



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

**SELLER'S DISCLOSURE NOTICE**

CONCERNING PROPERTY AT: 6900 E Riverside Dr Unit 9, Austin, Texas 78741

THIS NOTICE IS A DISCLOSURE OF 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 THE PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller  is  is not occupying the Property. If unoccupied, how long since Seller has occupied the Property?

June 23, 2023

1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

<u>Y</u> Range	<u>Y</u> Oven	<u>Y</u> Microwave
<u>Y</u> Dishwasher	<u>N</u> Trash Compactor	<u>Y</u> Disposal
<u>Y</u> Washer/Dryer Hookups	<u>Y</u> Window Screens	<u>Y</u> Rain Gutters
<u>N</u> Security System	<u>N</u> Fire Detection Equipment	<u>N</u> Intercom System
	<u>Y</u> Smoke Detector	
	<u>N</u> Smoke Detector - Hearing Impaired	
	<u>Y</u> Carbon Monoxide Alarm	
	<u>N</u> Emergency Escape Ladder(s)	
<u>N</u> TV Antenna	<u>N</u> Cable TV Wiring	<u>N</u> Satellite Dish
<u>Y</u> Ceiling Fan(s)	<u>U</u> Attic Fan(s)	<u>Y</u> Exhaust Fan(s)
<u>Y</u> Central A/C	<u>Y</u> Central Heating	<u>N</u> Wall/Window Air Conditioning
<u>Y</u> Plumbing System	<u>N</u> Septic System	<u>Y</u> Public Sewer System
<u>Y</u> Patio/Decking	<u>N</u> Outdoor Grill	<u>Y</u> Fences
<u>N</u> Pool	<u>N</u> Sauna	<u>N</u> Spa <u>N</u> Hot Tub
<u>N</u> Pool Equipment	<u>N</u> Pool Heater	<u>Y</u> Automatic Lawn Sprinkler System
<u>Y</u> Fireplace(s) & Chimney (Wood burning)		<u>N</u> Fireplaces & Chimney (Mock)
<u>N</u> Natural Gas Lines		<u>N</u> Gas Fixtures
<u>N</u> Liquid Propane Gas	<u>N</u> LP Community (Captive)	<u>N</u> LP on Property
Garage: <u>N</u> Attached	<u>N</u> Not Attached	<u>N</u> Carport
Garage Door Opener(s):	<u>N</u> Electronic	<u>N</u> Control(s)
Water Heater:	<u>N</u> Gas	<u>Y</u> Electric
Water Supply: <u>Y</u> City	<u>N</u> Well	<u>N</u> Co-op
	<u>N</u> MUD	
Roof Type: Composite (Shingles)		Age: 14(approx.)

Are you (Seller) aware of any of the above items that are not in working condition, that have known defects, or that are in need of repair?  Yes  No  Unknown. If yes, then describe. (Attach additional sheets if necessary):



The roof is currently in working condition but is scheduled to have roof crickets and new flashings installed with upcoming assessments.

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code?\*  Yes  No  Unknown. If the answer to this question is no or unknown, explain (Attach additional sheets if necessary):

[Empty box for explanation]

\* Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information. A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing impaired and specifies the locations for the installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

3. Are you (Seller) aware of any known defects/malfunctions in any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

<u>  N  </u> Interior Walls	<u>  N  </u> Ceilings	<u>  N  </u> Floors
<u>  N  </u> Exterior Walls	<u>  Y  </u> Doors	<u>  Y  </u> Windows
<u>  Y  </u> Roof	<u>  N  </u> Foundation/Slab(s)	<u>  Y  </u> Sidewalks
<u>  Y  </u> Walls/Fences	<u>  N  </u> Driveways	<u>  N  </u> Intercom System
<u>  N  </u> Plumbing/Sewers/Septics	<u>  N  </u> Electrical Systems	<u>  N  </u> Lighting Fixtures
<u>  N  </u> Other Structural Components (Describe):		

[Empty box for description of other structural components]

If the answer to any of the above is yes, explain (attach additional sheets if necessary):

**Doors** – The downstairs door was impacted by poor weather barrier and flashing installation causing water damage to the all-wood doors and all-wood door jams (2016-2017). I replaced all doors to fiberglass door with fiberglass door jams (2017) and the Association recently (May-July 2023) replaced and integrated all new weather barrier and flashings to prevent water/leaks impacting the door. No water damage or issue with the doors have been witnessed since these repairs.

**Windows** – The windows are double-hung windows and swell with heat and cold and sometimes require manual readjustment after opening the window, when re-closing and locking the window.

**Roof** – The roof has had two leaks due to poor flashing installation (first leak, 2014) and a nail coming up (second leak, 2023). The roof is scheduled for cricket and new flashing installation with special assessment funds in the near future (see attached schedule). The roof is currently in functional working order and no new leaks have occurred since the last repair.

**Sidewalks** – The community as a whole has some areas where the sidewalk has shifted or broken away in the common areas from weather and improper grading in places. Additionally, a small patch of sidewalk has deteriorated

at the front of the property limited common area to the right of the front door.

**Walls/Fences** – The community perimeter fence has damaged or missing posts in some areas along the fenceline.

4. Are you (Seller) aware of any of the following conditions? Write Yes (Y) if you are aware, write No (N) if you are not aware.

