5

7

8

10

11

14

15

16

17

18

19

2021

22

23

24

25

2627

28

29

30

<u>2SHB 2344</u> - S COMM AMD By Committee on Transportation

1 Strike everything after the enacting clause and insert the 2 following:

3 "Sec. 1. RCW 36.70A.070 and 2005 c 360 s 2 are each amended to 4 read as follows:

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

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

- (1)land use element designating the proposed Α distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of ground water used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.
- (2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory

and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

- (3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.
- 25 (4) A utilities element consisting of the general location, 26 proposed location, and capacity of all existing and proposed utilities, 27 including, but not limited to, electrical lines, telecommunication 28 lines, and natural gas lines.
 - (5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:
 - (a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

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

- (c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:
 - (i) Containing or otherwise controlling rural development;
- 15 (ii) Assuring visual compatibility of rural development with the surrounding rural area;
 - (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;
 - (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and ground water resources; and
 - (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.
 - (d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:
 - (i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.
 - (A) A commercial, industrial, residential, shoreline, or mixed-use area shall be subject to the requirements of (d)(iv) of this subsection, but shall not be subject to the requirements of (c)(ii) and (iii) of this subsection.
- 37 (B) Any development or redevelopment other than an industrial area

or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

1 2

3

4

5

6 7

8

10

11

1213

14

15 16

17

18

19

2021

22

2324

25

2627

28

29

30

3132

33

3435

3637

- (C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);
- (ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;
- The intensification of development on lots containing (iii) isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural Rural counties may allow the expansion of small-scale residents. businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030($(\frac{14}{14})$) (15). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(((14)))) (15). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;
- (iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer

- 1 boundary of the existing area or use, thereby allowing a new pattern of
- 2 low-density sprawl. Existing areas are those that are clearly
- 3 identifiable and contained and where there is a logical boundary
- 4 delineated predominately by the built environment, but that may also
- 5 include undeveloped lands if limited as provided in this subsection.
- 6 The county shall establish the logical outer boundary of an area of
- 7 more intensive rural development. In establishing the logical outer
- 8 boundary the county shall address (A) the need to preserve the
- 9 character of existing natural neighborhoods and communities, (B)
- 10 physical boundaries such as bodies of water, streets and highways, and
- 11 land forms and contours, (C) the prevention of abnormally irregular
- 12 boundaries, and (D) the ability to provide public facilities and public
- 13 services in a manner that does not permit low-density sprawl;
- 14 (v) For purposes of (d) of this subsection, an existing area or
- 15 existing use is one that was in existence:
- 16 (A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;
- 18 (B) On the date the county adopted a resolution under RCW 19 36.70A.040(2), in a county that is planning under all of the provisions
- of this chapter under RCW 36.70A.040(2); or
- 21 (C) On the date the office of financial management certifies the
- county's population as provided in RCW 36.70A.040(5), in a county that
- 23 is planning under all of the provisions of this chapter pursuant to RCW
- 24 36.70A.040(5).
- 25 (e) Exception. This subsection shall not be interpreted to permit
- 26 in the rural area a major industrial development or a master planned
- 27 resort unless otherwise specifically permitted under RCW 36.70A.360 and
- 28 36.70A.365.
- 29 (6) A transportation element that implements, and is consistent
- 30 with, the land use element.
- 31 (a) The transportation element shall include the following
- 32 subelements:
- (i) Land use assumptions used in estimating travel;
- 34 (ii) Estimated traffic impacts to state-owned transportation
- 35 facilities resulting from land use assumptions to assist the department
- of transportation in monitoring the performance of state facilities, to
- 37 plan improvements for the facilities, and to assess the impact of land-
- 38 use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

- (A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities, and rail facilities, within the city or county's jurisdictional boundaries. The identification required by this subsection (6)(a)(iii)(A) must include an inventory of active and inactive rail corridors and must provide for and encourage the preservation of these rail corridors for future rail purposes;
 - (B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;
 - (C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the department of transportation's six-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;
 - (D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;
 - (E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;
- (F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

1

3

4

5

6

7

8

9

11

1213

14

15

16 17

18

19

2021

22

2324

25

2627

28

29

3031

32

33

34

35

3637

- (A) An analysis of funding capability to judge needs against probable funding resources;
- (B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ((six-year)) ten-year improvement program developed by the department of transportation as required by RCW 47.05.030;
- (C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;
- (v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;
 - (vi) Demand-management strategies;
 - (vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.
- (b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation management strategies. For the purposes of this subsection (6) "concurrent with the development" shall mean that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.

