

# Property Condition Disclosure Statement

or sellers: Nisha Gupta & Richard C. VerWiese  
Address: 306 Scotholm Terrace, Syracuse, NY

Property Condition Disclosure Act requires the seller of residential real property to cause this disclosure copy thereof to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract.

**Statement:**  
This statement is a disclosure of certain conditions and information concerning the property known to the seller. This disclosure does not constitute a warranty of any kind by the seller or by any agent representing the seller in this transaction. It is not intended to replace any inspections or tests and the buyer is encouraged to obtain his or her own independent professional inspection and environmental tests and also is encouraged to check public records pertaining to the property.

**ANY FALSE OR INCOMPLETE STATEMENT BY THE SELLER ON THIS FORM MAY SUBJECT THE BUYER TO LEGAL CLAIMS BY THE BUYER PRIOR TO OR AFTER THE TRANSFER OF TITLE. IN THE EVENT A SELLER FAILS TO PERFORM THE DUTY PRESCRIBED IN THIS ARTICLE TO DELIVER A DISCLOSURE PRIOR TO THE SIGNING BY THE BUYER OF A BINDING CONTRACT OF SALE, THE BUYER SHALL BE ENTITLED UPON THE TRANSFER OF TITLE A CREDIT OF FIVE HUNDRED DOLLARS AGAINST THE PURCHASE PRICE OF THE RESIDENTIAL REAL PROPERTY.**

"Residential property" means real property improved by a one to four family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of one or more persons, but shall not refer to property upon which such dwellings are to be constructed or (b) condominium units or townhouse units or (c) property on a homeowners' association that is not owned in fee simple by the seller.

**To the seller:**

Answer the following questions based upon your actual knowledge. If additional space is required, attach additional pages with your signature if additional space is required. Do not sign this form yourself. If any questions do not apply to your property, check "NA" (non-applicable). If you do not know the answer check "UNKN" (unknown).

**Statement:**  
I make the following representations to the buyer based upon the seller's actual knowledge at the time of execution of this document. The seller authorizes his or her agent, if any, to provide a copy of this statement to a buyer of the residential real property. The following are representations made by the seller and are not the responsibility of the seller's agent.

**Information**

How long have you owned the property? 6 1/2 years  
How long have you occupied the property? 6 1/2 years  
What is the age of the structure or structures? 1920's

Buyer- If the structure was built before 1978 you are encouraged to investigate for the presence of lead paint.

Has anybody other than yourself have a lease, easement or any other right to use or occupy any part of your property other than those stated in documents available in the public record, such as rights to use a road or path or driveway or crops? Yes  No  UNKN NA

Does anybody else claim to own any part of your property? Yes  No  UNKN NA (if yes, explain below)

Has anyone ever denied you access to the property or made a formal legal claim challenging your title to the property?  
UNKN NA (if yes, explain below)

Are there any features of the property shared in common with adjoining land owners or a homeowners association, such as walls, fences or driveways? Yes  No UNKN NA (if yes describe below)

Are there any electric or gas utility surcharges for line extensions, special assessments or homeowner or other utility fees that apply to the property? Yes  No UNKN NA (if yes, explain below)

Are there any certificates of occupancy related to the property? Yes  No UNKN NA (if no, explain below)

al

- In this section, you will be asked questions regarding petroleum products and hazardous or toxic substances that you know to have been spilled, leaked or otherwise been released on the property or from the property or any other property. Petroleum products may include, but are not limited to, gasoline, diesel fuel, home heating oil and lubricants. Hazardous or toxic substances are products that could pose short- or long-term danger to humans or the environment if they are not properly disposed of, applied or stored. These include, but are not limited to, fertilizers, pesticides and insecticides, paint including paint thinner, varnish remover and wood preservatives, construction materials such as asphalt and roofing materials, antifreeze and other automotive products, cleaning solvents including septic tank cleaners, household cleaners and pool chemicals and products containing mercury and lead.

- If contamination of this property from petroleum products and/or hazardous or toxic substances is a concern, you are urged to consider soil and groundwater testing of this property.

