

# INFORMATION ABOUT THE PROPERTY DISCLOSURE STATEMENT **STRATA TITLE PROPERTIES (NON-BARE LAND STRATAS)**

THIS INFORMATION IS INCLUDED FOR THE ASSISTANCE OF THE PARTIES ONLY. IT DOES NOT FORM PART OF THE PROPERTY DISCLOSURE STATEMENT.

## EFFECT OF THE PROPERTY DISCLOSURE STATEMENT

The Property Disclosure Statement will not form part of the Contract of Purchase and Sale unless so agreed by the buyer and the Seller. This can be accomplished by inserting the following wording in the Contract of Purchase and Sale:

“The attached Property Disclosure Statement dated (date)  
is incorporated into and forms part of this contract.”

## ANSWERS MUST BE COMPLETE AND ACCURATE

The Property Disclosure Statement is designed, in part, to protect the seller by establishing that all relevant information concerning the property has been provided to the buyer. It is important that the seller not answer “do not know” or “does not apply” if, in fact, the seller knows the answer. An answer must provide all relevant information known to the seller. In deciding what requires disclosure, the seller should consider whether the seller would want the information if the seller was a potential buyer of the Unit.

## BUYER MUST STILL MAKE THE BUYER'S OWN INQUIRIES

The buyer must still make the buyer's own inquiries after receiving the Property Disclosure Statement. Each question and answer must be considered, keeping in mind that the seller's knowledge of the Unit and the Development may be incomplete. Additional information can be requested from the seller or from an independent source such as the Municipality or Regional District. The buyer can hire an independent, licensed inspector or other professional to examine the Unit or the Development and/or improvements to determine whether defects exist and to provide an estimate of the cost of repairing problems that have been identified on the Property Disclosure Statement or on an inspection report.

## SIX IMPORTANT CONSIDERATIONS

1. The seller is legally responsible for the accuracy of the information which appears on the Property Disclosure Statement. Not only must the answers be correct, but they must be complete. The buyer will rely on this information when the buyer contracts to purchase the property. Even if the Property Disclosure Statement is not incorporated into the Contract of Purchase and Sale, the seller will still be responsible for the accuracy of the information on the Property Disclosure Statement if it caused the buyer to agree to buy the Unit.
2. The buyer must still make the buyer's own inquiries concerning the Unit in addition to reviewing a Property Disclosure Statement, recognizing that, in some cases, it may not be possible to claim against the seller, if the seller cannot be found or is insolvent.
3. Anyone who is assisting the seller to complete a Property Disclosure Statement should take care to see that the seller understands each question and that the seller's answer is complete. It is recommended that the seller complete the Property Disclosure Statement in the seller's own writing to avoid any misunderstanding.
4. If any party to the transaction does not understand the English language, consider obtaining competent translation assistance to avoid any misunderstanding.
5. The buyer should personally inspect both the parking space(s) and storage locker(s) assigned to the Unit.
6. “Unit” is defined as the living space, including limited common property, being purchased. “Common Property” includes buildings or spaces accessible to all owners. “Lands” is defined as the land upon which the Unit, all other strata lots and Common Property are constructed. “Development” is defined as the Lands, the Unit and all other strata lots and Common Property.



# PROPERTY DISCLOSURE STATEMENT

## STRATA TITLE PROPERTIES (NON-BARE LAND STRATAS)



Date of disclosure: \_\_\_\_\_

The following is a statement made by the Seller concerning the property or strata unit located at:

**ADDRESS/STRATA UNIT #:** \_\_\_\_\_

**(the "Unit")**

|   |  |   |           |                        |                           |
|---|--|---|-----------|------------------------|---------------------------|
| <b>THE PROPERTY CONTAINS THE FOLLOWING BUILDINGS:</b>   |  |   |           |                        |                           |
| _____ Principal Residence    _____ Residence(s)    _____ Barn(s)    _____ Shed(s)<br>_____ Other Building(s) Please describe _____  |  |   |           |                        |                           |
| THE SELLER IS RESPONSIBLE for the accuracy of the answers on this Property Disclosure Statement and where uncertain should reply "Do Not Know."<br>This Property Disclosure Statement constitutes a representation under any Contract of Purchase and Sale if so agreed, in writing, by the seller and the buyer. "Unit" is defined as the living space, including related limited common property, being purchased. "Common Property" includes buildings or spaces accessible to all owners. "Lands" is defined as the land upon which the Unit, all other strata lots and Common Property are constructed. "Development" is defined as the Lands, the Unit and all other strata lots and Common Property. |  | <b>THE SELLER SHOULD INITIAL<br/>THE APPROPRIATE REPLIES.</b> |           |                        |                           |
|   |  | <b>YES</b>  | <b>NO</b> | <b>DO NOT<br/>KNOW</b> | <b>DOES NOT<br/>APPLY</b> |