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

- (7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.
 - (8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.
 - (9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.
- **Sec. 2.** RCW 64.06.020 and 2007 c 107 s 4 are each amended to read as follows:
- 35 (1) In a transaction for the sale of improved residential real 36 property, the seller shall, unless the buyer has expressly waived the 37 right to receive the disclosure statement under RCW 64.06.010, or

- unless the transfer is otherwise exempt under RCW 64.06.010, deliver to 1
- 2 the buyer a completed seller disclosure statement in the following
- format and that contains, at a minimum, the following information: 3
- 4 INSTRUCTIONS TO THE SELLER
- 5 Please complete the following form. Do not leave any spaces blank.
- the question clearly does not apply to the property write "NA." If the 6
- answer is "yes" to any * items, please explain on attached sheets. 7
- Please refer to the line number(s) of the question(s) when you provide 8
- your explanation(s). For your protection you must date and sign each 9
- 10 page of this disclosure statement and each attachment. Delivery of the
- 11 disclosure statement must occur not later than five business days,
- 12 unless otherwise agreed, after mutual acceptance of a written contract
- 13 to purchase between a buyer and a seller.
- 14 NOTICE TO THE BUYER
- THE FOLLOWING DISCLOSURES ARE MADE BY SELLER ABOUT THE CONDITION OF THE 15
- 16
- ("THE PROPERTY"), OR AS LEGALLY DESCRIBED ON ATTACHED EXHIBIT A. 17
- SELLER MAKES THE FOLLOWING DISCLOSURES OF EXISTING MATERIAL FACTS OR 18
- MATERIAL DEFECTS TO BUYER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE 19
- PROPERTY AT THE TIME SELLER COMPLETES THIS DISCLOSURE STATEMENT. 20
- 21 UNLESS YOU AND SELLER OTHERWISE AGREE IN WRITING, YOU HAVE THREE
- 22 BUSINESS DAYS FROM THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS
- DISCLOSURE STATEMENT TO YOU TO RESCIND THE AGREEMENT BY DELIVERING A 23
- 24 SEPARATELY SIGNED WRITTEN STATEMENT OF RESCISSION TO SELLER OR SELLER'S
- IF THE SELLER DOES NOT GIVE YOU A COMPLETED DISCLOSURE 25 AGENT.
- 26 STATEMENT, THEN YOU MAY WAIVE THE RIGHT TO RESCIND PRIOR TO OR AFTER
- THE TIME YOU ENTER INTO A SALE AGREEMENT. 27
- 2.8 THE FOLLOWING ARE DISCLOSURES MADE BY SELLER AND ARE NOT THE
- REPRESENTATIONS OF ANY REAL ESTATE LICENSEE OR OTHER PARTY. 29
- INFORMATION IS FOR DISCLOSURE ONLY AND IS NOT INTENDED TO BE A PART OF 30
- ANY WRITTEN AGREEMENT BETWEEN BUYER AND SELLER. 31
- 32 FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS
- 33 PROPERTY YOU ARE ADVISED TO OBTAIN AND PAY FOR THE SERVICES OF
- QUALIFIED EXPERTS TO INSPECT THE PROPERTY, WHICH MAY INCLUDE, WITHOUT 34
- 35 LIMITATION, ARCHITECTS, ENGINEERS, LAND SURVEYORS, PLUMBERS,
- ELECTRICIANS, ON-SITE WASTEWATER ROOFERS, BUILDING INSPECTORS, 36
- 37 TREATMENT INSPECTORS, OR STRUCTURAL PEST INSPECTORS. THE PROSPECTIVE

- BUYER AND SELLER MAY WISH TO OBTAIN PROFESSIONAL ADVICE OR INSPECTIONS 1
- 2 OF THE PROPERTY OR TO PROVIDE APPROPRIATE PROVISIONS IN A CONTRACT
- 3 BETWEEN THEM WITH RESPECT TO ANY ADVICE, INSPECTION, DEFECTS OR
- 4 WARRANTIES.
- 5 Seller . . . is/ . . . is not occupying the property.

