

**SELLER'S PROPERTY DISCLOSURE STATEMENT**

**SPD**

This form recommended and approved for, but not restricted to use by, the members of the Pennsylvania Association of Realtors® (PAR).

PROPERTY 118 Swissdale Road, Bernville, PA 19506  
SELLER The Estate of Gerald K. Noecker

**INFORMATION REGARDING THE REAL ESTATE SELLER DISCLOSURE LAW**

The Real Estate Seller Disclosure Law (68 P.S. §7301, et seq.) requires that before an agreement of sale is signed, the seller in a residential real estate transfer must disclose all known material defects about the property being sold that are not readily observable. A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsystem is at or beyond the end of its normal useful life is not by itself a material defect.

This property disclosure statement ("Statement") includes disclosures beyond the basic requirements of the Law and is designed to assist Seller in complying with disclosure requirements and to assist Buyer in evaluating the property being considered. Sellers who wish to see or use the basic disclosure form can find the form on the website of the Pennsylvania State Real Estate Commission. Neither this Statement nor the basic disclosure form limits Seller's obligation to disclose a material defect.

This Statement discloses Seller's knowledge of the condition of the Property as of the date signed by Seller and is not a substitute for any inspections or warranties that Buyer may wish to obtain. This Statement is not a warranty of any kind by Seller or a warranty or representation by any listing real estate broker, any selling real estate broker, or their licensees. Buyer is encouraged to address concerns about the condition of the Property that may not be included in this Statement.

The Law provides exceptions (listed below) where a property disclosure statement does not have to be completed. All other sellers are obligated to complete a property disclosure statement, even if they do not occupy or have never occupied the Property.

1. Transfers by a fiduciary during the administration of a decedent estate, guardianship, conservatorship or trust.
2. Transfers as a result of a court order.
3. Transfers to a mortgage lender that results from a buyer's default and subsequent foreclosure sales that result from default.
4. Transfers from a co-owner to one or more other co-owners.
5. Transfers made to a spouse or direct descendant.
6. Transfers between spouses as a result of divorce, legal separation or property settlement.
7. Transfers by a corporation, partnership or other association to its shareholders, partners or other equity owners as part of a plan of liquidation.
8. Transfers of a property to be demolished or converted to non-residential use.
9. Transfers of unimproved real property.
10. Transfers of new construction that has never been occupied and:
  - a. The buyer has received a one-year warranty covering the construction;
  - b. The building has been inspected for compliance with the applicable building code or, if none, a nationally recognized model building code; and
  - c. A certificate of occupancy or a certificate of code compliance has been issued for the dwelling.

**COMMON LAW DUTY TO DISCLOSE**

Although the provisions of the Real Estate Seller Disclosure Law exclude some transfers from the requirement of completing a disclosure statement, the Law does not excuse the seller's common law duty to disclose any known material defect(s) of the Property in order to avoid fraud, misrepresentation or deceit in the transaction. **This duty continues until the date of settlement.**

**EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK**

According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required to fill out a Seller's Property Disclosure Statement. **The executor, administrator or trustee, must, however, disclose any known material defect(s) of the Property.**

\_\_\_\_\_ DATE \_\_\_\_\_

Seller's Initials \_\_\_\_\_ Date \_\_\_\_\_

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Buyer's Initials \_\_\_\_\_ Date \_\_\_\_\_





Check yes, no, unknown (unk) or not applicable (N/A) for each question. Be sure to check N/A when a question does not apply to the Property. Check unknown when the question does apply to the Property but you are not sure of the answer. All questions must be answered.

Explain any "yes" answers in Section 4. Include the location and extent of any problem(s) and any repair or remediation efforts, the name of the person or company who did the repairs and the date they were done: \_\_\_\_\_

**5. BASEMENTS AND CRAWL SPACES**

**(A) Sump Pump**

- Does the Property have a sump pit? If "yes," how many? \_\_\_\_\_
- Does the Property have a sump pump? If "yes," how many? \_\_\_\_\_
- If it has a sump pump, has it ever run?
- If it has a sump pump, is the sump pump in working order?

