
SENATE BILL 6267

State of Washington

59th Legislature

2006 Regular Session

By Senator Kastama

Read first time 01/10/2006. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to information regarding certain public facilities
2 and services; amending RCW 36.70A.070 and 64.06.020; and adding a new
3 section to chapter 64.06 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 36.70A.070 and 2005 c 360 s 2 are each amended to read
6 as follows:

7 The comprehensive plan of a county or city that is required or
8 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,
9 and descriptive text covering objectives, principles, and standards
10 used to develop the comprehensive plan. The plan shall be an
11 internally consistent document and all elements shall be consistent
12 with the future land use map. A comprehensive plan shall be adopted
13 and amended with public participation as provided in RCW 36.70A.140.

14 Each comprehensive plan shall include a plan, scheme, or design for
15 each of the following:

16 (1) A land use element designating the proposed general
17 distribution and general location and extent of the uses of land, where
18 appropriate, for agriculture, timber production, housing, commerce,
19 industry, recreation, open spaces, general aviation airports, public

1 utilities, public facilities, and other land uses. The land use
2 element shall include population densities, building intensities, and
3 estimates of future population growth. The land use element shall
4 provide for protection of the quality and quantity of ground water used
5 for public water supplies. Wherever possible, the land use element
6 should consider utilizing urban planning approaches that promote
7 physical activity. Where applicable, the land use element shall review
8 drainage, flooding, and storm water run-off in the area and nearby
9 jurisdictions and provide guidance for corrective actions to mitigate
10 or cleanse those discharges that pollute waters of the state, including
11 Puget Sound or waters entering Puget Sound. For all lands designated
12 for residential use, the land use element shall include the response
13 time for law enforcement services and the existing levels of service
14 for public school facilities.

15 (2) A housing element ensuring the vitality and character of
16 established residential neighborhoods that: (a) Includes an inventory
17 and analysis of existing and projected housing needs that identifies
18 the number of housing units necessary to manage projected growth; (b)
19 includes a statement of goals, policies, objectives, and mandatory
20 provisions for the preservation, improvement, and development of
21 housing, including single-family residences; (c) identifies sufficient
22 land for housing, including, but not limited to, government-assisted
23 housing, housing for low-income families, manufactured housing,
24 multifamily housing, and group homes and foster care facilities; and
25 (d) makes adequate provisions for existing and projected needs of all
26 economic segments of the community.

27 (3) A capital facilities plan element consisting of: (a) An
28 inventory of existing capital facilities owned by public entities,
29 showing the locations and capacities of the capital facilities; (b) a
30 forecast of the future needs for such capital facilities; (c) the
31 proposed locations and capacities of expanded or new capital
32 facilities; (d) at least a six-year plan that will finance such capital
33 facilities within projected funding capacities and clearly identifies
34 sources of public money for such purposes; and (e) a requirement to
35 reassess the land use element if probable funding falls short of
36 meeting existing needs and to ensure that the land use element, capital
37 facilities plan element, and financing plan within the capital

1 facilities plan element are coordinated and consistent. Park and
2 recreation facilities shall be included in the capital facilities plan
3 element.

4 (4) A utilities element consisting of the general location,
5 proposed location, and capacity of all existing and proposed utilities,
6 including, but not limited to, electrical lines, telecommunication
7 lines, and natural gas lines.

8 (5) Rural element. Counties shall include a rural element
9 including lands that are not designated for urban growth, agriculture,
10 forest, or mineral resources. The following provisions shall apply to
11 the rural element:

12 (a) Growth management act goals and local circumstances. Because
13 circumstances vary from county to county, in establishing patterns of
14 rural densities and uses, a county may consider local circumstances,
15 but shall develop a written record explaining how the rural element
16 harmonizes the planning goals in RCW 36.70A.020 and meets the
17 requirements of this chapter.

18 (b) Rural development. The rural element shall permit rural
19 development, forestry, and agriculture in rural areas. The rural
20 element shall provide for a variety of rural densities, uses, essential
21 public facilities, and rural governmental services needed to serve the
22 permitted densities and uses. To achieve a variety of rural densities
23 and uses, counties may provide for clustering, density transfer, design
24 guidelines, conservation easements, and other innovative techniques
25 that will accommodate appropriate rural densities and uses that are not
26 characterized by urban growth and that are consistent with rural
27 character.