6	I. SELLER'S DISCLOSURES:							
7	*If you answer "Yes" to a question with an asterisk (*), please explain your answer							
8	and attach documents, if available and not otherwise publicly recorded. If necessary,							
9	use an attached sheet.							
10	1. TITLE							
11	[] Yes [] No [] Don't know A. Do you have legal authority to sell							
12	the property? If no, please explain.							
13	[] Yes [] No [] Don't know *B. Is title to the property subject to							
14	any of the following?							
15	(1) First right of refusal							
16	(2) Option							
17	(3) Lease or rental agreement							
18	(4) Life estate?							
19	[] Yes [] No [] Don't know *C. Are there any encroachments,							
20	boundary agreements, or boundary							
21	disputes?							
22	[] Yes [] No [] Don't know *D. Is there a private road or easement							
23	agreement for access to the property?							
24	[] Yes [] No [] Don't know *E. Are there any rights-of-way,							
25	easements, or access limitations that							
26	may affect the Buyer's use of the							
27	property?							
28	[] Yes [] No [] Don't know *F. Are there any written agreements							
29 30	for joint maintenance of an easement or right-of-way?							
31	[] Yes [] No [] Don't know *G. Is there any study, survey project,							
32	or notice that would adversely affect the							
33	property?							
34	[] Yes [] No [] Don't know *H. Are there any pending or existing							
35	assessments against the property?							
36	[] Yes [] No [] Don't know *I. Are there any zoning violations,							
37	nonconforming uses, or any unusual							
38	restrictions on the property that would							
39	affect future construction or							
40	remodeling?							
41	[] Yes [] No [] Don't know *J. Is there a boundary survey for the							
42	property?							

1	[]Yes	[] No	[] Don't know	*K. Are there any covenants,
2	[] Tes	[]10	[] Don't know	conditions, or restrictions which affect
3				the property?
4	[]Yes	[] No	Don't know	*L. Does the property abut an active or
5	11	112.2	.,	inactive rail corridor that is being
6				preserved for future rail purposes?
7				
				2. WATER
8				A. Household Water
9				(1) The source of water for the
10				property is:
11				[] Private or publicly owned water
12				system
13 14				[] Private well serving only the
15				subject property *[] Other water system
	£1.87	f 1 N	DD M	•
16 17	[] Yes	[] No	[] Don't know	*If shared, are there any written
				agreements?
18	[] Yes	[] No	[] Don't know	*(2) Is there an easement (recorded
19 20				or unrecorded) for access to and/or maintenance of the water source?
	£3.87		618 bi	
21	[] Yes	[] No	[] Don't know	*(3) Are there any known problems
22				or repairs needed?
23	[] Yes	[] No	[] Don't know	(4) During your ownership, has the
24 25				source provided an adequate
26				year-round supply of potable water? If no, please explain.
	£1.87	f 1 N	DD M	
27	[] Yes	[] No	[] Don't know	*(5) Are there any water treatment
28 29				systems for the property? If yes, are they []Leased []Owned
	£3.87		618 bi	•
30	[] Yes	[] No	[] Don't know	*(6) Are there any water rights for
31				the property associated with its domestic water supply, such as a
33				water right permit, certificate, or
34				claim?
35	[]Yes	[] No	[] Don't know	(a) If yes, has the water right
36	[] 103	[]110	[] Don't know	permit, certificate, or claim been
37				assigned, transferred, or changed?
38				(b) If yes, has all or any portion of
39				the water right not been used for
40				five or more successive years? (If
41				yes, please explain.)
42				
43				B. Irrigation Water
	F 2 87	f 1 3 7	DD E	_
44	[] Yes	[] No	[] Don't know	(1) Are there any irrigation water
45				rights for the property, such as a
46 47				water right permit, certificate, or claim?
±/				Ciaiii:

