# MISSISSIPPI REAL ESTATE COMMISSION

# **Property Condition Disclosure Statement (PCDS)**

The following is a Property Condition Disclosure Statement (PCDS) required by §89-1-501 through §89-1-527 of the Mississippi Code, made by the SELLER(S) concerning the condition of the RESIDENTIAL PROPERTY (1 TO 4 UNITS) located at:

Mississippi Code, made by the SELLER(S) concerning the condition of the RESIDENTIAL PROPERTY	(1 TO 4 UNITS) located at
ADDRESS: 20 Nace Road, Kokomo, Ms 39643	
SELLER(S): David Yoder	Year Built: 2013
Note to Buyer: If the structure was built before 1978, you are encouraged to investigate the possible pro	esence of lead-based paint
IS A PCDS NECESSARY? – NO OCCUPANCY AND NO KNO	WLEDGE
Instructions to Seller(s): If no seller has occupied (lived in) the property, AND no seller has any knowledge	of the property's condition,
mark the two boxes below, sign in attestation of the truth of these representations, and leave the remainder of t	he PCDS blank.
$oxed{X}$ No Seller has occupied the property, $oxed{AND}$ $oxed{oxed}$ no Seller has any knowledge of the property	y's condition.
—— Docusigned by	10/29/2024
Davil Yolur Signature(s) of Seller(s)	Date
David Yoder	Dato
IS A PCDS NECESSARY? – STATUTORY EXCLUSIO	NS
The Property Condition Disclosure statutes require the seller of residential real property to cause a PCI delivered to a buyer prior to the signing by the buyer of an offer to purchase or a binding contract of sal statutory exclusion to the contrary for the seller. The following is a "summary" of those transfers which are the requirement to provide a fully completed PCDS. A more thorough explanation is provided in §89-Code. (Check all that apply, sign in attestation of the truth of this representation, and leave the remainder of	e unless there is a specific EXCLUDED (in part) from 11-501(2) of the Mississipp
Transfers pursuant to a court order, to include the following:  Transfer by order of a probate court in the administration of an estate.  Transfer pursuant to a writ of execution.  Transfer by any foreclosure sale.  Transfer by a Trustee in Bankruptcy.  Transfer by an eminent domain proceeding.  Transfer from a decree for specific performance.  Transfer by a fiduciary in the administration of an estate, guardianship, conservatorship or trust.	
Transfers by a Mortgagor who is in default to the Mortgagee, to include the following:  Transfer to a beneficiary of a deed of trust.  Transfer by a foreclosure sale after default on a mortgage.  Transfer by a mortgagee or a beneficiary following a foreclosure.  Transfer by a deed in lieu of foreclosure.	
Other Transfers to include the following:  Transfer of real property on which no dwelling is located.  Transfer from one co-owner to one or more co-owners.  Transfer to a spouse (including due to divorce/separation), or to a person in the lineal line of constants.  Transfer to or from any governmental entity.	sanguinity.
— Occusigned by:	10/29/2024
Dovid Hoter Signature(s) of Seller(s)	Date
David Yoder	Date

#### **GENERAL INSTRUCTIONS**

This document is a disclosure of the condition of residential property known by the **SELLER** on the date this statement was completed, and it is based on the seller's actual knowledge of the property. It is **NOT a warranty of any kind** by the seller or any Real Estate Licensee participating in any capacity in this transaction and this PCDS is not a substitute for any inspection(s) or test(s). The buyer is encouraged to obtain their own independent professional inspections and environmental tests and is encouraged to check public records pertaining to the property. However, the buyer may rely on the information contained herein when deciding to negotiate the terms for the purchase of this residential real estate. This statement may be made available to other parties and is to be **signed and dated by the SELLER(S)**.

# Instructions to Seller(s):

- a. Complete this form yourself.
- b. Answer all questions based upon your actual (personal) knowledge of the residential property.
- c. Attach additional pages with your signature if additional space is required to describe the condition(s).
- d. If some items do not apply to your property, check "NA" (Not Applicable). If you do not know the answer to a question, you should check "UNK" (Unknown).

# Note to Seller(s):

A knowingly false or incomplete statement by the seller on this form may subject the seller to claims by the buyer prior to or after the transfer of title. In the event a seller fails to perform the statutory duty to deliver a PCDS prior to the signing by the buyer of an offer to purchase or a binding contract of sale, the buyer will be allowed (upon the subsequent receipt of a PCDS or material amendment thereto) to terminate the contract (including a full return of earnest money) by delivery of a written notice of termination within three (3) days after in-person delivery of a PCDS (or material amendment thereto), or within five (5) days after delivery by deposit in the mail of a PCDS (or material amendment thereto).