28 (c) Measures governing rural development. The rural element shall
29 include measures that apply to rural development and protect the rural
30 character of the area, as established by the county, by:

- 31 (i) Containing or otherwise controlling rural development;
- 32 (ii) Assuring visual compatibility of rural development with the
33 surrounding rural area;
- 34 (iii) Reducing the inappropriate conversion of undeveloped land
35 into sprawling, low-density development in the rural area;
- 36 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and
37 surface water and ground water resources; and

1 (v) Protecting against conflicts with the use of agricultural,
2 forest, and mineral resource lands designated under RCW 36.70A.170.

3 (d) Limited areas of more intensive rural development. Subject to
4 the requirements of this subsection and except as otherwise
5 specifically provided in this subsection (5)(d), the rural element may
6 allow for limited areas of more intensive rural development, including
7 necessary public facilities and public services to serve the limited
8 area as follows:

9 (i) Rural development consisting of the infill, development, or
10 redevelopment of existing commercial, industrial, residential, or
11 mixed-use areas, whether characterized as shoreline development,
12 villages, hamlets, rural activity centers, or crossroads developments.

13 (A) A commercial, industrial, residential, shoreline, or mixed-use
14 area shall be subject to the requirements of (d)(iv) of this
15 subsection, but shall not be subject to the requirements of (c)(ii) and
16 (iii) of this subsection.

17 (B) Any development or redevelopment other than an industrial area
18 or an industrial use within a mixed-use area or an industrial area
19 under this subsection (5)(d)(i) must be principally designed to serve
20 the existing and projected rural population.

21 (C) Any development or redevelopment in terms of building size,
22 scale, use, or intensity shall be consistent with the character of the
23 existing areas. Development and redevelopment may include changes in
24 use from vacant land or a previously existing use so long as the new
25 use conforms to the requirements of this subsection (5);

26 (ii) The intensification of development on lots containing, or new
27 development of, small-scale recreational or tourist uses, including
28 commercial facilities to serve those recreational or tourist uses, that
29 rely on a rural location and setting, but that do not include new
30 residential development. A small-scale recreation or tourist use is
31 not required to be principally designed to serve the existing and
32 projected rural population. Public services and public facilities
33 shall be limited to those necessary to serve the recreation or tourist
34 use and shall be provided in a manner that does not permit low-density
35 sprawl;

36 (iii) The intensification of development on lots containing
37 isolated nonresidential uses or new development of isolated cottage
38 industries and isolated small-scale businesses that are not principally

1 designed to serve the existing and projected rural population and
2 nonresidential uses, but do provide job opportunities for rural
3 residents. Rural counties may allow the expansion of small-scale
4 businesses as long as those small-scale businesses conform with the
5 rural character of the area as defined by the local government
6 according to RCW 36.70A.030(~~((+14))~~) (15). Rural counties may also
7 allow new small-scale businesses to utilize a site previously occupied
8 by an existing business as long as the new small-scale business
9 conforms to the rural character of the area as defined by the local
10 government according to RCW 36.70A.030(~~((+14))~~) (15). Public services
11 and public facilities shall be limited to those necessary to serve the
12 isolated nonresidential use and shall be provided in a manner that does
13 not permit low-density sprawl;

14 (iv) A county shall adopt measures to minimize and contain the
15 existing areas or uses of more intensive rural development, as
16 appropriate, authorized under this subsection. Lands included in such
17 existing areas or uses shall not extend beyond the logical outer
18 boundary of the existing area or use, thereby allowing a new pattern of
19 low-density sprawl. Existing areas are those that are clearly
20 identifiable and contained and where there is a logical boundary
21 delineated predominately by the built environment, but that may also
22 include undeveloped lands if limited as provided in this subsection.
23 The county shall establish the logical outer boundary of an area of
24 more intensive rural development. In establishing the logical outer
25 boundary the county shall address (A) the need to preserve the
26 character of existing natural neighborhoods and communities, (B)
27 physical boundaries such as bodies of water, streets and highways, and
28 land forms and contours, (C) the prevention of abnormally irregular
29 boundaries, and (D) the ability to provide public facilities and public
30 services in a manner that does not permit low-density sprawl;

31 (v) For purposes of (d) of this subsection, an existing area or
32 existing use is one that was in existence:

33 (A) On July 1, 1990, in a county that was initially required to
34 plan under all of the provisions of this chapter;

35 (B) On the date the county adopted a resolution under RCW
36 36.70A.040(2), in a county that is planning under all of the provisions
37 of this chapter under RCW 36.70A.040(2); or

1 (C) On the date the office of financial management certifies the
2 county's population as provided in RCW 36.70A.040(5), in a county that
3 is planning under all of the provisions of this chapter pursuant to RCW
4 36.70A.040(5).