Is all of the property located in a designated floodplain? Yes  No UNKN NA (if yes, explain below)

Is all of the property located in a designated wetland? Yes  No UNKN NA (if yes, explain below)

Is any property located in an agricultural district? Yes  No UNKN NA (if yes, explain below)

Has any property ever been the site of a landfill? Yes  No UNKN NA (if yes, explain below)

Are there any above ground fuel storage tanks on the property?  
UNKN NA

If so, are they currently in use? Yes  No UNKN NA Location(s) Basement

Are they leaking or have they ever leaked? Yes  No UNKN NA (if yes, explain below)

Is there asbestos in the structure? Yes  No UNKN NA (if yes, state location or locations below)

Is lead-based paint present? Yes  No UNKN NA (if yes, state location or locations below)

Has a radon test been done?  Yes No UNKN NA (if yes, attach a copy of the report)

Has there been any spill of fuel, motor oil, home heating fuel, lubricating oil or any other petroleum product, methane gas, or any other hazardous or toxic substance spilled, leaked or otherwise been released on the property or from the property or any other property? Yes  No UNKN NA (if yes, describe below)

Has the property been tested for the presence of motor fuel, motor oil, home heating fuel, lubricating oil, or any other petroleum product, methane gas, or any hazardous or toxic substance?  
UNKN NA (if yes, attach report(s))

Has there been any rot or water damage to the structure or structures? Yes  No UNKN NA (if yes, explain below)

Has there been any fire or smoke damage to the structure or structures? Yes  No UNKN NA (if yes, explain below)

Has there been any termite, insect, rodent or pest infestation or damage? Yes  No UNKN NA (if yes, explain below)

Has the property been tested for termite, insect, rodent or pest infestation or damage?  
Yes  UNKN NA (if yes, please attach report(s))

What is the type of roof/roof covering (slate, asphalt, other.)? asphalt

Are there any known material defects? no

How old is the roof? 10

Is there a transferable warranty on the roof in effect now? Yes  No  UNKN NA (if yes, explain below)

Are there any known material defects in any of the following structural systems: footings, beams, girders, lintels, walls or partitions. Yes  No  UNKN NA (if yes, explain below)

### Systems & Services

What is the water source (circle all that apply - well, private, municipal, other)? If municipal, is it metered?  
Yes  No  UNKN NA

Has the water quality and/or flow rate been tested? Yes  No  UNKN NA (if yes, describe below)

What is the type of sewage system (circle all that apply - public sewer, private sewer, septic or cesspool)?  
Septic or cesspool, age? \_\_\_\_\_

When was the last pumped? \_\_\_\_\_

Frequency of pumping? \_\_\_\_\_

Are there any known material defects? Yes  No  UNKN NA (if yes, explain below)

Who is your electric service provider? National Grid

What is the amperage? -see inspection report-

Does it have circuit breakers or fuses? breakers

Are they private or public poles? \_\_\_\_\_

Are there any known material defects? Yes  No  UNKN NA (if yes, explain below)

Are there any flooding, drainage or grading problems that resulted in standing water on any portion of the property? Yes  No  UNKN NA (if yes, state locations and explain below)

Does the basement have seepage that results in standing water? Yes  No  UNKN NA (if yes, explain below)

Are there any known material defects in any of the following (if yes, explain below. Use additional sheets if necessary):

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is there a carbon monoxide detector? Yes  No  UNKN NA

Is there a smoke detector? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN  NA

Is the \_\_\_\_\_ system? Yes  No  UNKN  NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Is the \_\_\_\_\_ system? Yes  No  UNKN NA

Where is the property located in the following school district? City of Syracuse UNKN

is encouraged to check public records concerning the property (e.g. tax records and wetland and flood

ould use this area to further explain any item above. If necessary, attach additional pages and indicate  
number of additional pages attached.


Sept. 2009 Home Inspection report available


upon request

2nd refrigerator (basement) may be removed at  
buyers request, at contract.

Rain barrel may be removed at buyers' request, at contract  
#14 oil fuel tank in basement not in use, drained & dry

ification:  
NOTIFIES THAT THE INFORMATION IN THIS PROPERTY CONDITION DISCLOSURE STATEMENT IS  
COMPLETE TO THE SELLER'S ACTUAL KNOWLEDGE AS OF THE DATE SIGNED BY THE SELLER.  
OF RESIDENTIAL REAL PROPERTY ACQUIRES KNOWLEDGE WHICH RENDERS MATERIALLY  
A PROPERTY CONDITION DISCLOSURE STATEMENT PROVIDED PREVIOUSLY, THE SELLER  
ER A REVISED PROPERTY CONDITION DISCLOSURE STATEMENT TO THE BUYER AS SOON AS  
E. IN NO EVENT, HOWEVER, SHALL A SELLER BE REQUIRED TO PROVIDE A REVISED  
CONDITION DISCLOSURE STATEMENT AFTER THE TRANSFER OF TITLE FROM THE SELLER TO  
OR OCCUPANCY BY THE BUYER, WHICHEVER IS EARLIER.

 date 11-3-09

 date 11/3/09

nowledgment:  
edges receipt of a copy of this statement and buyer understands that this information is a statement of  
ons and information concerning the property known to the seller. It is not a warranty of any kind by the  
s agent and is not a substitute for any home, pest, radon or other inspections or testing of the property  
f the public records.