**(B) Water Infiltration**

- Are you aware of any past or present water leakage, accumulation, or dampness within the basement or crawl space?
- Do you know of any repairs or other attempts to control any water or dampness problem in the basement or crawl space?
- Are the downspouts or gutters connected to a public sewer system?

	Yes	No	Unk	N/A
5.1		✓		
5.2		✓		
5.3		✓		
5.4				
5.5				
5.6				
5.7		✓		
5.8		✓		
5.9		✓		

Explain any "yes" answers in Section 5. Include the location and extent of any problem(s) and any repair or remediation efforts, the name of the person or company who did the repairs and the date they were done: \_\_\_\_\_

**6. TERMITES/WOOD-DESTROYING INSECTS, DRYROT, PESTS**

**(A) Status**

- Are you aware of past or present dryrot, termites/wood-destroying insects or other pests on the Property?
- Are you aware of any damage caused by dryrot, termites/wood-destroying insects or other pests?

**(B) Treatment**

- Is the Property currently under contract by a licensed pest control company?
- Are you aware of any termite/pest control reports or treatments for the Property?

	Yes	No	Unk	N/A
6.1		✓		
6.2		✓		
6.3				
6.4		✓		
6.5		✓		

Explain any "yes" answers in Section 6. Include the name of any service/treatment provider, if applicable: \_\_\_\_\_

**7. STRUCTURAL ITEMS**

- Are you aware of any past or present movement, shifting, deterioration, or other problems with walls, foundations or other structural components?
- Are you aware of any past or present problems with driveways, walkways, patios or retaining walls on the Property?
- Are you aware of any past or present water infiltration in the house or other structures, other than the roof(s), basement or crawl space(s)?
- Stucco and Exterior Synthetic Finishing Systems**
  - Is any part of the Property constructed with stucco or an Exterior Insulating Finishing System (EIFS) such as Dryvit or synthetic stucco, synthetic brick or synthetic stone?
  - If "yes," indicate type(s) and location(s) \_\_\_\_\_
  - If "yes," provide date(s) installed \_\_\_\_\_
- Are you aware of any fire, storm/weather-related, water, hail or ice damage to the Property?
- Are you aware of any defects (including stains) in flooring or floor coverings?

	Yes	No	Unk	N/A
7.1		✓		
7.2		✓		
7.3		✓		
7.4				
7.5		✓		
7.6				
7.7		✓		
7.8		✓		

Explain any "yes" answers in Section 7. Include the location and extent of any problem(s) and any repair or remediation efforts, the name of the person or company who did the repairs and the date the work was done: \_\_\_\_\_

**8. ADDITIONS/ALTERATIONS**

- Have any additions, structural changes or other alterations (including remodeling) been made to the Property during your ownership? Itemize and date all additions/alterations below.

	Yes	No	Unk	N/A
8.1	✓			

Addition, structural change or alteration (continued on following page)	Approximate date of work	Were permits obtained? (Yes/No/Unk/NA)	Final inspections/ approvals obtained? (Yes/No/Unk/NA)
closed in porch	2013	yes	<del>no</del> yes







Check yes, no, unknown (unk) or not applicable (N/A) for each question. Be sure to check N/A when a question does not apply to the Property. Check unknown when the question does apply to the Property but you are not sure of the answer. All questions must be answered.

