchase the premises. Even if the property disclosure statement is not incorporated into the Contract of Purchase and Sale, the seller will still be responsible for the accuracy of the information on the property disclosure statement if it caused the buyer to agree to buy the property.
2. The buyer must still make the buyer’s own inquiries concerning the premises in addition to reviewing a property disclosure statement, recognizing that, in some cases, it may not be possible to claim against the seller, if the seller cannot be found or is insolvent.
3. Anyone who is assisting the seller to complete a property disclosure statement should take care to see that the seller understands each question and that the seller’s answer is complete. It is recommended that the seller complete the property disclosure statement in the seller’s own writing to avoid any misunderstanding.
4. If any party to the transaction does not understand the English language, consider obtaining competent translation assistance to avoid any misunderstanding.

PROPERTY DISCLOSURE STATEMENT RESIDENTIAL



Date of disclosure: October 30, 2019

The following is a statement made by the seller concerning the premises or bare-land strata lot located at:

ADDRESS/BARE-LAND STRATA LOT #: 2820 Graham Victoria V8T 3Z4 (the "Premises")

THE SELLER IS RESPONSIBLE for the accuracy of the answers on this property disclosure statement and where uncertain should reply "Do Not Know." This property disclosure statement constitutes a representation under any Contract of Purchase and Sale if so agreed, in writing, by the seller and the buyer.	THE SELLER SHOULD INITIAL THE APPROPRIATE REPLIES.			
1. LAND	YES	NO	DO NOT KNOW	DOES NOT APPLY
A. Are you aware of any encroachments, unregistered easements or unregistered rights-of-way?		<input checked="" type="checkbox"/>		
B. Are you aware of any existing tenancies, written or oral?		<input checked="" type="checkbox"/>		
C. Are you aware of any past or present underground oil storage tank(s) on the Premises?		<input checked="" type="checkbox"/>		
D. Is there a survey certificate available?		<input checked="" type="checkbox"/>		
E. Are you aware of any current or pending local improvement levies/charges?		<input checked="" type="checkbox"/>		
F. Have you received any other notice or claim affecting the Premises from any person or public body?		<input checked="" type="checkbox"/>		
2. SERVICES				
A. Indicate the water system(s) the Premises use: Municipal <input checked="" type="checkbox"/> Community <input type="checkbox"/> Private <input type="checkbox"/> Well <input type="checkbox"/> Not Connected <input type="checkbox"/> Other _____				
B. Are you aware of any problems with the water system?		<input checked="" type="checkbox"/>		
C. Are records available regarding the quantity of the water available?				<input checked="" type="checkbox"/>
D. Indicate the sanitary sewer system the Premises are connected to: Municipal <input checked="" type="checkbox"/> Community <input type="checkbox"/> Septic <input type="checkbox"/> Lagoon <input type="checkbox"/> Not Connected <input type="checkbox"/> Other _____				
E. Are you aware of any problems with the sanitary sewer system?		<input checked="" type="checkbox"/>		
F. Are there any current service contracts; (i.e., septic removal or maintenance)?		<input checked="" type="checkbox"/>		
G. If the system is septic or lagoon and installed after May 31, 2005, are maintenance records available?				<input checked="" type="checkbox"/>
3. BUILDING				
A. To the best of your knowledge, are the exterior walls insulated?		<input checked="" type="checkbox"/>		
B. To the best of your knowledge, is the ceiling insulated?		<input checked="" type="checkbox"/>		
C. To the best of your knowledge, have the Premises ever contained any asbestos products?			<input checked="" type="checkbox"/>	
D. Has a final building inspection been approved or a final occupancy permit been obtained?			<input checked="" type="checkbox"/>	
E. Has the fireplace, fireplace insert, or wood stove installation been approved i.) by local authorities? <input type="checkbox"/> ii.) received WETT certificate? <input type="checkbox"/>		<input checked="" type="checkbox"/>		
F. Are you aware of any infestation or unrepaired damage by insects or rodents?		<input checked="" type="checkbox"/>		
G. Are you aware of any structural problems with any of the buildings?		<input checked="" type="checkbox"/>		
H. Are you aware of any additions or alterations made in the last sixty days?		<input checked="" type="checkbox"/>		
I. Are you aware of any additions or alterations made without a required permit and final inspection; e.g., building, electrical, gas, etc.?		<input checked="" type="checkbox"/>		