\_\_\_\_\_ date \_\_\_\_\_

\_\_\_\_\_ date \_\_\_\_\_

ADDITIONAL LISTING INFORMATION

FOR PROPERTY LOCATED AT:

306 Scottholm Terr

As owner of the property referenced above, I give permission for videos to be taken of the exterior and interior of my property. I also give permission for these images to be used for marketing purposes on the internet.

I also state that there is  or will be at time of closing \_\_\_ a working carbon monoxide detector located within my property.

To the best of my knowledge children residing at my property attend the following schools:

District: Syracuse

Elementary: H.W. Smith

Middle: Levy

High School: Nottingham

Nisha Gupta / [Signature]  
Signed

**CONTINGENCY ADDENDUM AND DISCLOSURE OF  
INFORMATION ON LEAD-BASED PAINT AND/OR LEAD-BASED  
PAINT HAZARDS FOR TARGET HOUSING SALES**

**Warning Statement**

Purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Property Address: 306 Scottholm Ter  
 City Address: Syracuse NY 13224 Unit \_\_\_\_\_  
 State Zip

**Seller's Disclosure**

- Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
- (i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain): \_\_\_\_\_
- (ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

**Records and reports available to the purchaser (Check (i) or (ii) below):**

- (i) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below): \_\_\_\_\_
- (ii) Seller has no reports pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Purchaser's Acknowledgment (Initial)**

- Purchaser has received copies of all information listed above.
- Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*
- Purchaser has [check (i) or (ii) below]:
- (i)  If this line is checked and by signatures of purchasers and sellers below, purchasers will receive a 10 day opportunity, beginning at 12:01 a.m. on the date of the execution of the purchase and sale agreement by all parties, to conduct a risk assessment or inspection, at purchaser's expense, for the presence of lead-based paint and/or lead-based paint hazards. If lead based paint hazards are found by a qualified inspector and written notice to terminate the contract is not given by the purchasers to the sellers by 11:59 p.m. of the 10th day of the inspection period, then this contract is binding and enforceable.
- (ii)  Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

**Seller's Acknowledgment (Initial)**

Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

**Certification of Accuracy**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

_____	Date	<u>X Nisha Gupta</u>	<u>11/3/09</u>
_____	Date	<u>X Paul Ven...</u>	<u>11/3/09</u>
_____	Date	<u>Pei-hui Huang</u>	_____
		Agent	Date

This form has been prepared for the sole use of the Greater Syracuse Board of REALTORS and its members. The Greater Syracuse Board, its members and agents, assume no responsibility if this form fails to protect the interests of any party. Each party should secure its own legal, tax, financial or other advice.

A Gupta & Richard VerWiebe  
Scottholm Terrace  
House, NY 13224

of home improvements

- |   |                                      |
|---|--------------------------------------|
| 1. Fresh paint throughout the house (including basement)      | October 2009                         |
| 2. Custom built bookcases with channeling for wall mounted TV | October 2009                         |
| 3. Dishwasher replaced  | September 2009                       |
| 4. Glass block windows in basement                            | May 2009                             |
| 5. Installation of rain barrel                                | May 2009                             |
| 6. Direct TV installation                                     | October 2008                         |
| 7. Main entry/porch re- design                                | September 2008                       |
| 8. Driveway repaving  | May 2008                             |
| 9. FioS installation  | September 2007                       |
| 10. Redesign of 2nd floor bath                                | September 2006                       |
| 11. Rear outdoor deck built                                   | April 2005                           |
| 12. Gutter installation                                       | September 2004                       |
| 13. Wood stove insert with stainless steel liner              | January 2004                         |
| 14. Air conditioning installed                                | July 2003 (when we bought the house) |
| 15. ADT security system installed                             | July 2003 (when we bought the house) |

# ZALIZNIAK APPRAISALS

4455 Swissvale Drive

Manlius, NY 13104

Phone: (315) 682-2015 • Fax: (315) 682-7035

E-Mail: [izalizniak@yahoo.com](mailto:izalizniak@yahoo.com)

November 9, 2009


## 306 Scottholm Terrace Syracuse, NY 13210

The square footage of the first and second floors was determined by measuring from the exterior of the house and rounding down to the nearest half foot. The square footage of the finished area of the attic was determined by measuring from the interior and rounding up to the nearest half foot. The total living space is as follows:

1 <sup>st</sup> Floor:	26	X	36	=	936
2 <sup>nd</sup> Floor:	26	X	36	=	936
Finished Attic:	14	X	6	=	84
	20	X	14	=	280
	-5	X	2	=	(10)
	15	X	16	=	<u>240</u>
					594