1	[] Yes	[] No	[] Don't know	*(a) If yes, has all or any portion of
2				the water right not been used for
3				five or more successive years?
4	[] Yes	[] No	[] Don't know	*(b) If so, is the certificate
5 6				available? (If yes, please attach a copy.)
7	[] Vac	[]No	[] Don't know	
8	[] Yes	[] No	[] Don't know	(c) If so, has the water right permit, certificate, or claim been
9				assigned, transferred, or changed?
10				If so, explain:
11				
12	[] Yes	[] No	[] Don't know	(2) Does the property receive
13	.,			irrigation water from a ditch
14				company, irrigation district, or
15				other entity? If so, please identify
16				the entity that supplies water to the
17				property:
18				
19				C. Outdoor Sprinkler System
20	[] Yes	[] No	[] Don't know	(1) Is there an outdoor sprinkler
21				system for the property?
22	[] Yes	[] No	[] Don't know	(2) If yes, are there any defects in
23				the system?
24	[] Yes	[] No	[] Don't know	*(3) If yes, is the sprinkler system
25				connected to irrigation water?
26				3. SEWER/ON-SITE SEWAGE
27				SYSTEM
28				A. The property is served by:
29				[] Public sewer system,
30				[] On-site sewage system (including
31				pipes, tanks, drainfields, and all other
32				component parts)
33 34				[] Other disposal system, please describe:
35				
	£137	ELM	[1]D [4]	D. IC. 11.
36 37	[] Yes	[] No	[] Don't know	B. If public sewer system service is available to the property, is the house
38				connected to the sewer main? If no,
39				please explain.
40				
41	[]Yes	[] No	[] Don't know	C. Is the property subject to any
42	[] 105	[]110	, 1 2 on t know	sewage system fees or charges in
43				addition to those covered in your
44				regularly billed sewer or on-site sewage
45				system maintenance service?
46				D. If the property is connected to an
47				on-site sewage system:

1	[] Yes	[] No	[] Don't know	*(1) Was a permit issued for its
2				construction, and was it approved
3				by the local health department or
4				district following its construction?
5				(2) When was it last pumped:
6				
7	[] Yes	[] No	[] Don't know	*(3) Are there any defects in the
8				operation of the on-site sewage
9				system?
10			[] Don't know	(4) When was it last inspected?
11				
12				By whom:
13			[] Don't know	(5) For how many bedrooms was
14				the on-site sewage system
15				approved?
16				bedrooms
17	[] Yes	[] No	[] Don't know	E. Are all plumbing fixtures, including
18				laundry drain, connected to the
19				sewer/on-site sewage system? If no,
20				please explain:
21	[] Yes	[] No	[] Don't know	*F. Have there been any changes or
22				repairs to the on-site sewage system?
23	[] Yes	[] No	[] Don't know	G. Is the on-site sewage system,
24				including the drainfield, located entirely
25				within the boundaries of the property?
26 27				If no, please explain.
	[]Vos	[]No	[] Don't know	
28	[] Yes	[] No	[] Don't know	H. Does the on-site sewage system require monitoring and maintenance
30				services more frequently than once a
31				year? If yes, please explain.
32				jean. If yes, preuse explain.
33	NOTICE: II	F THIS RES	SIDENTIAL REAL P	ROPERTY DISCLOSURE
34				R NEW CONSTRUCTION WHICH
35	HAS NEVE	R BEEN O	CCUPIED, THE SEL	LER IS NOT REQUIRED TO
36	COMPLETE	E THE QUE	ESTIONS LISTED IN	ITEM 4. STRUCTURAL OR ITEM
37	5. SYSTEM	IS AND FIX	XTURES	
38				4. STRUCTURAL
39	[] Yes	[] No	[] Don't know	*A. Has the roof leaked?
40	[] Yes	[] No	Don't know	*B. Has the basement flooded or
41	[] ICS	[]140	[] DOIL KIIOW	leaked?
42	[] Yes	[] No	[] Don't know	*C. Have there been any conversions,
43	L3 ===		.,	additions, or remodeling?
44	[] Yes	[] No	[] Don't know	*(1) If yes, were all building
45		23 17	23	permits obtained?
46	[] Yes	[] No	[] Don't know	*(2) If yes, were all final
47	F3 ===		23	inspections obtained?
				•