- |   |  |
|---|--|
| <input type="checkbox"/> N Active Termites (includes wood destroying insects) | <input type="checkbox"/> Y Previous Structural or Roof Repair                          |
| <input type="checkbox"/> N Termite or Wood Rot Damage Needing Repair          | <input type="checkbox"/> N Hazardous or Toxic Waste                                    |
| <input type="checkbox"/> Y Previous Termite Damage                            | <input type="checkbox"/> N Asbestos Components   |
| <input type="checkbox"/> Y Previous Termite Treatment                         | <input type="checkbox"/> N Urea-formaldehyde Insulation                                |
| <input type="checkbox"/> Y Improper Drainage                                  | <input type="checkbox"/> N Radon Gas   |
| <input type="checkbox"/> Y Water Damage Not Due to a Flood Event              | <input type="checkbox"/> N Lead Based Paint  |
| <input type="checkbox"/> N Landfill, Settling, Soil Movement, Fault Lines     | <input type="checkbox"/> N Aluminum Wiring   |
| <input type="checkbox"/> N Single Blockable Main Drain in Pool/Hot Tub/Spa*   | <input type="checkbox"/> N Previous Fires  |
|   | <input type="checkbox"/> N Unplatted Easements   |
|   | <input type="checkbox"/> N Subsurface Structure or Pits                                |
|   | <input type="checkbox"/> N Previous Use of Premises for Manufacture of Methamphetamine |

If the answer to any of the above is yes, explain (attach additional sheets if necessary):

**Previous Termite Damage** – Termites were discovered in the lower back door and jam in 2017. The community was treated for termites and all doors and door jams were replaced with fiberglass doors that same year. Another unit discovered termites near the property (no damage) in 2022. Those termites were eradicated with treatment. The community is now currently on a termite treatment schedule.

**Previous Termite Treatment** – See explanation above. The last termite treatment was completed in 2022, next due in 2026.

**Improper Drainage** – The community currently has improper drainage in some of the common areas, affecting the sidewalks and parking lot areas of the community. These areas become more filled with water and the level or condition of the sidewalk can be impacted. In the past, the property had improper drainage around the front of the building and this was amended by adding rock landscaping around the front of the building and some areas of the community had drains installed.

**Water Damage Not Due to a Flood Event** – Water damage occurred at the downstairs backdoor (2016-2018) and the downstairs dining room ceiling (2023) from improper balcony flashing installations. The Association recently (May-July 2023) had the balcony replaced, all new flashings and weather barrier tie-ins installed, and any exterior water damage corrected. No water damage has been witnessed since these repairs have been made. Water damage in the master bedroom due to the air conditioner leaking due to condensation and a bent pan/clogged line. A/C mechanic came and cleared the line, straightened the pan and cleaned the A/C. No leaking issues since.

**Previous Structural or Roof Repair** – Two roof leaks caused by poor flashing installation (first one, 2014) and a nail coming up (second one, 2023). Association made repairs to the roof and replaced the flashing in 2014, and made repairs to the decking and shingles in 2023. Both leaks were in the North facing guest bedroom. No leaks or damage has been witnessed since these repairs.

\* A single blockable main drain may cause a suction entrapment hazard for an individual.

5. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair?  Yes (if you are aware)  No (if you're not aware) If yes, explain. (Attach additional sheets if necessary):

Please see the Association special assessment schedule for upcoming, necessary roof, paint, & sealant repairs.

6. Are you (Seller) aware of any of the following conditions? Write Yes (Y) if you are aware, write No (N) if you are not aware.



- N  Present flood insurance coverage
- N  Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir
- N  Previous water penetration into a structure on the property due to a natural flood event

Write Yes (Y) if you are aware, and check wholly or partly as applicable, write No (N) if you are not aware.

- N  Located  wholly  partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)
- N  Located  wholly  partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))
- N  Located  wholly  partly in a floodway
- N  Located  wholly  partly in a flood pool
- N  Located  wholly  partly in a reservoir

If the answer to any of the above is yes, explain (attach additional sheets if necessary):

\*For purpose of this notice:

"100-year floodplain" means any area of land that:

- (A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, AH, VE, or AR on the map;
  - (B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding;
- and

(C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that:

- (A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and
- (B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

"Flood pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"Flood insurance rate map" means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.).

"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation of more than a designated height.

"Reservoir" means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

- 7. Have you (Seller) ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)?\*  Yes  No. If yes, explain (attach additional sheets necessary):

\*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (FEMA) encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s).

- 8. Have you (Seller) ever received assistance from FEMA or the U.S. Small Business Administration (SBA) for flood damage to the property?  Yes  No. If yes, explain (attach additional sheets necessary):



[Empty rectangular box]

9. Are you (Seller) aware of any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

  N   Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at that time.

  Y   Homeowners' Association or maintenance fees or assessments.

  N   Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.

  N   Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.

  N   Any lawsuits directly or indirectly affecting the Property.

  N   Any condition on the Property which materially affects the physical health or safety of an individual.

  N   Any rainwater harvesting system located on the property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source.

  N   Any portion of the property that is located in a groundwater conservation district or a subsidence district.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary):

**Homeowners' Association or maintenance fees or assessments** – Homeowners Association dues of \$300.00 month. See attached special assessment schedule.

10. If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit maybe required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.

11. This property may be located near a military installation and may be affected by high noise or air installation compatible use zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed on the Internet website of the military installation and of the county and any municipality in which the military installation is located.

*Laura Ann Soran*

06/28/2023

Signature of Seller

Date

Signature of Seller

Date

The undersigned purchaser hereby acknowledges receipt of the foregoing notice.

Signature of Purchaser

Date

Signature of Purchaser

Date



This form was prepared by the Texas Real Estate Commission in accordance with Texas Property Code § 5.008(b) and is to be used in conjunction with a contract for the sale of real property entered into on or after September 1, 2019. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC NO. OP-H