#### Note to Buyer(s):

If the seller does not give you a completed PCDS before you make a written offer to purchase the property (or sign a contract to purchase), you may terminate any resulting contract without penalty to you as the buyer (your earnest money will be fully returned). To terminate the contract, you must deliver to the seller or the seller's agent a written notice of termination within three (3) days of your in-person receipt of a PCDS (or material amendment thereto) from the seller (or within five (5) days of the seller's depositing a PCDS (or material amendment thereto) in the mail to you).

#### **SELLER'S STATEMENT OF PROPERTY'S CONDITION**

The seller makes the representations on this PCDS based upon the seller's actual (personal) knowledge of the property for delivery to a prospective buyer of the residence. The following are representations made by the seller and are not the representations of any real estate licensee involved in the transaction.

#### I. GENERAL INFORMATION

1.	Does the seller currently have ownership of the residence?		X.	Yes		No		Unk	_	NA
2.	Does the seller currently occupy the residence?			Yes	х	No	Ш	Unk		NA
3.	Are there certificates of occupancy related to the property?			Yes	х	No	Ш	Unk	_	NA
4.	Is the residence a condominium?			Yes	х	No	Ш	Unk		NA
5.	Is the residence a modular/mobile home on a permanent foundation?			Yes		No	х	Unk	_	NA
6.	Was the residence built in conformity to approved building codes?	2	х	Yes		No		Unk		NA
7.	What dates have the seller occupied the residence?	lone							_	
8.	What is the approximate square footage of the heated/cooled living area?		-		_					
9.	How or by whom was the heated/cooled square footage area determined?									S=1.65

cus	ign Envelope ID: E294 (727	-08 16-4247-66DA-C69 190F3F64 1	
		II. ROOF	
1.	Are you aware wheth	er all or any portion of the roof has been repaired or replaced?	X No Unk NA
	If Yes, please explain	here (attach additional pages if necessary).	
2.	To your knowledge, a roof? If Yes, please p	are there any written warranties presently in place for the rovide a copy.	X No Unk NA
3.	•	y current leaks or defects with the roof such as structural Yes backups, moisture issues, wind damage, or hail damage?	X No Unk NA
	If Yes, please explain	n here (attach additional pages if necessary).	
4.	The roof is	_ years old.	
		III. UTILITIES, INTERNET, AND TELEVISION SERVICES	
	Utilities	Service Provider (state NA if Not Applicable)	Average Monthly Bill
	Electricity		
	Natural Gas		
	Water		
	Garbage Collection		
	Propane		
	Solar Panels		
	(other)		
	If applicable, Propane	e Tank is:   Owned,  Leased. If leased, the fee is \$	per: Month 🗌 , Year 🔲 .
1	Is your drinking water	from a private well?	No X Unk NA
••			
	•	ter quality been tested for safety?	No Unk NA
	ır YES, piease atta	ch the Water Safety Report (if available).	
2.	The sewage system is	s: Public X Private Septic Cesspool Treatment	Lift Dother
	If an individual systen	n, provide:	
	Manufacturer Name:		
	Location on Property:		*
	Is a sewage pump ins		X No Unk NA
	If an individual evetan	n, has it been inspected by the proper state/county/	No Unk NA
	Health Department of	,	
	If an individual system	n, what is the date of the last servicing?	
	How many bedrooms	are allowed by the individual wastewater permit?	
3.	Is cable Television av	railable at the site?	X No Unk NA
	What type of internet	service is available at the site? DSL Cable Fiber Optic	Satellite x Unk NA