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October 30, 2019

DATE OF DISCLOSURE

ADDRESS/BARE-LAND STRATA LOT #: 2820 Graham

Victoria

V8T 3Z4

3. BUILDING (continued):	YES	NO	DO NOT KNOW	DOES NOT APPLY
J. Are you aware of any problems with the heating and/or central air conditioning system?		<input checked="" type="checkbox"/>		
K. Are you aware of any moisture and/or water problems in the walls, basement or crawl space?	<input checked="" type="checkbox"/>			
L. Are you aware of any damage due to wind, fire or water?				
M. Are you aware of any roof leakage or unrepaired roof damage? (Age of roof if known: <u>5</u> years)		<input checked="" type="checkbox"/>		
N. Are you aware of any problems with the electrical or gas system?		<input checked="" type="checkbox"/>		
O. Are you aware of any problems with the plumbing system? <i>see note</i>		<input checked="" type="checkbox"/>		
P. Are you aware of any problems with the swimming pool and/or hot tub?				<input checked="" type="checkbox"/>
Q. Do the Premises contain unauthorized accommodation?		<input checked="" type="checkbox"/>		
R. Are there any equipment leases or service contracts; e.g., security systems, water purification, etc?		<input checked="" type="checkbox"/>		
S. Were these Premises constructed by an "owner builder," as defined in the <i>Homeowner Protection Act</i> , within the last 10 years? (If so, attach required Owner Builder Disclosure Notice.)		<input checked="" type="checkbox"/>		
T. Are these Premises covered by home warranty insurance under the <i>Homeowner Protection Act</i> ? (Please visit BC Housing's New Home Registry for confirmation on home warranty insurance - https://lms.bchousing.org/LIMSPortal/registry/Newhomes/)		<input checked="" type="checkbox"/>		
U. Is there a current "EnerGuide for Houses" rating number available for these premises? i) If yes, what is the rating number? _____ ii) When was the energy assessment report prepared? _____		<input checked="" type="checkbox"/>		
4. GENERAL				
A. Are you aware if the Premises has been used to grow marijuana (other than as permitted by law) or to manufacture illegal substances?		<input checked="" type="checkbox"/>		
B. Are you aware of any material latent defect as defined in Real Estate Council of British Columbia Rule 5-13(1)(a)(i) or Rule 5-13(1)(a)(ii) in respect of the Premises?	<input checked="" type="checkbox"/>			
C. Are you aware if the property, of any portion of the property, is designated or proposed for designation as a "heritage site" or of "heritage value" under the <i>Heritage Conservation Act</i> or under municipal legislation?		<input checked="" type="checkbox"/>		

For the purposes of Clause 4.B. of this form, Council Rule 5-13(1)(a)(i) and (ii) is set out below.

5-13 Disclosure of latent defects

(1) For the purposes of this section:

Material latent defect means a material defect that cannot be discerned through a reasonable inspection of the property, including any of the following:

- (a) a defect that renders the real estate
 - (i) dangerous or potentially dangerous to the occupants
 - (ii) unfit for habitation

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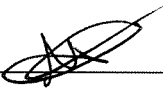
5. ADDITIONAL COMMENTS AND/OR EXPLANATIONS (Use additional pages if necessary.)

3.0. The main water line into the home has been repaired twice. No leaks known at this time.

3.K. unfinished basement floods during very heavy rains. See attached Latent defect form

The seller states that the information provided is true, based on the seller's current actual knowledge as of the date on page 1. Any important changes to this information made known to the seller will be disclosed by the seller to the buyer prior to closing. The seller acknowledges receipt of a copy of this property disclosure statement and agrees that a copy may be given to a prospective buyer.

PLEASE READ THE INFORMATION PAGE BEFORE SIGNING.

SELLER(S)  _____
Guinevere Malaya Howes

SELLER(S) _____
David John Howes

The buyer acknowledges that the buyer has received, read and understood a signed copy of this property disclosure statement from the seller or the seller's brokerage on the _____ day of _____ yr. _____.

The prudent buyer will use this property disclosure statement as the starting point for the buyer's own inquiries. **The buyer is urged to carefully inspect the Premises and, if desired, to have the Premises inspected by a licensed inspection service of the buyer's choice.**

BUYER(S) _____

BUYER(S) _____

The seller and the buyer understand that neither the listing nor selling brokerages or their managing brokers, associate brokers or representatives warrant or guarantee the information provided about the Premises.

*PREC represents Personal Real Estate Corporation

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Latent Defect Disclosure

For the property located at:

Address: 2820 Graham Street

Effective January 1, 2006, the Real Estate Council Rules require a licensee who represents a Seller to disclose, in writing, any known material latent defects, separate from all other documents including the Property Condition Disclosure document and PRIOR to any Offer being presented.

A material latent defect is defined as a defect that cannot be discovered through a reasonable property inspection, including:

1. A defect that renders the real estate dangerous or potentially dangerous to the occupants.
2. Unfit for habitation or unfit for the purpose it is being acquired.
3. A defect that would involve great expense to remedy.
4. A circumstance whereby a local authority / municipality has given notice that it should be remedied.
5. A lack of appropriate municipal / local authority building or other permits where the work was performed by the current owner or where the current owner should reasonably be aware.

Any past problems that have been remedied and/or Latent Defects that I am aware of are as follows:

1. The basement floods during very heavy rains
2. The main water line into the home has
been repaired twice. No current leaks that
I am aware of.

Date: October 30, 2019.

Listing Realtor: Guinevere Hawes
Print Name

Signature

Buyer: _____
Print Name

Signature