Total Square Footage: 2,466 s.f.\*

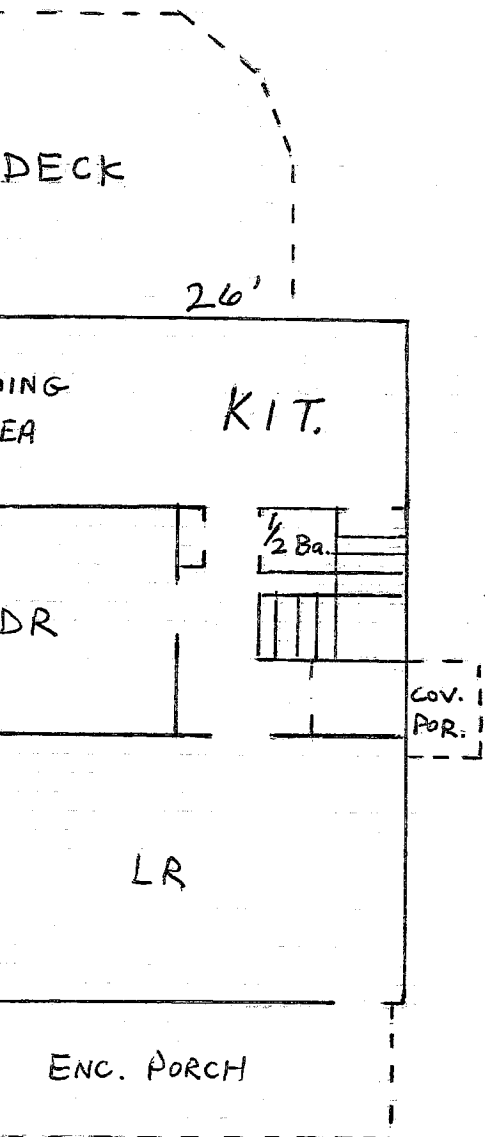
Square footage includes the finished area in the attic.