	Yes	No	Unk	N/A
8. Pellet stove(s) How many and location? _____		<input checked="" type="checkbox"/>		
9. Wood stove(s) How many and location? _____		<input checked="" type="checkbox"/>		
10. Coal stove(s) How many and location? _____		<input checked="" type="checkbox"/>		
11. Wall-mounted split system(s) How many and location? _____		<input checked="" type="checkbox"/>		
12. Other: _____				
13. If multiple systems, provide locations _____				
<b>(C) Status</b>				
1. Are there any areas of the house that are not heated? If "yes," explain: _____		<input checked="" type="checkbox"/>		
2. How many heating zones are in the Property? _____				
3. When was each heating system(s) or zone installed? _____				
4. When was the heating system(s) last serviced? _____				
5. Is there an additional and/or backup heating system? If "yes," explain: _____				
6. Is any part of the heating system subject to a lease, financing or other agreement? If "yes," explain: _____				
<b>(D) Fireplaces and Chimneys</b>				
1. Are there any fireplaces? How many? <u>1</u>	<input checked="" type="checkbox"/>			
2. Are all fireplaces working?	<input checked="" type="checkbox"/>			
3. Fireplace types (wood, gas, electric, etc.): <u>gas</u>				
4. Was the fireplace(s) installed by a professional contractor or manufacturer's representative?	<input checked="" type="checkbox"/>			
5. Are there any chimneys (from a fireplace, water heater or any other heating system)?	<input checked="" type="checkbox"/>			
6. How many chimneys? <u>1</u>				
7. When were they last cleaned? _____				
8. Are the chimneys working? If "no," explain: _____				
<b>(E) Fuel Tanks</b>				
1. Are you aware of any heating fuel tank(s) on the Property? <u>100 gal. propane tank</u>				
2. Location(s), including underground tank(s): _____				
3. If you do not own the tank(s), explain: _____				
<b>(F) Are you aware of any problems or repairs needed regarding any item in Section 13? If "yes," explain: _____</b>				
<b>14. AIR CONDITIONING SYSTEM</b>				
<b>(A) Type(s). Is the air conditioning (check all that apply):</b>				
1. Central air <input checked="" type="checkbox"/>				
a. How many air conditioning zones are in the Property? _____				
b. When was each system or zone installed? _____				
c. When was each system last serviced? _____				
2. Wall units <input checked="" type="checkbox"/>				
How many and the location? _____				
3. Window units <input checked="" type="checkbox"/>				
How many? _____				
4. Wall-mounted split units				
How many and the location? _____				
5. Other _____				
6. None				
<b>(B) Are there any areas of the house that are not air conditioned? If "yes," explain: _____</b>				
<b>(C) Are you aware of any problems with any item in Section 14? If "yes," explain: _____</b>				

391 **Check yes, no, unknown (unk) or not applicable (N/A) for each question.** Be sure to check N/A when a question does not apply to the  
 392 Property. Check unknown when the question does apply to the Property but you are not sure of the answer. All questions must be answered.

393 **15. ELECTRICAL SYSTEM**

- 394 (A) Type(s)
- 395 1. Does the electrical system have fuses?
- 396 2. Does the electrical system have circuit breakers?
- 397 3. Is the electrical system solar powered?
- 398 a. If "yes," is it entirely or partially solar powered? \_\_\_\_\_
- 399 b. If "yes," is any part of the system subject to a lease, financing or other agreement? If "yes,"  
 400 explain: \_\_\_\_\_
- 401 (B) What is the system amperage? \_\_\_\_\_
- 402 (C) Are you aware of any knob and tube wiring in the Property?
- 403 (D) Are you aware of any problems or repairs needed in the electrical system? If "yes," explain: \_\_\_\_\_
- 404 \_\_\_\_\_

	Yes	No	Unk	N/A
A1				
A2				
A3		✓		
3a				
3b				
B				
C				
D				

405 **16. OTHER EQUIPMENT AND APPLIANCES**

406 (A) **THIS SECTION IS INTENDED TO IDENTIFY PROBLEMS OR REPAIRS** and must be completed for each item that  
 407 will, or may, be included with the Property. The terms of the Agreement of Sale negotiated between Buyer and Seller will deter-  
 408 mine which items, if any, are included in the purchase of the Property. **THE FACT THAT AN ITEM IS LISTED DOES NOT**  
 409 **MEAN IT IS INCLUDED IN THE AGREEMENT OF SALE.**

410 (B) Are you aware of any problems or repairs needed to any of the following:

Item	Yes	No	N/A	Item	Yes	No	N/A
A/C window units			✓	Pool/spa heater			✓
Attic fan(s)			✓	Range/oven		✓	
Awnings			✓	Refrigerator(s)		✓	
Carbon monoxide detectors			✓	Satellite dish			✓
Ceiling fans		✓		Security alarm system			✓
Deck(s)			✓	Smoke detectors		✓	
Dishwasher		✓		Sprinkler automatic timer			✓
Dryer		✓		Stand-alone freezer			✓
Electric animal fence			✓	Storage shed		✓	
Electric garage door opener		✓		Trash compactor			✓
Garage transmitters			✓	Washer		✓	
Garbage disposal			✓	Whirlpool/tub			✓
In-ground lawn sprinklers			✓	Other:			
Intercom			✓	1.			
Interior fire sprinklers			✓	2.			
Keyless entry			✓	3.			
Microwave oven		✓		4.			
Pool/spa accessories			✓	5.			
Pool/spa cover			✓	6.			