5 (e) Exception. This subsection shall not be interpreted to permit
6 in the rural area a major industrial development or a master planned
7 resort unless otherwise specifically permitted under RCW 36.70A.360 and
8 36.70A.365.

9 (6) A transportation element that implements, and is consistent
10 with, the land use element.

11 (a) The transportation element shall include the following
12 subelements:

13 (i) Land use assumptions used in estimating travel;

14 (ii) Estimated traffic impacts to state-owned transportation
15 facilities resulting from land use assumptions to assist the department
16 of transportation in monitoring the performance of state facilities, to
17 plan improvements for the facilities, and to assess the impact of land-
18 use decisions on state-owned transportation facilities;

19 (iii) Facilities and services needs, including:

20 (A) An inventory of air, water, and ground transportation
21 facilities and services, including transit alignments and general
22 aviation airport facilities, to define existing capital facilities and
23 travel levels as a basis for future planning. This inventory must
24 include state-owned transportation facilities within the city or
25 county's jurisdictional boundaries;

26 (B) Level of service standards for all locally owned arterials and
27 transit routes to serve as a gauge to judge performance of the system.
28 These standards should be regionally coordinated;

29 (C) For state-owned transportation facilities, level of service
30 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,
31 to gauge the performance of the system. The purposes of reflecting
32 level of service standards for state highways in the local
33 comprehensive plan are to monitor the performance of the system, to
34 evaluate improvement strategies, and to facilitate coordination between
35 the county's or city's six-year street, road, or transit program and
36 the department of transportation's six-year investment program. The
37 concurrency requirements of (b) of this subsection do not apply to
38 transportation facilities and services of statewide significance except

1 for counties consisting of islands whose only connection to the
2 mainland are state highways or ferry routes. In these island counties,
3 state highways and ferry route capacity must be a factor in meeting the
4 concurrency requirements in (b) of this subsection;

5 (D) Specific actions and requirements for bringing into compliance
6 locally owned transportation facilities or services that are below an
7 established level of service standard;

8 (E) Forecasts of traffic for at least ten years based on the
9 adopted land use plan to provide information on the location, timing,
10 and capacity needs of future growth;

11 (F) Identification of state and local system needs to meet current
12 and future demands. Identified needs on state-owned transportation
13 facilities must be consistent with the statewide multimodal
14 transportation plan required under chapter 47.06 RCW;

15 (iv) Finance, including:

16 (A) An analysis of funding capability to judge needs against
17 probable funding resources;

18 (B) A multiyear financing plan based on the needs identified in the
19 comprehensive plan, the appropriate parts of which shall serve as the
20 basis for the six-year street, road, or transit program required by RCW
21 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795
22 for public transportation systems. The multiyear financing plan should
23 be coordinated with the ((~~six-year~~)) ten-year improvement program
24 developed by the department of transportation as required by RCW
25 47.05.030;

26 (C) If probable funding falls short of meeting identified needs, a
27 discussion of how additional funding will be raised, or how land use
28 assumptions will be reassessed to ensure that level of service
29 standards will be met;

30 (v) Intergovernmental coordination efforts, including an assessment
31 of the impacts of the transportation plan and land use assumptions on
32 the transportation systems of adjacent jurisdictions;

33 (vi) Demand-management strategies;

34 (vii) Pedestrian and bicycle component to include collaborative
35 efforts to identify and designate planned improvements for pedestrian
36 and bicycle facilities and corridors that address and encourage
37 enhanced community access and promote healthy lifestyles.