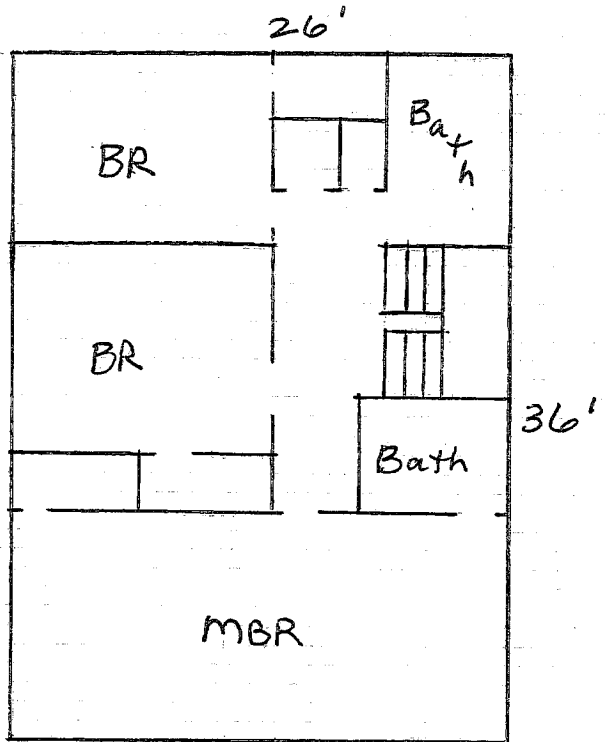
Irma S. Zalizniak

NYS Certification No. 45000006512

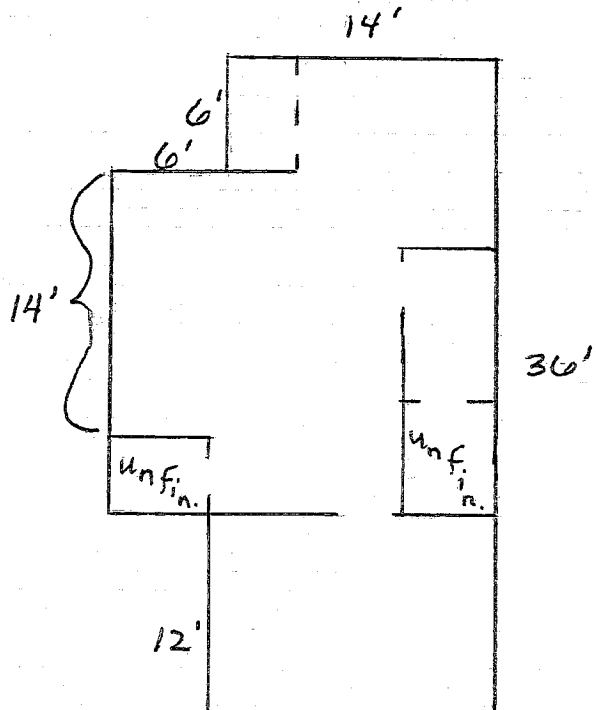
1<sup>ST</sup> FLOOR



2<sup>ND</sup> FLOOR



FINISHED ATTIC



INTERIOR ROOMS

NOT TO SCALE

for purpose of showing room layout only

306 Scottholm Ter.  
Gas Usage

Read Date & Days	Read Type	Total Therms	Total Charges
10/19/2009 33 days	Actual	41	\$58.54
9/16/2009 28 days	Actual	11	\$26.56
8/19/2009 28 days	Actual	9	\$25.11
7/22/2009 34 days	Actual	9	\$25.10
6/18/2009 29 days	Actual	14	\$29.73
5/20/2009 30 days	Actual	27	\$40.63
4/20/2009 31 days	Actual	65	\$87.48
3/20/2009 30 days	Actual	103	\$133.46
2/18/2009 30 days	Actual	126	\$158.35
1/19/2009 33 days	Actual	139	\$177.70
12/17/2008 33 days	Actual	112	\$151.24
11/14/2008 29 days	Actual	42	\$69.27
10/16/2008 29 days	Actual	11	\$28.77
9/17/2008 30 days	Actual	9	\$26.97
8/18/2008 32 days	Actual	9	\$29.44
7/17/2008 29 days	Actual	7	\$26.67
6/18/2008 33 days	Actual	15	\$38.90
5/16/2008 29 days	Actual	19	\$45.20
4/17/2008 31 days	Actual	76	\$113.88
3/17/2008 30 days	Actual	120	\$154.35
2/16/2008 28 days	Actual	108	\$138.04
1/19/2008 32 days	Actual	92	\$120.65
12/18/2007 32 days	Actual	112	\$142.16
11/16/2007			

306 Scottholm Ter.

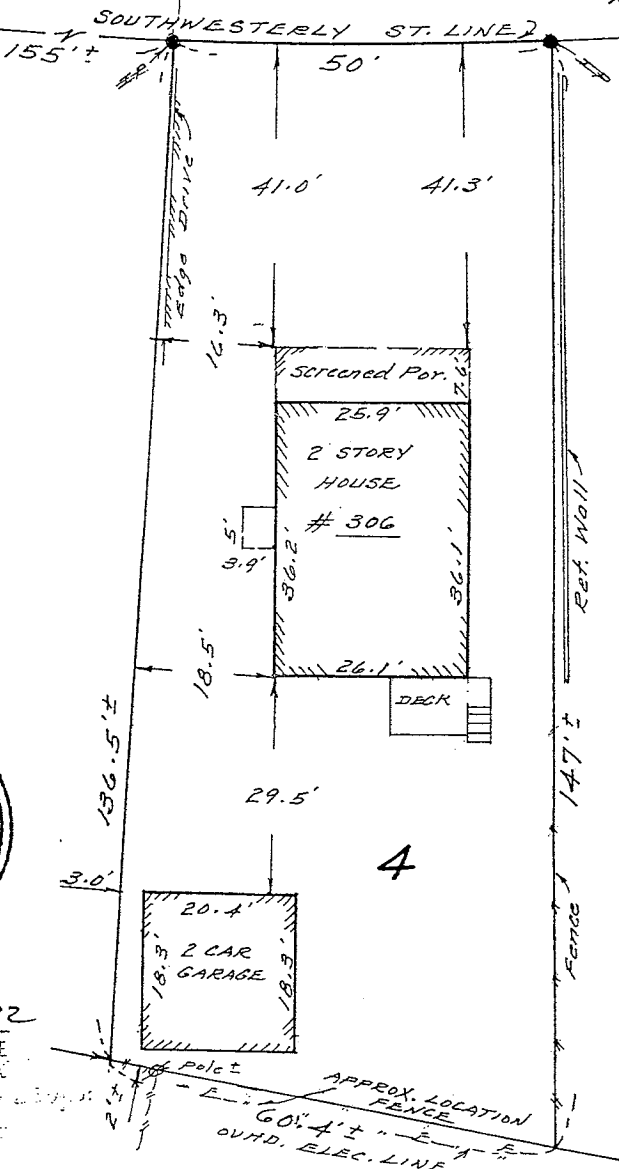
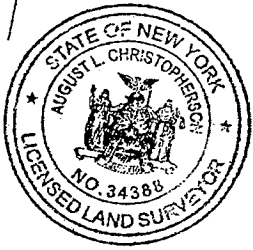
Electric Usage