431 (C) Explain any "yes" answers in Section 16: \_\_\_\_\_

432 \_\_\_\_\_

433 **17. POOLS, SPAS AND HOT TUBS**

- 434 (A) Is there a swimming pool on the Property? If "yes,"
- 435 1. Above-ground or in-ground? \_\_\_\_\_
- 436 2. Saltwater or chlorine? \_\_\_\_\_
- 437 3. If heated, what is the heat source? \_\_\_\_\_
- 438 4. Vinyl-lined, fiberglass or concrete-lined? \_\_\_\_\_
- 439 5. What is the depth of the swimming pool? \_\_\_\_\_
- 440 6. Are you aware of any problems with the swimming pool?
- 441 7. Are you aware of any problems with any of the swimming pool equipment (cover, filter, ladder,  
 442 lighting, pump, etc.)?
- 443 (B) Is there a spa or hot tub on the Property?
- 444 1. Are you aware of any problems with the spa or hot tub?
- 445 2. Are you aware of any problems with any of the spa or hot tub equipment (steps, lighting, jets,  
 446 cover, etc.)?

	Yes	No	Unk	N/A
A		✓		
A1				
A2				
A3				
A4				
A5				
A6				
A7				
B		✓		
B1				
B2				

447 (C) Explain any problems in Section 17: \_\_\_\_\_

448 \_\_\_\_\_

Check yes, no, unknown (unk) or not applicable (N/A) for each question. Be sure to check N/A when a question does not apply to the Property. Check unknown when the question does apply to the Property but you are not sure of the answer. All questions must be answered.

**18. WINDOWS**

- (A) Have any windows or skylights been replaced during your ownership of the Property?
- (B) Are you aware of any problems with the windows or skylights?

Explain any "yes" answers in Section 18. Include the location and extent of any problem(s) and any repair, replacement or remediation efforts, the name of the person or company who did the repairs and the date the work was done: \_\_\_\_\_

Yes	No	Unk	N/A
	✓		
	✓		

**19. LAND/SOILS**

**(A) Property**

1. Are you aware of any fill or expansive soil on the Property?
2. Are you aware of any sliding, settling, earth movement, upheaval, subsidence, sinkholes or earth stability problems that have occurred on or affect the Property?
3. Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the Property?
4. Have you received written notice of sewage sludge being spread on an adjacent property?
5. Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations on the Property?

*Note to Buyer: The Property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence damage may occur and further information on mine subsidence insurance are available through Department of Environmental Protection Mine Subsidence Insurance Fund, (800) 922-1678 or ra-epmsi@pa.gov.*

**(B) Preferential Assessment and Development Rights**

Is the Property, or a portion of it, preferentially assessed for tax purposes, or subject to limited development rights under the:

1. Farmland and Forest Land Assessment Act - 72 P.S. §5490.1, et seq. (Clean and Green Program)
2. Open Space Act - 16 P.S. §11941, et seq.
3. Agricultural Area Security Law - 3 P.S. §901, et seq. (Development Rights)
4. Any other law/program: \_\_\_\_\_

*Note to Buyer: Pennsylvania has enacted the Right to Farm Act (3 P.S. § 951-957) in an effort to limit the circumstances under which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any agricultural operations covered by the Act operate in the vicinity of the Property.*

**(C) Property Rights**

Are you aware of the transfer, sale and/or lease of any of the following property rights (by you or a previous owner of the Property):

1. Timber
2. Coal
3. Oil
4. Natural gas
5. Mineral or other rights (such as farming rights, hunting rights, quarrying rights) Explain: \_\_\_\_\_