If internet service is currently available, who is the provider?\_\_\_

# IV. STRUCTURAL ITEMS & SOILS

1.	Are you aware of any settlement/heaving of soils, any collapsible or expansive soils or poorly compacted fill on the Property?	Yes	x No	Unk	NA
2.	Are you aware of any past or present movement, shifting, deterioration or other problems with the walls (interior or exterior) or the foundation of the Property?	Yes	x No	Unk	NA
3.	Are you aware of any tests to determine the composition/compaction of soil or the presence of any "expandable soils" being present on the Property?	Yes	x No	Unk	NA
4.	Are you aware of any foundation repairs made in the past?	Yes	x No	Unk	☐ NA
	a) If YES, is there a written report?	Yes	No	Unk	NA
	b) If YES, is there a warranty which can be transferred to the buyer?	Yes	☐ No	Unk	NA
5.	To your knowledge, are any foundation repairs currently needed?	Yes	X No	Unk	NA NA
6.	Except for "Cosmetic Upgrades" (carpet, paint, wallpaper) have you remodeled, made any additions, structural modifications, or other alterations or improvements to the property?	x Yes	No	Unk	NA
	a) If YES, please attach a detailed description of all work completed, the name completed the work and the completion date of the work.	of the bui	lding con	tractor wh	10
7.	Were all necessary work PERMITS and approvals secured in compliance with local, city and county building codes?	Yes	No	Unk	x NA
	If Yes, please explain here (attach additional pages if necessary).  2 permanent out buildings 1 is a pole building with fences for cattle  2 is for a dog kennel with onsite sewer Also 4 portable kennels with o	nsite se	wer		
8.	Are you aware if there has ever been damage to any portion of the (residence) structure.  Fire Yes X No Unk NA Windstorm Hail Yes X No Unk NA Tornados Hurricane Yes X No Unk NA Other Disas	☐ Ye	es 🗓 No	Unk	□ NA □ NA
	If Yes, please explain here (attach additional pages if necessary).			<del></del>	
9.	Are you aware of the presence of, or damage (repaired or unrepaired) caused by, termites or wood-destroying insects?	Yes	X No	Unk	NA
	If Yes, please explain here (attach additional pages if necessary).				
10.	.Are you aware of the presence of animals or animal infestations on the property and/or in the residence?	Yes	No	x Unk	NA
	If Yes, please explain here (attach additional pages if necessary).				

	intenance and upkeep during your o	wnership, are you aware	of any problems, malfunctions,			
Fireplace Windows Doors/Door Trim Ceiling Flooring Sinks/Wet Bar Shower Sauna Jetted Bathtubs Lighting Ceiling Fans Electrical Outlets Locks	Yes	Exterior Walls Chimney Skylights Rain Gutters Driveway Irrigation Sys French Drain Patio Outdoor Fireplace Outdoor Kitchen Soffit(s)/Fascia(s) Stucco/Dryvit Garage Door	Yes			
If Yes, please explain h	nere (attach additional pages if necessa need replacement due to breakage	ary).				
_	v. LAND AND survey of the Property available? a copy of the survey and indicate by all pages if necessary).		Yes No X Unk NA			
2. Are you aware of the existence of any of the following? Add additional distinct issues below, use a separate page if needed Property tax:						
	(					

3.	3. Are you aware if any portion of the Property (including a part of the site) is currently located in a FEMA Designated Flood Hazard Zone?  a) If Yes, what is the flood zone classification of the Flood Hazard Zone?	Yes x	No [	Unk	NA
4.	I. Has the residence ever been flooded by rising water from the outside?	Yes x	No [	Unk	NA
5.	5. Is flood insurance currently required?  a) If Yes, please indicate the premium currently being paid and the date that the premium was last adjusted.  Date Paid Date Last	Yes x	No [	Unk	NA
6.	6. Are you aware if any portion of the Property (Site) is currently designated as being located within a WETLANDS area and is subject to specific restrictive uses?	Yes	No [	x Unk	NA NA
7.	7. Are you aware of any occurrence of water penetration or damage (at any time, for any rewalls	☐ Yes ☐ Yes	X No X No X No	Unk Unk Unk	□ NA □ NA □ NA
8.	Are you aware of water penetration or damage FOR ANY REASON, because of:  Flooding	_	X No X No X No X No No No	Unk Unk Unk Unk Unk Unk	NA NA NA NA NA

# VI. BUILT-IN APPLIANCES, SYSTEMS AND MECHANICAL EQUIPMENT REMAINING WITH RESIDENCE

# Instructions to Seller(s):

- a) If an item listed below does not exist or will be uninstalled and removed from the residence before closing, CROSS THROUGH the name of the item using a line or "X," so that the list below will reflect the items remaining with the residence.
- b) If other distinct built-in appliances, systems, or mechanical equipment exist and will remain, add them in the blanks provided below or use a separate page.
- c) Indicate whether the item is powered by gas or electricity, and the age in years of the item (if age not known, indicate "Unknown").
- d) Where a "(#)" appears in the entries below, indicate, in the blank space provided immediately thereafter, how many of the item will remain with the property.

e) Indicate in the box provided after the list below if seller knows of a problem with one or more items appearing in the list.

