

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5156**

64th Legislature  
2015 Regular Session

Passed by the Senate February 25, 2015  
Yeas 42 Nays 6

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**President of the Senate**

Passed by the House April 13, 2015  
Yeas 97 Nays 0

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5156** as passed by Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5156**

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Passed Legislature - 2015 Regular Session

**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senate Commerce & Labor (originally sponsored by Senators Keiser, Warnick, and Conway)

READ FIRST TIME 01/29/15.

1       AN ACT Relating to the disclosure of information regarding  
2 elevators and other conveyances in certain real estate transactions;  
3 amending RCW 64.06.020; and creating a new section.

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

5       **Sec. 1.** RCW 64.06.020 and 2012 c 132 s 2 are each amended to  
6 read as follows:

7       (1) In a transaction for the sale of improved residential real  
8 property, the seller shall, unless the buyer has expressly waived the  
9 right to receive the disclosure statement under RCW 64.06.010, or  
10 unless the transfer is otherwise exempt under RCW 64.06.010, deliver  
11 to the buyer a completed seller disclosure statement in the following  
12 format and that contains, at a minimum, the following information:

13 INSTRUCTIONS TO THE SELLER

14 Please complete the following form. Do not leave any spaces blank. If  
15 the question clearly does not apply to the property write "NA." If  
16 the answer is "yes" to any \* items, please explain on attached  
17 sheets. Please refer to the line number(s) of the question(s) when  
18 you provide your explanation(s). For your protection you must date  
19 and sign each page of this disclosure statement and each attachment.  
20 Delivery of the disclosure statement must occur not later than five

1 business days, unless otherwise agreed, after mutual acceptance of a  
2 written contract to purchase between a buyer and a seller.

3 NOTICE TO THE BUYER

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

7 SELLER MAKES THE FOLLOWING DISCLOSURES OF EXISTING MATERIAL FACTS OR  
8 MATERIAL DEFECTS TO BUYER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE  
9 PROPERTY AT THE TIME SELLER COMPLETES THIS DISCLOSURE STATEMENT.  
10 UNLESS YOU AND SELLER OTHERWISE AGREE IN WRITING, YOU HAVE THREE  
11 BUSINESS DAYS FROM THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS  
12 DISCLOSURE STATEMENT TO YOU TO RESCIND THE AGREEMENT BY DELIVERING A  
13 SEPARATELY SIGNED WRITTEN STATEMENT OF RESCISSION TO SELLER OR  
14 SELLER'S AGENT. IF THE SELLER DOES NOT GIVE YOU A COMPLETED  
15 DISCLOSURE STATEMENT, THEN YOU MAY WAIVE THE RIGHT TO RESCIND PRIOR  
16 TO OR AFTER THE TIME YOU ENTER INTO A SALE AGREEMENT.

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

21 FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF  
22 THIS PROPERTY YOU ARE ADVISED TO OBTAIN AND PAY FOR THE SERVICES OF  
23 QUALIFIED EXPERTS TO INSPECT THE PROPERTY, WHICH MAY INCLUDE, WITHOUT  
24 LIMITATION, ARCHITECTS, ENGINEERS, LAND SURVEYORS, PLUMBERS,  
25 ELECTRICIANS, ROOFERS, BUILDING INSPECTORS, ON-SITE WASTEWATER  
26 TREATMENT INSPECTORS, OR STRUCTURAL PEST INSPECTORS. THE PROSPECTIVE  
27 BUYER AND SELLER MAY WISH TO OBTAIN PROFESSIONAL ADVICE OR  
28 INSPECTIONS OF THE PROPERTY OR TO PROVIDE APPROPRIATE PROVISIONS IN A  
29 CONTRACT BETWEEN THEM WITH RESPECT TO ANY ADVICE, INSPECTION, DEFECTS  
30 OR WARRANTIES.

