

-Proper Handling of Disclosures

Listing Agent

1. Make sure they are completely filled out, initialed & signed by Seller.
2. Discuss with your Seller the need for full disclosure.
3. **Seller needs to fill out TDS and SPQ [preferably in writing]. Agent is NEVER to fill out for Seller.**
4. **LA AVID needs to be done at the same time and is made a part of the TDS.**
5. **All “Yes” answers need written explanations.**
6. Once in contract, send completed disclosures to Selling Agent and ask to have returned before Contingency Removal Date as per RPA paragraph 10.A (5).

Selling Agent

1. Obtain from Listing Agent.
2. Make sure they are completely filled out, initialed & signed.
3. Discuss with your client, sign & **send back to Listing Agent by Contingency Removal Date as per RPA paragraph 10.A (5).**

Disclosures

- County Disclosures & Disclaimers Advisory – *Contra Costa/Alameda [includes MCA / WHSD / Gas Shut-Off / Fireplace / Wire Fraud]*
- SBSA – Statewide Buyer & Seller Advisory | WCMD – Water-Conserving Fixtures & Carbon Monoxide Disclosure
- TDS – RE Transfer Disclosure Statement – *Completed LA AVID needs to be part of TDS.* | SPQ – Seller Property Questionnaire
- Attachments to TDS or SPQ [Seller or Agent disclosures – to be signed by all parties].
- SA AVID – Agent Visual Inspection Disclosure [complete this form early – at time of inspections]
- ESD – Exempt Seller Disclosure [*If Exempt from TDS/SPQ i.e. Foreclosures, Court-ordered sales & some Trusts.*]
- FLD – Lead-Based Paint Disclosure (pre-1978) | EQ Hazards Report (pre-1960) – in EQ Booklet | Fireplace
- Other Seller Information to Buyer [i.e. existing reports, features, repairs list, etc.].
- NHD/Geological Report / NHDS / Environmental / Tax Data Disclosure [3rd Party] – *Don't use CAR form NHD.*
- Consumer Booklets Receipt [EQ, Lead, Environmental Hazards & Energy Ratings booklets]
- Local Disclosures: EBPA, Solano, Livermore City Report, Building Permits, City Inspections, etc.]

Agent is responsible to call county and city offices to find out what local disclosures are required.