**1. LAND**

|   |  |  |  |  |
|---|--|--|--|--|
| A. Are you aware of any past or present underground oil storage tank(s) in or on the Development?                         |  |  |  |  |
| B. Are you aware of any existing tenancies, written or oral?  |  |  |  |  |
| C. Are you aware of any current or pending local improvement levies/charges?  |  |  |  |  |
| D. Are you aware of any pending litigation or claim affecting the Development or the Unit from any person or public body? |  |  |  |  |

**2. SERVICES**

|   |  |  |  |  |
|---|--|--|--|--|
| A. Please indicate the water system(s) the Development uses:<br><input type="checkbox"/> A water provider supplies my water (e.g., local government, private utility)<br><input type="checkbox"/> I have a private groundwater system (e.g., well)<br><input type="checkbox"/> Water is diverted from a surface water source (e.g., creek or lake)<br><input type="checkbox"/> Not connected<br>Other _____ |  |  |  |  |
| B. If you indicated in 2.A. that the Development has a private groundwater or private surface water system, you may require a water licence issued by the provincial government.  |  |  |  |  |
| (i) Do you have a water licence for the Development already?  |  |  |  |  |
| (ii) Have you applied for a water licence and are awaiting response?  |  |  |  |  |

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DATE OF DISCLOSURE

**ADDRESS/STRATA UNIT #:**

| 2. SERVICES (continued)  | YES | NO | DO NOT KNOW | DOES NOT APPLY |
|--|-----|----|-------------|----------------|
| C. Are you aware of any problems with the water system?          |     |    |             |                |
| D. Are you aware of any problems with the sanitary sewer system? |     |    |             |                |

**3. BUILDING Respecting the Unit and Common Property**

|   |  |  |  |  |
|---|--|--|--|--|
| A. Has a final building inspection been approved or a final occupancy permit been obtained?   |  |  |  |  |
| B. Has the fireplace, fireplace insert, or wood stove installation been approved:<br>(i) <input type="checkbox"/> by local authorities?<br>(ii) <input type="checkbox"/> by a WETT certified inspector? |  |  |  |  |
| C. (i) Is this Unit occupied, or has this Unit been previously occupied?  |  |  |  |  |
| (ii) Are you the "owner developer" as defined in the <i>Strata Property Act</i> ?   |  |  |  |  |
| D. Does the Unit have any equipment leases or service contracts: e.g., security systems, water purification, etc.?  |  |  |  |  |
| E. Are you aware of any additions or alterations made without a required permit: e.g., building, electrical, gas, etc.?   |  |  |  |  |
| F. Are you aware of any structural problems with any of the buildings in the Development?   |  |  |  |  |
| G. Are you aware of any problems with the heating and/or central air conditioning system?   |  |  |  |  |
| H. Are you aware of any damage due to wind, fire or water?  |  |  |  |  |
| I. Are you aware of any infestation or unrepaired damage by insects, rodents or bats?   |  |  |  |  |
| J. Are you aware of any leakage or unrepaired damage?   |  |  |  |  |
| K. Are you aware of any problems with the electrical or gas system?   |  |  |  |  |
| L. Are you aware of any problems with the plumbing system?  |  |  |  |  |
| M. Are you aware of any pet restrictions?   |  |  |  |  |
| N. Are you aware of any rental restrictions?  |  |  |  |  |
| O. Are you aware of any age restrictions?   |  |  |  |  |
| P. Are you aware of any other restrictions? If so, provide details on page 6, Section 5. ADDITIONAL COMMENTS AND/OR EXPLANATIONS  |  |  |  |  |

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DATE OF DISCLOSURE \_\_\_\_\_