Date & Days	Read Type	Total kWh	Total Charges
9/2009			
3 days	Actual	703	\$103.81
6/2009			
3 days	Actual	598	\$91.14
9/2009			
3 days	Actual	678	\$100.76
2/2009			
4 days	Actual	505	\$81.31
8/2009			
0 days	Actual	492	\$70.94
0/2009			
0 days	Actual	460	\$70.57
0/2009			
1 days	Actual	551	\$78.58
0/2009			
0 days	Actual	568	\$85.23
8/2009			
0 days	Actual	579	\$90.51
9/2009			
3 days	Actual	590	\$90.38
7/2008			
3 days	Actual	784	\$113.04
4/2008			
0 days	Actual	722	\$102.64
6/2008			
0 days	Actual	442	\$68.31
7/2008			
0 days	Actual	598	\$91.99
8/2008			
2 days	Actual	663	\$108.44
7/2008			
0 days	Actual	462	\$72.37
8/2008			
4 days	Actual	596	\$95.06
6/2008			
0 days	Actual	395	\$69.40
7/2008			
1 days	Actual	602	\$95.39
7/2008			
0 days	Actual	745	\$109.20
6/2008			
3 days	Actual	778	\$116.41
9/2008			
2 days	Actual	712	\$109.61
8/2007			
2 days	Actual	834	\$126.06
6/2007			

a Current Abstract of Title  
 Used For Construction Purposes.  
 Underground Structures Not Certified.  
 Easements & pavements shown approximately.

SCOTTHOLM TER.

SUNNYSIDE ROAD



AS OF 11/04/02  
 ANY STATE OF FACTS AN ACCURATE  
 ABSTRACT WILL SHOW  
 August L. Christopherson  
 LICENSED LAND SURVEYOR - SYRACUSE, N.Y.

TO: PHT MORTGAGE SERVICES, ISAOK  
 TICOR TITLE

...do not include placing of property corner  
 Article 145 of the NYS Education Law to alter  
 without the consent of the undersigned sur-  
 ...  
 SURVEYOR HEREBY CERTIFIES THAT THIS  
 AN ACTUAL SURVEY OF THE PROPERTY  
 COMPLETED Sept. 16, 1974  
 SURVEY AND MAP ARE CORRECT.  
 1974 A. Christopherson

MAP OF LOCATION SURVEY FOR MORTGAGE/CON-  
 VEYANCE PURPOSES

LOT 4 - BLOCK 11  
 SCOTTHOLM TRACT  
 SYRACUSE, NEW YORK  
 KNOWN AS NO. 306 SCOTTHOLM TERRACE

AUGUST L. CHRISTOPHERSON  
 LICENSED LAND SURVEYOR  
 SCALE: 1" = 20'  
 DATE OF MAP:  
 Sept. 17 1974

## we love this house

the 3rd floor den to the walk out deck in our backyard, we love every part of our home. Some of the ways we love living here:

We are kitchen people. We love to cook for friends and family and we love to entertain. Our kitchen is a place where we hang out and we've enjoyed many a good conversation and meal making in our bright and cozy kitchen; and by extension our deck and backyard, have been some of the reasons we love our home.

Our deck is like an extra room: summer sunday breakfasts on the deck, relaxing or reading, lounging in the yard and having an evening family meal followed by a pick up soccer game in the backyard are among the reasons we love this house.

We love the perennials, lush ferns, ivies, and New York native plants in our urban garden. The fruit trees in our home provide us with opportunity to experiment with new cooking (such as lemon pear marmalade and apple pies), and always freshly picked pears, cherries, concord grapes, and apples.

Our custom built bookcases and the wood stove fireplace make our living room both elegant and comfy during the winter months or any time we entertain. Likewise, reading the sunday papers on the front porch is a 3 season endeavor.

Den has multi media entertainment for all members of the family.

Tons of storage spaces - in the third floor, cedar lined closet, bedroom closets, 2 car garage and full basement/pantry.

Walking distance to Barry Park, Westcott Street area, Nottingham High School; near Le Moyne College and Syracuse University; Syracuse City School District – Say Yes to Education program

# AMERICAN

BUILDING INSPECTION  
AND TRAINING CO., INC.

[www.abitcoinc.com](http://www.abitcoinc.com) [abitco@cs.com](mailto:abitco@cs.com)



NYS DOH ELAP RADON #11767

ern Blvd., Suite 301 • East Syracuse, NY 13057 • Telephone: (315) 432-5555 • Fax: (315) 432-4052

## RADON TEST REPORT

October 30, 2002 # 1487

### TEST EQUIPMENT

HONEYWELL A9000A

SUN NUCLEAR 1027

FEMTO-TECH R210F

SERIAL#s 8919s102, 8923s004, 2146002

SERIAL #s 1671019, 641010, 1570028, 1570048

SERIAL # 91R210F0463

### CLIENT & HOME ADDRESS

Athleen Buchanan

P.O. Box 355

ewitt, NY 13214

### PROPERTY TEST ADDRESS

306 Scottholm Terrace

Syracuse, NY 13224

### TEST START DATE

Monday 10-28-02

### TEST STOP DATE

Wednesday 10-30-02

### TEST START TIME

2:25 pm

### TEST STOP TIME

1:15 pm

### RADON UNIT LOCATION

Basement

### TEST RESULTS

→ 1.7 pCi/L

Radon Levels are **BELOW** EPA maximum of 4.0 pCi/L.