ITEM	GAS/ELECTRIC	AGE
Built-In Cooktop		
Built-In Oven(s)		
Built-In Dishwasher		
Built-In Microwave		
Built-In Ice Maker		
Built-in Trash Compactor		
Built-in Range		
Built-In Refrigerator		

ITEM	GAS/ELECTRIC	AGE
Garbage Disposal		
Garage Door Opener(s) (#)_	Kennel only	
Central Air (#)		
Central Heat (#)		
Water Heaters (#)		
Tankless Heater (#)		
Ductless HVAC		

If seller knows of a problem with one or more items listed above, explain the problem here (attach additional pages if necessary). If no explanation(s) appear in this box or on an attached page, seller thereby indicates being unaware of any problems.

This List needs correction as I am not sure what is there without visiting or have someone check

#### VII. CERTIFICATION

**SELLER** certifies that the information in this Property Condition Disclosure Statement is true and complete to the seller's actual (personal) knowledge as of the date signed by the seller. If a seller of residential real property acquires knowledge which renders materially inaccurate a Property Condition Disclosure Statement provided previously, the seller shall deliver a revised Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, shall a seller be required to provide a revised Property Condition Disclosure Statement after the transfer of title from the seller to the buyer or occupancy by the buyer, whichever is earlier.

Date 10/29/2024
Date
s that this information is a statement of It is not a warranty of any kind by the aspections or testing of the property or
Date
Date
in this PCDS, including any amendments, e of the transaction's closing.
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# **Instructions: Supplemental Materials**

For your convenience, the following model forms are provided for possible use with the PCDS:

- 1. An "additional page," as referenced in the PCDS to be used for additional explanations, if necessary.
- 2. An "Amendment" to the PCDS if circumstances require seller to amend the original PCDS.

#### **PCDS**

# **Additional Explanation Page**

# Instructions to Seller(s):

The PCDS often presents boxes in which to provide explanatory details on various topics, including an instruction to "attach additional pages if necessary."

This page may be used as such an additional page. Seller should indicate in the main body of the PCDS that an additional page has been attached when such is needed.

To avoid confusion on what is being explained, identify the item for which additional explanation is being provided by providing Roman Numeral for the subject Section, and the Number for item in that Section being explained (for example, "IV. 8." would reference Section IV., "Structural Items and Soils," Item 8: (regarding damage from fire, hail, etc.)).

Write your explanation in the box below. More than one item may be discussed if space allows, or, use more pages.					
		k <sup>2</sup> <sub>2</sub>			

#### MISSISSIPPI REAL ESTATE COMMISSION

# Amendment to the Property Condition Disclosure Statement (PCDS)

# Instructions to Seller(s):

You may use this model form to Amend an existing PCDS by completing this Amendment form and attaching it to the front of the existing PCDS. Using the same process, multiple consecutive amendments may be made over time.

# Note to Buyer(s) and Seller(s):

Note that Amendment of a PCDS has the effect of <u>providing the PCDS for the first time</u>, in that relevant timelines and legal options available to the buyer begin anew upon the seller's providing an Amendment to an existing PCDS.

\_\_\_, hereby amend the attached Seller(s) [name(s)]David Yoder PCDS previously signed and dated by the seller(s) on [date] , by revising said PCDS as follows: SELLER'S CERTIFICATION Seller certifies that the information in this Property Condition Disclosure Statement (as amended) is true and complete to the seller's actual (personal) knowledge as of the date signed by the seller. If a seller of residential real property acquires knowledge which renders materially inaccurate a Property Condition Disclosure Statement provided previously, the seller shall deliver an amended Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, shall a seller be required to provide an amended Property Condition Disclosure Statement after the transfer of title from the seller to the buyer or occupancy by the buyer, whichever is earlier. Seller's Signature(s) Date \_\_\_\_ Date \_\_\_\_\_ **BUYER'S ACKNOWLEDGMENT** Buyer acknowledges receipt of a copy of this statement and buyer understands that this information is a statement of certain conditions and information concerning the property known to the seller. It is not a warranty of any kind by the seller and is not a substitute for any home, pest, hazardous waste, or other inspections or testing of the property or inspection(s) of the public records. Buyer's Signature(s) Date \_\_\_\_\_ Date