1 2	[] Yes	i	[] No	[] Don't l	cnow	-	w the age of the house?
3 4 5 6	[] Yes	i	[] No	[] Don't l	cnow	*E. Has there b	eeen any settling,
7 8 9	[] Yes	i	[] No	[] Don't l	know		ny defects with the es, please check s and explain.)
10		□ Four	ndations		□ Decks		□ Exterior Walls
11		□ Chin	nneys		□ Interior	Walls	□ Fire Alarm
12		□ Doo	rs		□ Windov	ws	□ Patio
13		□ Ceili	ings		□ Slab Flo	oors	□ Driveways
14		□ Pool	S		□ Hot Tu	b	□ Sauna
15		□ Side	walks		□ Outbuil	dings	□ Fireplaces
16		□ Gara	ige Floors		□ Walkwa	ays	□ Siding
17		□ Othe	er	□ Wood Stoves		Stoves	
18	[]Yes	;	[] No	[] Don't l	cnow	*G. Was a st	tructural pest or "whole
19						house" inspecti	on done? If yes, when
20						and by whor	m was the inspection
21						completed?	
22	[] Yes	1	[] No	[] Don't l	cnow		ownership, has the
23							y wood destroying
24	C 3 37		ran.	CID W		organism or pes	
25	[] Yes		[] No	[] Don't l		I. Is the attic in	
26	[] Yes	•	[] No	[] Don't l	cnow	J. Is the baseme	ent insulated?
27						5. SYSTEMS A	AND FIXTURES
28						*A. If any of the	he following systems or
29							uded with the transfer,
30 31						are there any de explain.	fects? If yes, please
32	[]Yes	,	[] No	[] Don't l	cnow.	-	system, including
33	[] Tes	,	[]110	[]Dont	diow		tches, outlets, and
34						service	
35	[] Yes	;	[] No	[] Don't l	cnow	Plumbing	system, including pipes,
36						faucets, fix	tures, and toilets
37	[] Yes		[] No	[] Don't l	cnow	Hot water	tank
38	[] Yes	;	[] No	[] Don't l	cnow	Garbage d	lisposal
39	[] Yes		[] No	[] Don't l	cnow	Appliance	es
40	[] Yes		[] No	[] Don't l	cnow	Sump pun	np
41	[] Yes	;	[] No	[] Don't l	cnow	Heating a	nd cooling systems
42	[] Yes	;	[] No	[] Don't l	cnow	Security s	ystem
43						[] Owned [[] Leased
44						Other	

1				*B. If any of the following fixtures or
2				property is included with the transfer,
3 4				are they leased? (If yes, please attach
	£1.87	f 1 N	DD M	copy of lease.)
5	[] Yes	[] No	[] Don't know	Security system
6	[] Yes	[] No	[] Don't know	Tanks (type):
7	[] Yes	[] No	[] Don't know	Satellite dish Other:
8				Other:
9 10				6. HOMEOWNERS'
				ASSOCIATION/COMMON
11				INTERESTS
12	[] Yes	[] No	[] Don't know	A. Is there a Homeowners'
13				Association? Name of Association
14				
15	[] Yes	[] No	[] Don't know	B. Are there regular periodic
16				assessments:
17				\$ per [] Month [] Year
18				[] Other
19	[] Yes	[] No	[] Don't know	*C. Are there any pending special
20				assessments?
21	[] Yes	[] No	[] Don't know	*D. Are there any shared "common
22				areas" or any joint maintenance
23				agreements (facilities such as walls,
24				fences, landscaping, pools, tennis
25				courts, walkways, or other areas co-
26				owned in undivided interest with
27				others)?
28				7. ENVIRONMENTAL
29	[] Yes	[] No	[] Don't know	*A. Have there been any drainage
30				problems on the property?
31	[] Yes	[] No	[] Don't know	*B. Does the property contain fill
32				material?
33	[] Yes	[] No	[] Don't know	*C. Is there any material damage to the
34				property from fire, wind, floods, beach
35				movements, earthquake, expansive
36				soils, or landslides?
37	[] Yes	[] No	[] Don't know	D. Are there any shorelines, wetlands,
38				floodplains, or critical areas on the
39				property?
40	[] Yes	[] No	[] Don't know	*E. Are there any substances,
41				materials, or products on the property
42				that may be environmental concerns,
43				such as asbestos, formaldehyde, radon
44				gas, lead-based paint, fuel or chemical
45				storage tanks, or contaminated soil or
46				water?