The professional radon monitor indicated above was used to provide your test results and data, and the US Environmental Protection Agency (EPA) evaluated and accepted. It is classified as a continuous radon monitor. In most cases, battery back-up is provided in case of power outage. These units show if tampered with. Readings are unaffected by radio frequency interference (RFI), normal temperature &/or humidity variations. Alpha particle emission from radon/radon progeny affects radiation atomic decay. Normal sensitivity is one alpha decay per hour pCi/L @4pCi/L.

**MITIGATION OF LIABILITY:** While we maintain the highest possible quality control and include several checks in our procedures, we make **NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED** for the consequences of false test results. Before you take any action based on test results reported, **WE RECOMMEND THAT FURTHER MEASUREMENTS BE MADE.** Neither American Building Inspection and Training Co., Inc. nor any of its employees or agents shall be liable under any claim, charge or demand, whether in contract, tort or otherwise, for any and all loss, charge, claim, demand, fee, expense or damage of any nature or kind arising out of, connected with, resulting from or sustained because of any radon test requested.



New York State  
DEPARTMENT OF STATE  
Division of Licensing Services  
P.O. Box 22001  
Albany, NY 12201-2001



Customer Service: (518) 474-4429  
Fax: (518) 473-6648  
Web site: [www.dos.state.ny.us](http://www.dos.state.ny.us)

## New York State Disclosure Form for Buyer and Seller

### THIS IS NOT A CONTRACT

New York State law requires real estate licensees who act as agents of buyers and sellers of property to disclose the potential buyers and sellers with whom they enter into an agency relationship and the nature of that relationship and the obligations it creates. This disclosure will help you make informed choices about your relationship with a real estate broker and its sales associates.

Without this disclosure, you may receive more than one offer for the property. The law requires each agent assisting in a transaction to present you with this disclosure form. A real estate agent is a person qualified to advise about real estate.

For legal, tax or other advice, consult with a professional in that field.

### Disclosure Regarding Real Estate Agency Relationships

#### Buyer's Agent

A buyer's agent is an agent who is engaged by a buyer to represent the buyer's interest. The buyer's agent does this by assisting the buyer for the seller's home at a price and on terms acceptable to the buyer. A buyer's agent has, without limitation, the following fiduciary duties to the buyer: (a) exercise reasonable care, undivided loyalty, confidentiality, full disclosure, obedience and duty to account. A buyer's agent does not represent the interest of the seller. The obligations of a buyer's agent are also subject to any specific provisions set forth in an agreement between the agent and the buyer. In dealings with the seller, a buyer's agent should (a) exercise reasonable skill and care in performance of the agent's duties; (b) deal honestly, fairly and in good faith; and (c) disclose all facts known to the agent materially affecting the buyer's ability and/or willingness to perform a contract to acquire seller's property that are not inconsistent with the agent's fiduciary duties to the buyer.

#### Broker's Agents

A broker's agent is an agent that cooperates or is engaged by a listing agent or a buyer's agent (but does not work for the same firm as the listing agent or buyer's agent) to assist the listing agent or buyer's agent in locating a property to sell or buy, respectively, for the listing agent's seller or the buyer agent's buyer. The broker's agent does not have a direct relationship with the buyer or seller and the buyer or seller can not provide instructions or direction directly to the broker's agent. The buyer and the seller therefore do not have vicarious liability for the acts of the broker's agent. The listing agent or buyer's agent do provide direction and instruction to the broker's agent and therefore the listing agent or buyer's agent will have liability for the acts of the broker's agent.

#### Dual Agent

A real estate broker may represent both the buyer and seller if both the buyer and seller give their informed consent in writing. In such a dual agency situation, the agent will not

the buyer and seller that the agent is acting for another party as well. The agent should also explain the possible effects of dual representation, including that by consenting to the dual agency relationship the buyer and seller are giving up their right to undivided loyalty. A buyer or seller should carefully consider the possible consequences of a dual agency relationship before agreeing to such representation.