1 (b) After adoption of the comprehensive plan by jurisdictions
2 required to plan or who choose to plan under RCW 36.70A.040, local
3 jurisdictions must adopt and enforce ordinances which prohibit
4 development approval if the development causes the level of service on
5 a locally owned transportation facility to decline below the standards
6 adopted in the transportation element of the comprehensive plan, unless
7 transportation improvements or strategies to accommodate the impacts of
8 development are made concurrent with the development. These strategies
9 may include increased public transportation service, ride sharing
10 programs, demand management, and other transportation systems
11 management strategies. For the purposes of this subsection (6)
12 "concurrent with the development" shall mean that improvements or
13 strategies are in place at the time of development, or that a financial
14 commitment is in place to complete the improvements or strategies
15 within six years.

16 (c) The transportation element described in this subsection (6),
17 and the six-year plans required by RCW 35.77.010 for cities, RCW
18 36.81.121 for counties, and RCW 35.58.2795 for public transportation
19 systems, and the ten-year plan required by RCW 47.05.030 for the state,
20 must be consistent.

21 (7) An economic development element establishing local goals,
22 policies, objectives, and provisions for economic growth and vitality
23 and a high quality of life. The element shall include: (a) A summary
24 of the local economy such as population, employment, payroll, sectors,
25 businesses, sales, and other information as appropriate; (b) a summary
26 of the strengths and weaknesses of the local economy defined as the
27 commercial and industrial sectors and supporting factors such as land
28 use, transportation, utilities, education, work force, housing, and
29 natural/cultural resources; and (c) an identification of policies,
30 programs, and projects to foster economic growth and development and to
31 address future needs. A city that has chosen to be a residential
32 community is exempt from the economic development element requirement
33 of this subsection.

34 (8) A park and recreation element that implements, and is
35 consistent with, the capital facilities plan element as it relates to
36 park and recreation facilities. The element shall include: (a)
37 Estimates of park and recreation demand for at least a ten-year period;

1 (b) an evaluation of facilities and service needs; and (c) an
2 evaluation of intergovernmental coordination opportunities to provide
3 regional approaches for meeting park and recreational demand.

4 (9) It is the intent that new or amended elements required after
5 January 1, 2002, be adopted concurrent with the scheduled update
6 provided in RCW 36.70A.130. Requirements to incorporate any such new
7 or amended elements shall be null and void until funds sufficient to
8 cover applicable local government costs are appropriated and
9 distributed by the state at least two years before local government
10 must update comprehensive plans as required in RCW 36.70A.130.

11 **Sec. 2.** RCW 64.06.020 and 2004 c 114 s 1 are each amended to read
12 as follows:

13 (1) In a transaction for the sale of residential property, the
14 seller shall, unless the buyer has expressly waived the right to
15 receive the disclosure statement, or unless the transfer is exempt
16 under RCW 64.06.010, deliver to the buyer a completed seller disclosure
17 statement in the following format and that contains, at a minimum, the
18 following information:

19 INSTRUCTIONS TO THE SELLER

20 Please complete the following form. Do not leave any spaces blank. If
21 the question clearly does not apply to the property write "NA". If the
22 answer is "yes" to any * items, please explain on attached sheets.
23 Please refer to the line number(s) of the question(s) when you provide
24 your explanation(s). For your protection you must date and sign each
25 page of this disclosure statement and each attachment. Delivery of the
26 disclosure statement must occur not later than five business days,
27 unless otherwise agreed, after mutual acceptance of a written contract
28 to purchase between a buyer and a seller.

29 NOTICE TO THE BUYER

30 THE FOLLOWING DISCLOSURES ARE MADE BY SELLER ABOUT THE CONDITION OF THE
31 PROPERTY LOCATED AT
32 ("THE PROPERTY"), OR AS LEGALLY DESCRIBED ON ATTACHED EXHIBIT A.

33 SELLER MAKES THE FOLLOWING DISCLOSURES OF EXISTING MATERIAL FACTS OR
34 MATERIAL DEFECTS TO BUYER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE
35 PROPERTY AT THE TIME SELLER COMPLETES THIS DISCLOSURE STATEMENT.
36 UNLESS YOU AND SELLER OTHERWISE AGREE IN WRITING, YOU HAVE THREE

1 BUSINESS DAYS FROM THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS
2 DISCLOSURE STATEMENT TO YOU TO RESCIND THE AGREEMENT BY DELIVERING A
3 SEPARATELY SIGNED WRITTEN STATEMENT OF RESCISSION TO SELLER OR SELLER'S
4 AGENT. IF THE SELLER DOES NOT GIVE YOU A COMPLETED DISCLOSURE
5 STATEMENT, THEN YOU MAY WAIVE THE RIGHT TO RESCIND PRIOR TO OR AFTER
6 THE TIME YOU ENTER INTO A SALE AGREEMENT.