31 Seller . . . . is/ . . . . is not occupying the property.

32 I. SELLER'S DISCLOSURES:

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

36 1. TITLE



1			(1) The source of water for the
2			property is:
3			<input type="checkbox"/> Private or publicly owned
4			water system
5			<input type="checkbox"/> Private well serving only the
6			subject property . . . . .
7			* <input type="checkbox"/> Other water system
8	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know
9			*If shared, are there any written
10			agreements?
11	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know
12			*(2) Is there an easement
13			(recorded or unrecorded) for
14			access to and/or maintenance of
15			the water source?
16	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know
17			*(3) Are there any problems or
18			repairs needed?
19	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know
20			(4) During your ownership, has
21			the source provided an adequate
22			year-round supply of potable
23			water? If no, please explain.
24	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know
25			*(5) Are there any water
26			treatment systems for the
27			property? If yes, are they
28			<input type="checkbox"/> Leased <input type="checkbox"/> Owned
29	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know
30			*(6) Are there any water rights
31			for the property associated with
32			its domestic water supply, such
33			as a water right permit,
34			certificate, or claim?
35	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know
36			(a) If yes, has the water right
37			permit, certificate, or claim been
38			assigned, transferred, or
39			changed?
			*(b) If yes, has all or any portion
			of the water right not been used
			for five or more successive
			years?
	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Don't know
			*(7) Are there any defects in the
			operation of the water system
			(e.g. pipes, tank, pump, etc.)?

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B. Irrigation Water

Yes     No     Don't know    (1) Are there any irrigation water rights for the property, such as a water right permit, certificate, or claim?

Yes     No     Don't know    \*(a) If yes, has all or any portion of the water right not been used for five or more successive years?

Yes     No     Don't know    \*(b) If so, is the certificate available? (If yes, please attach a copy.)

Yes     No     Don't know    \*(c) If so, has the water right permit, certificate, or claim been assigned, transferred, or changed?

.....  
 Yes     No     Don't know    \*(2) Does the property receive irrigation water from a ditch company, irrigation district, or other entity? If so, please identify the entity that supplies water to the property:  
.....

C. Outdoor Sprinkler System

Yes     No     Don't know    (1) Is there an outdoor sprinkler system for the property?

Yes     No     Don't know    \*(2) If yes, are there any defects in the system?

Yes     No     Don't know    \*(3) If yes, is the sprinkler system connected to irrigation water?

**3. SEWER/ON-SITE SEWAGE SYSTEM**

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A. The property is served by:

Public sewer system,

On-site sewage system (including pipes, tanks, drainfields, and all other component parts)

Other disposal system, please describe:

.....

Yes     No     Don't know

B. If public sewer system service is available to the property, is the house connected to the sewer main? If no, please explain.

.....

Yes     No     Don't know

\*C. Is the property subject to any sewage system fees or charges in addition to those covered in your regularly billed sewer or on-site sewage system maintenance service?

D. If the property is connected to an on-site sewage system:

Yes     No     Don't know

\*(1) Was a permit issued for its construction, and was it approved by the local health department or district following its construction?

(2) When was it last pumped?

.....

Yes     No     Don't know

\*(3) Are there any defects in the operation of the on-site sewage system?

Don't know

(4) When was it last inspected?

.....

By whom: .....

Don't know

(5) For how many bedrooms was the on-site sewage system approved?

..... bedrooms

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Yes     No     Don't know    E. Are all plumbing fixtures, including laundry drain, connected to the sewer/on-site sewage system? If no, please explain: .....

Yes     No     Don't know    \*F. Have there been any changes or repairs to the on-site sewage system?

Yes     No     Don't know    G. Is the on-site sewage system, including the drainfield, located entirely within the boundaries of the property? If no, please explain. ....

Yes     No     Don't know    \*H. Does the on-site sewage system require monitoring and maintenance services more frequently than once a year? .....

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

**4. STRUCTURAL**

Yes     No     Don't know    \*A. Has the roof leaked within the last five years?

Yes     No     Don't know    \*B. Has the basement flooded or leaked?

Yes     No     Don't know    \*C. Have there been any conversions, additions, or remodeling?

Yes     No     Don't know    \*(1) If yes, were all building permits obtained?

Yes     No     Don't know    \*(2) If yes, were all final inspections obtained?

Yes     No     Don't know    D. Do you know the age of the house? If yes, year of original construction: .....

Yes     No     Don't know    \*E. Has there been any settling, slippage, or sliding of the property or its improvements?



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Yes     No     Don't know    \*F. Are there any defects with the following: (If yes, please check applicable items and explain.)