### DUAL AGENT WITH DESIGNATED SALES AGENTS

If the buyer and the seller provide their informed consent in writing, the principals or the real estate broker who represents both parties as a dual agent may designate a sales agent to represent the buyer and another sales agent to represent the seller to facilitate the purchase and sale of real estate. A sales

agent works under the supervision of the real estate broker. With the informed consent of the buyer and the seller in writing, the designated sales agent for the buyer will function as the buyer's agent representing the interests of and advocating on behalf of the buyer and the designated sales agent for the seller will function as the seller's agent representing the interests of and advocating on behalf of the seller in the negotiations between the buyer and seller. A designated sales agent cannot provide the full range of fiduciary duties to the buyer or seller. The designated sales agent must explain that like the dual agent under whose supervision they function, they cannot provide undivided loyalty. A buyer or seller should carefully consider the possible consequences of a dual agency relationship with designated sales agents before agreeing to such representation.

This form was provided to me by Pei Lin Team (print name of licensee) of

KW Signature (print name of company, firm or brokerage),

licensed real estate broker acting in the interest of the

Seller as a (check relationship below)

- Seller's agent  
 Broker's agent

( ) Buyer as a (check relationship below)

- ( ) Buyer's agent  
( ) Broker's agent

( ) Dual agent

( ) Dual agent with designated sales agents

If dual agent with designated sales agents is checked:

\_\_\_\_\_ is appointed to represent the buyer; and

\_\_\_\_\_ is appointed to represent the seller in this transaction.

We) \_\_\_\_\_

Knowledge receipt of a copy of this disclosure form:

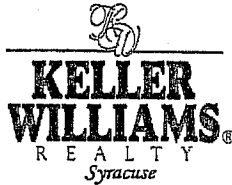
Signature of [ ] Buyer(s) and/or  Seller(s):

Nisha Gupta

[Signature]

Date: 11/3/09

Date: 11/3/09



**ESCROW**

I acknowledge that it may take up to seven (7) business days for the Ernest money funds to clear the bank. In the event the cancelled the funds will be disbursed as soon as they are available from our HSBC Escrow account. In accordance with Section General Business Law of the State of New York, we are required to advise you that should Keller Williams Syracuse be the agent in the attached Contract to Purchase or Lease, the down payment will be deposited in the escrow agent's bank account at HSBC during the term of the escrow.

**FRANCHISE DISCLOSURE ADDENDUM**

Keller Williams Syracuse Real Estate LLC is an independent franchise of the Keller Williams Realty System. Each office is independently owned and operated.

**AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE**

We notify you that Keller Williams Syracuse has an affiliation with Homestead Financial Services, Inc. who provides us with financial services.

**EQUAL OPPORTUNITY POLICY STATEMENT**

Keller Williams Syracuse Real Estate LLC dba Keller Williams Syracuse is a member of the Multiple Listing Service, which covers the Greater Syracuse area and surrounding counties. Our agents can show you any homes you wish to see, regardless of location.

It is the policy of Keller Williams Syracuse to comply with local, New York State, and Federal fair housing laws. These laws require that the service provided to a home seeker shall not be influenced by the home seeker's race, color, religion, sex, handicap, familial status, or national origin - or such other classes as may be determined by law to be protected classes (collectively referred to as "protected classes"). Our agents are not authorized to discuss with any customer or client the composition of any neighborhood or area based upon protected classes listed. Neighborhood information may usually be secured from local schools, police departments, government offices, or other sources in the area. Further, our agents are not permitted to select houses or other property for prospective buyers on the basis of the neighborhood composition of protected classes.

If you believe that you may not have received equal service because of your protected status, we strongly encourage you to notify either the manager of the branch office through which you are seeking assistance, or the broker of this company. We do not expect there will be any problems, but we would like the opportunity to correct any problems that may exist.

**COMMISSION PAYMENT AUTHORIZATION**

New York State Real Property Law considers the real estate commission due at the time of the meeting of the minds, which would be at the time the Purchase Offer or Lease is accepted. However, most real estate companies, including Keller Williams Syracuse, defer the actual payment of this earned commission until the closing of the sale or lease execution. In consideration of this deferred commission collection, we request your authorization for collection of the commission at the closing or lease execution from the proceeds or a certified check payable to the Seller, Closing Agent or Lender's Attorney:

I (we) hereby authorize and request that the real estate commission for the sale/lease/exchange of the above described property, or any portion thereof outstanding, be disbursed from the proceeds of the sale/lease/exchange at the time of closing or lease execution as billed to Keller Williams Syracuse, which will indicate direct payment to the applicable real estate companies involved. In the event the proceeds are insufficient, the balance shall be paid by a certified check drawn on a bank or official check issued by any bank, credit union (provided such check is drawn on a New York State bank) or savings and loan association having a banking office in the State of New York.

**CERTIFICATION**

I have read and understood the information in the "Franchise Disclosure Addendum" and the "Equal Opportunity Policy Statement".

SELLER NAME(S)

BUYER NAME(S)

SIGNATURE OF PROSPECTIVE SELLER

SIGNATURE OF PROSPECTIVE BUYER