7 THE FOLLOWING ARE DISCLOSURES MADE BY SELLER AND ARE NOT THE
8 REPRESENTATIONS OF ANY REAL ESTATE LICENSEE OR OTHER PARTY. THIS
9 INFORMATION IS FOR DISCLOSURE ONLY AND IS NOT INTENDED TO BE A PART OF
10 ANY WRITTEN AGREEMENT BETWEEN BUYER AND SELLER.

11 FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS
12 PROPERTY YOU ARE ADVISED TO OBTAIN AND PAY FOR THE SERVICES OF
13 QUALIFIED EXPERTS TO INSPECT THE PROPERTY, WHICH MAY INCLUDE, WITHOUT
14 LIMITATION, ARCHITECTS, ENGINEERS, LAND SURVEYORS, PLUMBERS,
15 ELECTRICIANS, ROOFERS, BUILDING INSPECTORS, ON-SITE WASTEWATER
16 TREATMENT INSPECTORS, OR STRUCTURAL PEST INSPECTORS. THE PROSPECTIVE
17 BUYER AND SELLER MAY WISH TO OBTAIN PROFESSIONAL ADVICE OR INSPECTIONS
18 OF THE PROPERTY OR TO PROVIDE APPROPRIATE PROVISIONS IN A CONTRACT
19 BETWEEN THEM WITH RESPECT TO ANY ADVICE, INSPECTION, DEFECTS OR
20 WARRANTIES.

21 Seller is/ is not occupying the property.

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I. SELLER'S DISCLOSURES:

If you answer "Yes" to a question with an asterisk (), please explain your answer and attach documents, if available and not otherwise publicly recorded. If necessary, use an attached sheet.

1. TITLE

- Yes No Don't know A. Do you have legal authority to sell the property? If no, please explain.
- Yes No Don't know *B. Is title to the property subject to any of the following?
 - (1) First right of refusal
 - (2) Option
 - (3) Lease or rental agreement
 - (4) Life estate?
- Yes No Don't know *C. Are there any encroachments, boundary agreements, or boundary disputes?

1 Yes No Don't know (1) Are there any water rights for
2 the property, such as a water right,
3 permit, certificate, or claim?
4 Yes No Don't know *(a) If yes, have the water rights
5 been used during the last five
6 years?
7 Yes No Don't know *(b) If so, is the certificate
8 available?
9 C. Outdoor Sprinkler System
10 Yes No Don't know (1) Is there an outdoor sprinkler
11 system for the property?
12 Yes No Don't know (2) If yes, are there any defects in
13 the system?
14 Yes No Don't know *(3) If yes, is the sprinkler system
15 connected to irrigation water?
16
17 **3. SEWER/ON-SITE SEWAGE
18 SYSTEM**
19 A. The property is served by: Public
20 sewer system, On-site sewage system
21 (including pipes, tanks, drainfields, and
22 all other component parts) Other
23 disposal system, please describe:
24
25 Yes No Don't know B. If public sewer system service is
26 available to the property, is the house
27 connected to the sewer main? If no,
28 please explain.
29
30 Yes No Don't know C. Is the property subject to any
31 sewage system fees or charges in
32 addition to those covered in your
33 regularly billed sewer or on-site sewage
34 system maintenance service?
35 D. If the property is connected to an
36 on-site sewage system:
37 Yes No Don't know *(1) Was a permit issued for its
38 construction, and was it approved
39 by the local health department or
40 district following its construction?
41 (2) When was it last pumped:
42
43 Yes No Don't know *(3) Are there any defects in the
44 operation of the on-site sewage
45 system?
46 (4) When was it last inspected?
47
By Whom:

1 Don't know (5) For how many bedrooms was
2 the on-site sewage system approved
3 ?
4 bedrooms
5 Yes No Don't know E. Are all plumbing fixtures, including
6 laundry drain, connected to the
7 sewer/on-site sewage system? If no,
8 please explain:
9 Yes No Don't know *F. Have there been any changes or
10 repairs to the on-site sewage system?
11 Yes No Don't know G. Is the on-site sewage system,
12 including the drainfield, located entirely
13 within the boundaries of the property?
14 If no, please explain.
15
16 Yes No Don't know H. Does the on-site sewage system
17 require monitoring and maintenance
18 services more frequently than once a
19 year? If yes, please explain.
20