*Note to Buyer: Before entering into an agreement of sale, Buyer can investigate the status of these rights by, among other means, engaging legal counsel, obtaining a title examination of unlimited years and searching the official records in the county Office of the Recorder of Deeds, and elsewhere. Buyer is also advised to investigate the terms of any existing leases, as Buyer may be subject to terms of those leases.*

Explain any "yes" answers in Section 19: \_\_\_\_\_

Yes	No	Unk	N/A
	✓		
	✓		
	✓		
	✓		
	✓		

Yes	No	Unk	N/A
	✓		

Yes	No	Unk	N/A
	✓		
	✓		
	✓		
	✓		
	✓		

**20. FLOODING, DRAINAGE AND BOUNDARIES**

**(A) Flooding/Drainage**

1. Is any part of this Property located in a wetlands area?
2. Is the Property, or any part of it, designated a Special Flood Hazard Area (SFHA)?
3. Do you maintain flood insurance on this Property?
4. Are you aware of any past or present drainage or flooding problems affecting the Property?
5. Are you aware of any drainage or flooding mitigation on the Property?
6. Are you aware of the presence on the Property of any man-made feature that temporarily or permanently conveys or manages storm water, including any basin, pond, ditch, drain, swale, culvert, pipe or other feature?
7. If "yes," are you responsible for maintaining or repairing that feature which conveys or manages storm water for the Property?

Yes	No	Unk	N/A
	✓		
	✓		
	✓		
	✓		
	✓		
	✓		
	✓		



Check yes, no, unknown (unk) or not applicable (N/A) for each question. Be sure to check N/A when a question does not apply to the Property. Check unknown when the question does apply to the Property but you are not sure of the answer. All questions must be answered.

3. Are you aware of any reason, including a defect in title or contractual obligation such as an option or right of first refusal, that would prevent you from giving a warranty deed or conveying title to the Property?

	Yes	No	Unk	N/A
A3		✓		
B1		✓		
B2		✓		
B3		✓		
C1		✓		
C2		✓		
D1		✓		

(B) Financial

1. Are you aware of any public improvement, condominium or homeowner association assessments against the Property that remain unpaid or of any violations of zoning, housing, building, safety or fire ordinances or other use restriction ordinances that remain uncorrected?
2. Are you aware of any mortgages, judgments, encumbrances, liens, overdue payments on a support obligation, or other debts against this Property or Seller that cannot be satisfied by the proceeds of this sale?
3. Are you aware of any insurance claims filed relating to the Property during your ownership?

(C) Legal

1. Are you aware of any violations of federal, state, or local laws or regulations relating to this Property?
2. Are you aware of any existing or threatened legal action affecting the Property?

(D) Additional Material Defects

1. Are you aware of any material defects to the Property, dwelling, or fixtures which are not disclosed elsewhere on this form?

*Note to Buyer: A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsystem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by itself a material defect.*

2. After completing this form, if Seller becomes aware of additional information about the Property, including through inspection reports from a buyer, the Seller must update the Seller's Property Disclosure Statement and/or attach the inspection report(s). These inspection reports are for informational purposes only.

Explain any "yes" answers in Section 22: \_\_\_\_\_

23. ATTACHMENTS

(A) The following are part of this Disclosure if checked:

- Seller's Property Disclosure Statement Addendum (PAR Form SDA)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the property and to other real estate licensees. SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED IN THIS STATEMENT. If any information supplied on this form becomes inaccurate following completion of this form, Seller shall notify Buyer in writing.

SELLER Henry Moecker Ex DATE 2-15-24  
 SELLER Marilyn Degler EX DATE 2-15-24  
 SELLER Lois Huber EX DATE 2-15-24  
 SELLER \_\_\_\_\_ DATE \_\_\_\_\_  
 SELLER \_\_\_\_\_ DATE \_\_\_\_\_  
 SELLER \_\_\_\_\_ DATE \_\_\_\_\_

RECEIPT AND ACKNOWLEDGEMENT BY BUYER

The undersigned Buyer acknowledges receipt of this Statement. Buyer acknowledges that this Statement is not a warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components.

BUYER \_\_\_\_\_ DATE \_\_\_\_\_  
 BUYER \_\_\_\_\_ DATE \_\_\_\_\_  
 BUYER \_\_\_\_\_ DATE \_\_\_\_\_