**ADDRESS/STRATA UNIT #:** \_\_\_\_\_

| <b>3. BUILDING Respecting the Unit and Common Property</b> (continued)  | <b>YES</b> | <b>NO</b> | <b>DO NOT KNOW</b> | <b>DOES NOT APPLY</b> |
|---|------------|-----------|--------------------|-----------------------|
| Q. Are you aware of any special assessment(s) voted on or proposed?   |            |           |                    |                       |
| R. Have you paid any special assessment(s) in the past 5 years?   |            |           |                    |                       |
| S. Are you aware of any agreements that provide for future payment or possible payment of monies to you in your capacity as the current owner of the Unit?  |            |           |                    |                       |
| T. Are you aware of any pending strata corporation policy or bylaw amendment(s) which may alter or restrict the uses of the Unit?   |            |           |                    |                       |
| U. Are you aware of any problems with the swimming pool and/or hot tub?   |            |           |                    |                       |
| V. Are you aware of any additions, alterations or upgrades made to the Unit that were not installed by the original developer?  |            |           |                    |                       |
| W. Are there any agreements under which the owner of the Unit assumes responsibility for the installation and/or maintenance of alterations to the Unit or Common Property?   |            |           |                    |                       |
| X. Was this Unit constructed by an "owner builder," as defined in the <i>Homeowner Protection Act</i> , within the last 10 years? If yes, attach required Owner Builder Disclosure Notice.  |            |           |                    |                       |
| Y. Is this Unit or related Common Property covered by home warranty insurance under the <i>Homeowner Protection Act</i> ?   |            |           |                    |                       |
| Z. Is there a current "EnerGuide for Houses" rating number available for this unit?<br>If so, what is the rating number? _____<br>When was the energy assessment report prepared?<br>_____  |            |           |                    |                       |
| AA. Nature of Interest/Ownership: <input checked="" type="checkbox"/> Freehold <input type="checkbox"/> Time Share <input type="checkbox"/> Leasehold<br><input checked="" type="checkbox"/> Undivided <input type="checkbox"/> Cooperative |            |           |                    |                       |
| BB Management Company _____<br>Name of Manager _____ Telephone _____<br>Address _____   |            |           |                    |                       |
| CC. If self managed:<br>Strata Council President's Name _____ Telephone _____<br>Strata Council Secretary Treasurer's Name _____ Telephone _____  |            |           |                    |                       |

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DATE OF DISCLOSURE

**ADDRESS/STRATA UNIT #:**

| <b>3. BUILDING Respecting the Unit and Common Property</b> (continued)   | YES | NO | CAN BE OBTAINED FROM: |                |             |     |    |             |                |
|--|-----|----|-----------------------|----------------|-------------|-----|----|-------------|----------------|
| DD. Are the following documents available?   |     |    |                       |                |             |     |    |             |                |
| Bylaws   |     |    |                       |                |             |     |    |             |                |
| Rules/Regulations  |     |    |                       |                |             |     |    |             |                |
| Year-to-date Financial Statements  |     |    |                       |                |             |     |    |             |                |
| Current Year's Operating Budget  |     |    |                       |                |             |     |    |             |                |
| All Minutes of Last 24 Months Including Council, Special and AGM Minutes   |     |    |                       |                |             |     |    |             |                |
| Engineer's Report and/or Building Envelope Assessment  |     |    |                       |                |             |     |    |             |                |
| Strata Plan  |     |    |                       |                |             |     |    |             |                |
| Depreciation Report  |     |    |                       |                |             |     |    |             |                |
| Reserve Fund Study   |     |    |                       |                |             |     |    |             |                |
| Summary of Insurance Coverages (including premium)   |     |    |                       |                |             |     |    |             |                |
| EE. What is the monthly strata fee? \$ _____   |     |    |                       |                |             |     |    |             |                |
| Does this monthly fee include:   | YES | NO | DO NOT KNOW           | DOES NOT APPLY |             | YES | NO | DO NOT KNOW | DOES NOT APPLY |
| Management?  |     |    |                       |                | Recreation? |     |    |             |                |
| Heat?  |     |    |                       |                | Cable?      |     |    |             |                |
| Hot Water?   |     |    |                       |                | Gardening?  |     |    |             |                |
| Gas Fireplace?   |     |    |                       |                | Caretaker?  |     |    |             |                |
| Garbage?   |     |    |                       |                | Water?      |     |    |             |                |
| Sewer?   |     |    |                       |                | Other?      |     |    |             |                |
| FF. (i) Number of Unit parking stalls included _____ and specific numbers _____  |     |    |                       |                |             |     |    |             |                |
| (ii) Are these: <input type="checkbox"/> (a) Limited Common Property? <input type="checkbox"/> (b) Common Property? <input type="checkbox"/> (c) Rented? |     |    |                       |                |             |     |    |             |                |
| <input type="checkbox"/> (d) Long Term Lease? <input type="checkbox"/> (e) Other?  |     |    |                       |                |             |     |    |             |                |
| GG. (i) Storage Locker? <input type="checkbox"/> Yes <input type="checkbox"/> No Number(s) _____   |     |    |                       |                |             |     |    |             |                |
| (ii) Are these: <input type="checkbox"/> (a) Limited Common Property? <input type="checkbox"/> (b) Common Property? <input type="checkbox"/> (c) Rented? |     |    |                       |                |             |     |    |             |                |
| <input type="checkbox"/> (d) Long Term Lease? <input type="checkbox"/> (e) Other?  |     |    |                       |                |             |     |    |             |                |