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|---|--|--|
| <input type="checkbox"/> Foundations              | <input type="checkbox"/> Decks                 | <input type="checkbox"/> Exterior Walls          |
| <input type="checkbox"/> Chimneys                 | <input type="checkbox"/> Interior Walls        | <input type="checkbox"/> Fire Alarm              |
| <input type="checkbox"/> Doors                    | <input type="checkbox"/> Windows               | <input type="checkbox"/> Patio                   |
| <input type="checkbox"/> Ceilings                 | <input type="checkbox"/> Slab Floors           | <input type="checkbox"/> Driveways               |
| <input type="checkbox"/> Pools                    | <input type="checkbox"/> Hot Tub               | <input type="checkbox"/> Sauna                   |
| <input type="checkbox"/> Sidewalks                | <input type="checkbox"/> Outbuildings          | <input type="checkbox"/> Fireplaces              |
| <input type="checkbox"/> Garage Floors            | <input type="checkbox"/> Walkways              | <input type="checkbox"/> Siding                  |
| <input type="checkbox"/> Other                    | <input type="checkbox"/> Woodstoves            | <input type="checkbox"/> <u>Elevators</u>        |
| <input type="checkbox"/> <u>Incline Elevators</u> | <input type="checkbox"/> <u>Stairway Chair</u> | <input type="checkbox"/> <u>Wheelchair Lifts</u> |

Lifts

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

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

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

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

**5. SYSTEMS AND FIXTURES**

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

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

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

Yes     No     Don't know    Hot water tank

Yes     No     Don't know    Garbage disposal

Yes     No     Don't know    Appliances

Yes     No     Don't know    Sump pump

1  Yes  No  Don't know Heating and cooling systems

2  Yes  No  Don't know Security system

3  Owned  Leased

4 Other .....

5 \*B. If any of the following fixtures or

6 property is included with the transfer,

7 are they leased? (If yes, please attach

8 copy of lease.)

9  Yes  No  Don't know Security system .....

10  Yes  No  Don't know Tanks (type): .....

11  Yes  No  Don't know Satellite dish .....

12 Other: .....

13 \*C. Are any of the following kinds of

14 wood burning appliances present at

15 the property?

16  Yes  No  Don't know (1) Woodstove?

17  Yes  No  Don't know (2) Fireplace insert?

18  Yes  No  Don't know (3) Pellet stove?

19  Yes  No  Don't know (4) Fireplace?

20  Yes  No  Don't know If yes, are all of the (1)

21 woodstoves or (2) fireplace

22 inserts certified by the U.S.

23 Environmental Protection

24 Agency as clean burning

25 appliances to improve air quality

26 and public health?

27  Yes  No  Don't know D. Is the property located within a

28 city, county, or district or within a

29 department of natural resources fire

30 protection zone that provides fire

31 protection services?

32  Yes  No  Don't know E. Is the property equipped with

33 carbon monoxide alarms?

34 (Note: Pursuant to RCW 19.27.530,

35 seller must equip the residence with

36 carbon monoxide alarms as required

37 by the state building code.)

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Yes     No     Don't know    F. Is the property equipped with smoke alarms?

**6. HOMEOWNERS' ASSOCIATION/Common INTERESTS**

Yes     No     Don't know    A. Is there a Homeowners' Association? Name of Association and contact information for an officer, director, employee, or other authorized agent, if any, who may provide the association's financial statements, minutes, bylaws, fining policy, and other information that is not publicly available:

.....

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

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

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

**7. ENVIRONMENTAL**

Yes     No     Don't know    \*A. Have there been any flooding, standing water, or drainage problems on the property that affect the property or access to the property?

Yes     No     Don't know    \*B. Does any part of the property contain fill dirt, waste, or other fill material?

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

Yes     No     Don't know    D. Are there any shorelines, wetlands, floodplains, or critical areas on the property?

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

Yes     No     Don't know    \*F. Has the property been used for commercial or industrial purposes?

Yes     No     Don't know    \*G. Is there any soil or groundwater contamination?

Yes     No     Don't know    \*H. Are there transmission poles or other electrical utility equipment installed, maintained, or buried on the property that do not provide utility service to the structures on the property?