21 NOTICE: IF THIS RESIDENTIAL REAL PROPERTY DISCLOSURE
22 STATEMENT IS BEING COMPLETED FOR NEW CONSTRUCTION WHICH
23 HAS NEVER BEEN OCCUPIED, THE SELLER IS NOT REQUIRED TO
24 COMPLETE THE QUESTIONS LISTED IN ITEM 4. STRUCTURAL OR ITEM
25 5. SYSTEMS AND FIXTURES

26 **4. STRUCTURAL**

27 Yes No Don't know *A. Has the roof leaked?
28 Yes No Don't know *B. Has the basement flooded or
29 leaked?
30 Yes No Don't know *C. Have there been any conversions,
31 additions, or remodeling?
32 Yes No Don't know *(1) If yes, were all building
33 permits obtained?
34 Yes No Don't know *(2) If yes, were all final
35 inspections obtained?
36 Yes No Don't know D. Do you know the age of the house?
37 If yes, year of original construction:
38
39 Yes No Don't know *E. Has there been any settling,
40 slippage, or sliding of the property or its
41 improvements?
42 Yes No Don't know *F. Are there any defects with the
43 following: (If yes, please check
44 applicable items and explain.)

- 45 Foundations Decks Exterior Walls
46 Chimneys Interior Walls Fire Alarm

- 1 Doors Windows Patio
- 2 Ceilings Slab Floors Driveways
- 3 Pools Hot Tub Sauna
- 4 Sidewalks Outbuildings Fireplaces
- 5 Garage Floors Walkways Siding
- 6 Other Wood Stoves

7 Yes No Don't know *G. Was a structural pest or "whole
 8 house" inspection done? If yes, when
 9 and by whom was the inspection
 10 completed?

11 Yes No Don't know H. During your ownership, has the
 12 property had any wood destroying
 13 organism or pest infestation?

14 Yes No Don't know I. Is the attic insulated?

15 Yes No Don't know J. Is the basement insulated?

16 **5. SYSTEMS AND FIXTURES**

17 *A. If any of the following systems or
 18 fixtures are included with the transfer,
 19 are there any defects? If yes, please
 20 explain.

21 Yes No Don't know Electrical system, including
 22 wiring, switches, outlets, and
 23 service

24 Yes No Don't know Plumbing system, including pipes,
 25 faucets, fixtures, and toilets

26 Yes No Don't know Hot water tank

27 Yes No Don't know Garbage disposal

28 Yes No Don't know Appliances

29 Yes No Don't know Sump pump

30 Yes No Don't know Heating and cooling systems

31 Yes No Don't know Security system
 32 Owned Leased

33 Other

34 *B. If any of the following fixtures
 35 or property is included with the
 36 transfer, are they leased? (If yes,
 37 please attach copy of lease.)

38 Yes No Don't know Security system

39 Yes No Don't know Tanks (type):

40 Yes No Don't know Satellite dish

41 Other:

42 **6. COMMON INTERESTS**

43 Yes No Don't know A. Is there a Home Owners'
 44 Association? Name of Association
 45

1 Yes No Don't know B. Are there regular periodic
2 assessments:
3 \$ per Month Year
4 Other

5 Yes No Don't know *C. Are there any pending special
6 assessments?

7 Yes No Don't know *D. Are there any shared "common
8 areas" or any joint maintenance
9 agreements (facilities such as walls,
10 fences, landscaping, pools, tennis
11 courts, walkways, or other areas co-
12 owned in undivided interest with
13 others)?

14 **7. GENERAL**

15 Yes No Don't know *A. Have there been any drainage
16 problems on the property?

17 Yes No Don't know *B. Does the property contain fill
18 material?

19 Yes No Don't know *C. Is there any material damage to the
20 property from fire, wind, floods, beach
21 movements, earthquake, expansive
22 soils, or landslides?

23 Yes No Don't know D. Is the property in a designated flood
24 plain?

25 Yes No Don't know *E. Are there any substances,
26 materials, or products on the property
27 that may be environmental concerns,
28 such as asbestos, formaldehyde, radon
29 gas, lead-based paint, fuel or chemical
30 storage tanks, or contaminated soil or
31 water ?