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DATE OF DISCLOSURE

ADDRESS/STRATA UNIT #:

| 3. BUILDING Respecting the Unit and Common Property (continued)   | YES | NO | DO NOT KNOW | DOES NOT APPLY |
|---|-----|----|-------------|----------------|
| HH. To the best of your knowledge, has the Unit been tested for radon?<br>(i) If yes, was the most recent test:<br><input type="checkbox"/> short term or <input type="checkbox"/> long term (more than 90 days)<br>Level: _____ <input type="checkbox"/> bq/m3 <input type="checkbox"/> pCi/L<br>on _____ date of test (DD/MM/YYYY)            |     |    |             |                |
| II. Is there a radon mitigation system in the Unit?   |     |    |             |                |
| (i) If yes, are you aware of any problems or deficiencies with the radon mitigation system in the Unit?   |     |    |             |                |
| JJ. To the best of your knowledge, has the Common Property been tested for radon?<br>(i) If yes, was the most recent test:<br><input type="checkbox"/> short term or <input type="checkbox"/> long term (more than 90 days)<br>Level: _____ <input type="checkbox"/> bq/m3 <input type="checkbox"/> pCi/L<br>on _____ date of test (DD/MM/YYYY) |     |    |             |                |
| KK. Is there a radon mitigation system for the Common Property?   |     |    |             |                |
| (i) If yes, are you aware of any problems or deficiencies with the radon mitigation system for the Common Property?   |     |    |             |                |

## 4. GENERAL

|  |  |  |  |  |
|--|--|--|--|--|
| A. Are you aware if the Unit, or any other unit, or the Development has been used to grow cannabis (other than as permitted by law) or to manufacture illegal substances?  |  |  |  |  |
| B. Are you aware of any latent defect in respect of the Development?<br><i>For the purposes of this question, "latent defect" means a defect that cannot be discerned through a reasonable inspection of the Development that renders the Development: (a) dangerous or potentially dangerous to occupants; or (b) unfit for habitation.</i> |  |  |  |  |
| C. Are you aware of any existing or proposed heritage restrictions affecting the Development (including the Development being designated as a "heritage site" or as having "heritage value" under the <i>Heritage Conservation Act</i> or municipal legislation)?  |  |  |  |  |
| D. Are you aware of any existing or proposed archaeological restrictions affecting the Development (including the Development being designated as an archaeological site or as having archaeological value under applicable law)?  |  |  |  |  |

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DATE OF DISCLOSURE

**ADDRESS:****5. ADDITIONAL COMMENTS AND/OR EXPLANATIONS (Use additional pages if necessary)**

The Seller states that the information provided is true, based on the Seller's current actual knowledge as of the date on page 1. Any important changes to this information made known to the Seller will be disclosed by the Seller to the Buyer prior to closing. The Seller acknowledges and agrees that a copy of this Property Disclosure Statement may be given to a prospective Buyer.

**PLEASE READ THE INFORMATION PAGE BEFORE SIGNING.**

\_\_\_\_\_  
SELLER(S)\_\_\_\_\_  
SELLER(S)\_\_\_\_\_  
SELLER(S)

The Buyer acknowledges that the Buyer has received, read and understood a signed copy of this Property Disclosure Statement from the Seller or the Seller's brokerage on the \_\_\_\_\_ day of \_\_\_\_\_ yr \_\_\_\_\_.

The prudent Buyer will use this Property Disclosure Statement as the starting point for the Buyer's own inquiries.

**The Buyer is urged to carefully inspect the Development and, if desired, to have the Development inspected by a licensed inspection service of the Buyer's choice.**

**The Buyer acknowledges that all measurements are approximate. The Buyer should obtain a strata plan drawing from the Land Title Office or retain a professional home measuring service if the Buyer is concerned about the size.**

\_\_\_\_\_  
BUYER(S)\_\_\_\_\_  
BUYER(S)\_\_\_\_\_  
BUYER(S)

The Seller and the Buyer understand that neither the Listing nor Selling Brokerages or their Managing Brokers, Associate Brokers or Representatives warrant or guarantee the information provided about the strata Unit or the Development.

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