Yes     No     Don't know    \*I. Has the property been used as a legal or illegal dumping site?

Yes     No     Don't know    \*J. Has the property been used as an illegal drug manufacturing site?

Yes     No     Don't know    \*K. Are there any radio towers in the area that cause interference with cellular telephone reception?

**8. MANUFACTURED AND MOBILE HOMES**

If the property includes a manufactured or mobile home,

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

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Yes     No     Don't know    \*B. Did any previous owner make any alterations to the home?

Yes     No     Don't know    \*C. If alterations were made, were permits or variances for these alterations obtained?

**9. FULL DISCLOSURE BY SELLERS**

A. Other conditions or defects:

Yes     No     Don't know    \*Are there any other existing material defects affecting the property that a prospective buyer should know about?

B. Verification:

The foregoing answers and attached explanations (if any) are complete and correct to the best of my/our knowledge and I/we have received a copy hereof. I/we authorize all of my/our real estate licensees, if any, to deliver a copy of this disclosure statement to other real estate licensees and all prospective buyers of the property.

DATE ..... SELLER ..... SELLER .....

**NOTICE TO THE BUYER**

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

**II. BUYER'S ACKNOWLEDGMENT**

A. Buyer hereby acknowledges that: Buyer has a duty to pay diligent attention to any material defects that are known to Buyer or can be known to Buyer by utilizing diligent attention and observation.

B. The disclosures set forth in this statement and in any amendments to this statement are made only by the Seller and not by any real estate licensee or other party.

- 1 C. Buyer acknowledges that, pursuant to RCW 64.06.050(2),
- 2 real estate licensees are not liable for inaccurate
- 3 information provided by Seller, except to the extent that
- 4 real estate licensees know of such inaccurate information.
- 5 D. This information is for disclosure only and is not intended
- 6 to be a part of the written agreement between the Buyer
- 7 and Seller.
- 8 E. Buyer (which term includes all persons signing the
- 9 "Buyer's acceptance" portion of this disclosure statement
- 10 below) has received a copy of this Disclosure Statement
- 11 (including attachments, if any) bearing Seller's signature.

12 DISCLOSURES CONTAINED IN THIS DISCLOSURE STATEMENT ARE PROVIDED BY  
13 SELLER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME  
14 SELLER COMPLETES THIS DISCLOSURE STATEMENT. UNLESS BUYER AND SELLER  
15 OTHERWISE AGREE IN WRITING, BUYER SHALL HAVE THREE BUSINESS DAYS FROM  
16 THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS DISCLOSURE STATEMENT  
17 TO RESCIND THE AGREEMENT BY DELIVERING A SEPARATELY SIGNED WRITTEN  
18 STATEMENT OF RESCISSION TO SELLER OR SELLER'S AGENT. YOU MAY WAIVE  
19 THE RIGHT TO RESCIND PRIOR TO OR AFTER THE TIME YOU ENTER INTO A SALE  
20 AGREEMENT.

21 BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS DISCLOSURE  
22 STATEMENT AND ACKNOWLEDGES THAT THE DISCLOSURES MADE HEREIN ARE THOSE  
23 OF THE SELLER ONLY, AND NOT OF ANY REAL ESTATE LICENSEE OR OTHER  
24 PARTY.

25 DATE . . . . . BUYER . . . . . BUYER. . . . .

26 (2) If the disclosure statement is being completed for new  
27 construction which has never been occupied, the disclosure statement  
28 is not required to contain and the seller is not required to complete  
29 the questions listed in item 4. Structural or item 5. Systems and  
30 Fixtures.

31 (3) The seller disclosure statement shall be for disclosure only,  
32 and shall not be considered part of any written agreement between the  
33 buyer and seller of residential property. The seller disclosure  
34 statement shall be only a disclosure made by the seller, and not any  
35 real estate licensee involved in the transaction, and shall not be  
36 construed as a warranty of any kind by the seller or any real estate  
37 licensee involved in the transaction.

1        NEW SECTION.    **Sec. 2.**    Section 1 of this act applies only to real  
2    estate transactions for which a purchase and sale agreement is  
3    entered into after the effective date of this section.

--- END ---