32 Yes No Don't know *G [*F]. Has the property ever been
33 used as an illegal drug manufacturing
34 site?

35 Yes No Don't know *H [*G]. Are there any radio towers in
36 the area that may cause interference
37 with telephone reception?

38 **8. MANUFACTURED AND**
39 **MOBILE HOMES**

40 If the property includes a manufactured
41 or mobile home,

42 Yes No Don't know *A. Did you make any alterations to the
43 home? If yes, please describe the
44 alterations:

45 Yes No Don't know *B. Did any previous owner make any
46 alterations to the home? If yes, please
47 describe the alterations:

1 INFORMATION REGARDING REGISTERED SEX OFFENDERS MAY
2 BE OBTAINED FROM LOCAL LAW ENFORCEMENT AGENCIES. THIS
3 NOTICE IS INTENDED ONLY TO INFORM YOU OF WHERE TO OBTAIN
4 THIS INFORMATION AND IS NOT AN INDICATION OF THE PRESENCE OF
5 REGISTERED SEX OFFENDERS.

6 **II. BUYER'S ACKNOWLEDGMENT**

- 7 A. Buyer hereby acknowledges that: Buyer has a duty to pay
8 diligent attention to any material defects that are known to
9 Buyer or can be known to Buyer by utilizing diligent
10 attention and observation.
- 11 B. The disclosures set forth in this statement and in any
12 amendments to this statement are made only by the Seller and
13 not by any real estate licensee or other party.
- 14 C. Buyer acknowledges that, pursuant to RCW 64.06.050(2),
15 real estate licensees are not liable for inaccurate information
16 provided by Seller, except to the extent that real estate
17 licensees know of such inaccurate information.
- 18 D. This information is for disclosure only and is not intended to
19 be a part of the written agreement between the Buyer and
20 Seller.
- 21 E. Buyer (which term includes all persons signing the "Buyer's
22 acceptance" portion of this disclosure statement below) has
23 received a copy of this Disclosure Statement (including
24 attachments, if any) bearing Seller's signature.

25 DISCLOSURES CONTAINED IN THIS DISCLOSURE STATEMENT ARE PROVIDED BY
26 SELLER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME
27 SELLER COMPLETES THIS DISCLOSURE STATEMENT. UNLESS BUYER AND SELLER
28 OTHERWISE AGREE IN WRITING, BUYER SHALL HAVE THREE BUSINESS DAYS FROM
29 THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS DISCLOSURE STATEMENT TO
30 RESCIND THE AGREEMENT BY DELIVERING A SEPARATELY SIGNED WRITTEN
31 STATEMENT OF RESCISSION TO SELLER OR SELLER'S AGENT. IF THE SELLER
32 DOES NOT GIVE YOU A COMPLETED DISCLOSURE STATEMENT, THEN YOU MAY WAIVE
33 THE RIGHT TO RESCIND PRIOR TO OR AFTER THE TIME YOU ENTER INTO A SALE
34 AGREEMENT.

35 BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS DISCLOSURE
36 STATEMENT AND ACKNOWLEDGES THAT THE DISCLOSURES MADE HEREIN ARE THOSE
37 OF THE SELLER ONLY, AND NOT OF ANY REAL ESTATE LICENSEE OR OTHER PARTY.
38 DATE BUYER BUYER

39 (2) If the disclosure statement is being completed for new
40 construction which has never been occupied, the disclosure statement is
41 not required to contain and the seller is not required to complete the

1 questions listed in item 4. Structural or item 5. Systems and
2 Fixtures.

3 (3) The seller disclosure statement shall be for disclosure only,
4 and shall not be considered part of any written agreement between the
5 buyer and seller of residential property. The seller disclosure
6 statement shall be only a disclosure made by the seller, and not any
7 real estate licensee involved in the transaction, and shall not be
8 construed as a warranty of any kind by the seller or any real estate
9 licensee involved in the transaction.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 64.06 RCW
11 to read as follows:

12 The notice regarding public facilities and services under RCW
13 64.06.020 is not a warranty of any kind by the seller or any agent
14 representing any principal. The information provided in the notice is
15 not part of any contract between the buyer and seller.

--- END ---