1 2	[] Yes	[] No	[] Don't know	*F. Has the property been used for commercial or industrial purposes?
3	[] Yes	[] No	[] Don't know	*G. Is there any soil or groundwater
4	[] ICS	[]110	[] Don't know	contamination?
5	[]Yes	[] No	[] Don't know	*H. Are there transmission poles,
6	[] Tes	[]10	[] Don't know	transformers, or other utility equipment
7				installed, maintained, or buried on the
8				property?
9	[] Yes	[] No	[] Don't know	*I. Has the property been used as a
10				legal or illegal dumping site?
11	[] Yes	[] No	[] Don't know	*J. Has the property been used as an
12			23	illegal drug manufacturing site?
13	[] Yes	[] No	[] Don't know	*K. Are there any radio towers in the
14			23	area that may cause interference with
15				telephone reception?
16				0 MANUEL CEUDED AND
17				8. MANUFACTURED AND MOBILE HOMES
18				If the property includes a manufactured
19				or mobile home,
20	[] Yes	[] No	[] Don't know	*A. Did you make any alterations to the
21	()	[]	[]	home? If yes, please describe the
22				alterations:
23	[] Yes	[] No	[] Don't know	*B. Did any previous owner make any
24				alterations to the home? If yes, please
25				describe the alterations:
26	[] Yes	[] No	[] Don't know	*C. If alterations were made, were
27				permits or variances for these alterations
28				obtained?
29				9. FULL DISCLOSURE BY
30				SELLERS
31				A. Other conditions or defects:
32	[] Yes	[] No	[] Don't know	*Are there any other existing material
33				defects affecting the property that a
34				prospective buyer should know about?
35				B. Verification:
36				The foregoing answers and attached
37				explanations (if any) are complete and
38				correct to the best of my/our knowledge
39				and I/we have received a copy hereof.
40				I/we authorize all of my/our real estate
41				licensees, if any, to deliver a copy of
42 43				this disclosure statement to other real
43				estate licensees and all prospective buyers of the property.
45				
40	DATE		SELLER	SELLER
46			NOTICE TO 1	THE BUYER

INFORMATION REGARDING REGISTERED SEX OFFENDERS MAY 1 BE OBTAINED FROM LOCAL LAW ENFORCEMENT AGENCIES. THIS 2 NOTICE IS INTENDED ONLY TO INFORM YOU OF WHERE TO OBTAIN 3 THIS INFORMATION AND IS NOT AN INDICATION OF THE PRESENCE OF REGISTERED SEX OFFENDERS. 5 6 II. BUYER'S ACKNOWLEDGMENT 7 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 attention and observation. 10 The disclosures set forth in this statement and in any 11 12 amendments to this statement are made only by the Seller and 13 not by any real estate licensee or other party. Buyer acknowledges that, pursuant to RCW 64.06.050(2), 14 real estate licensees are not liable for inaccurate information 15 provided by Seller, except to the extent that real estate 16 17 licensees know of such inaccurate information. 18 This information is for disclosure only and is not intended to be a part of the written agreement between the Buyer and 19 Seller. 20 Buyer (which term includes all persons signing the "Buyer's 21 22 acceptance" portion of this disclosure statement below) has 23 received a copy of this Disclosure Statement (including attachments, if any) bearing Seller's signature. 24 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. YOU MAY WAIVE THE 32 RIGHT TO RESCIND PRIOR TO OR AFTER THE TIME YOU ENTER INTO A SALE 33 AGREEMENT. 34 BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS DISCLOSURE 35 STATEMENT AND ACKNOWLEDGES THAT THE DISCLOSURES MADE HEREIN ARE THOSE 36 OF THE SELLER ONLY, AND NOT OF ANY REAL ESTATE LICENSEE OR OTHER PARTY. 37 38 If the disclosure statement is being completed for new 39 construction which has never been occupied, the disclosure statement is 40 not required to contain and the seller is not required to complete the 41 questions listed in item 4. Structural or item 5. Systems and

42

Fixtures.

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

2SHB 2344 - S COMM AMD

1 2

3

4

5

6 7

By Committee on Transportation

8 On page 1, line 1 of the title, after "corridors;" strike the 9 remainder of the title and insert "and amending RCW 36.70A.070 and 10 64.06.020."

<u>EFFECT:</u> Removes the intent section and the section that requires DOT to convene an abandonment review panel.

--- END ---