CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 6153

Chapter 114, Laws of 2004

58th Legislature 2004 Regular Session

REAL PROPERTY--SEX OFFENDER INFORMATION

EFFECTIVE DATE: 1/1/05

Passed by the Senate February 17, 2004 YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 3, 2004 YEAS 96 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Milton H. Doumit, Jr., Secretary of the Senate of the State of Washington, do hereby certify that the attached is ENGROSSED SUBSTITUTE SENATE BILL 6153 as passed by the Senate and the House of Representatives on the dates hereon set forth.

MILTON H. DOUMIT JR.

Secretary

Approved March 24, 2004.

FILED

March 24, 2004 - 3:05 p.m.

GARY F. LOCKE

Governor of the State of Washington

Secretary of State State of Washington

ENGROSSED SUBSTITUTE SENATE BILL 6153

Passed Legislature - 2004 Regular Session

State of Washington 58th Legislature 2004 Regular Session

By Senate Committee on Financial Services, Insurance & Housing (originally sponsored by Senators Prentice, Eide, Haugen, Winsley, Kohl-Welles and Kline)

READ FIRST TIME 01/22/04.

- 1 AN ACT Relating to notifying home buyers of where information
- 2 regarding registered sex offenders may be obtained; amending RCW
- 3 64.06.020; adding a new section to chapter 64.06 RCW; creating a new
- 4 section; and providing an effective date.
- 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 6 **Sec. 1.** RCW 64.06.020 and 2003 c 200 s 1 are each amended to read 7 as follows:
- 8 (1) In a transaction for the sale of residential property, the
- 9 seller shall, unless the buyer has expressly waived the right to
- 10 receive the disclosure statement, or unless the transfer is exempt
- 11 under RCW 64.06.010, deliver to the buyer a completed seller disclosure
- 12 statement in the following format and that contains, at a minimum, the
- 13 following information:
- 14 INSTRUCTIONS TO THE SELLER
- 15 Please complete the following form. Do not leave any spaces blank. If
- 16 the question clearly does not apply to the property write "NA". If the
- 17 answer is "yes" to any * items, please explain on attached sheets.
- 18 Please refer to the line number(s) of the question(s) when you provide

- 1 your explanation(s). For your protection you must date and sign each
- 2 page of this disclosure statement and each attachment. Delivery of the
- 3 disclosure statement must occur not later than five business days,
- 4 unless otherwise agreed, after mutual acceptance of a written contract
- 5 to purchase between a buyer and a seller.
- 6 NOTICE TO THE BUYER
- 7 THE FOLLOWING DISCLOSURES ARE MADE BY SELLER ABOUT THE CONDITION OF THE
- 9 ("THE PROPERTY"), OR AS LEGALLY DESCRIBED ON ATTACHED EXHIBIT A.
- 10 SELLER MAKES THE FOLLOWING DISCLOSURES OF EXISTING MATERIAL FACTS OR
- 11 MATERIAL DEFECTS TO BUYER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE
- 12 PROPERTY AT THE TIME SELLER COMPLETES THIS DISCLOSURE STATEMENT.
- 13 UNLESS YOU AND SELLER OTHERWISE AGREE IN WRITING, YOU HAVE THREE
- 14 BUSINESS DAYS FROM THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS
- 15 DISCLOSURE STATEMENT TO YOU TO RESCIND THE AGREEMENT BY DELIVERING A
- 16 SEPARATELY SIGNED WRITTEN STATEMENT OF RESCISSION TO SELLER'S
- 17 AGENT. IF THE SELLER DOES NOT GIVE YOU A COMPLETED DISCLOSURE
- 18 STATEMENT, THEN YOU MAY WAIVE THE RIGHT TO RESCIND PRIOR TO OR AFTER
- 19 THE TIME YOU ENTER INTO A SALE AGREEMENT.
- 20 THE FOLLOWING ARE DISCLOSURES MADE BY SELLER AND ARE NOT THE
- 21 REPRESENTATIONS OF ANY REAL ESTATE LICENSEE OR OTHER PARTY. THIS
- 22 INFORMATION IS FOR DISCLOSURE ONLY AND IS NOT INTENDED TO BE A PART OF
- 23 ANY WRITTEN AGREEMENT BETWEEN BUYER AND SELLER.
- 24 FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS
- 25 PROPERTY YOU ARE ADVISED TO OBTAIN AND PAY FOR THE SERVICES OF
- 26 QUALIFIED EXPERTS TO INSPECT THE PROPERTY, WHICH MAY INCLUDE, WITHOUT
- 27 LIMITATION, ARCHITECTS, ENGINEERS, LAND SURVEYORS, PLUMBERS,
- 28 ELECTRICIANS, ROOFERS, BUILDING INSPECTORS, ON-SITE WASTEWATER
- 29 TREATMENT INSPECTORS, OR STRUCTURAL PEST INSPECTORS. THE PROSPECTIVE
- 30 BUYER AND SELLER MAY WISH TO OBTAIN PROFESSIONAL ADVICE OR INSPECTIONS
- 31 OF THE PROPERTY OR TO PROVIDE APPROPRIATE PROVISIONS IN A CONTRACT
- 32 BETWEEN THEM WITH RESPECT TO ANY ADVICE, INSPECTION, DEFECTS OR
- 33 WARRANTIES.
- 34 Seller . . . is/ . . . is not occupying the property.

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

1 2	[] Yes	[] No	[] Don't know	*If shared, are there any written agreements?
3	[] Yes	[] No	[] Don't know	*(2) Is there an easement (recorded or unrecorded) for access to and/or
5				maintenance of the water source?
6 7	[] Yes	[] No	[] Don't know	*(3) Are there any known problems or repairs needed?
8	[] Yes	[] No	[] Don't know	(4) During your ownership, has the
9				source provided an adequate year
10				round supply of potable water? If
11				no, please explain.
12	[] Yes	[] No	[] Don't know	*(5) Are there any water treatment
13 14				systems for the property? If yes, are they []Leased []Owned
15				B. Irrigation
16	[]Yes	[] No	[] Don't know	(1) Are there any water rights for the
17	[] 100	[]1.0	[] Bon t know	property, such as a water right,
18				permit, certificate, or claim?
19	[] Yes	[] No	[] Don't know	*(a) If yes, have the water rights
20				been used during the last five years?
21	[] Yes	[] No	[] Don't know	*(b) If so, is the certificate
22				available?
23				C. Outdoor Sprinkler System
24 25	[] Yes	[] No	[] Don't know	(1) Is there an outdoor sprinkler system for the property?
26	[] Yes	[] No	[] Don't know	(2) If yes, are there any defects in
27				the system?
28	[] Yes	[] No	[] Don't know	*(3) If yes, is the sprinkler system
29				connected to irrigation water?
30 31				3. SEWER/ON-SITE SEWAGE SYSTEM
2.0				
32				A. The property is served by: [] Public sewer system, [] On-site sewage system
34				(including pipes, tanks, drainfields, and
35				all other component parts) [] Other
36				disposal system, please describe:
37				
38	[] Yes	[] No	[] Don't know	B. If public sewer system service is
39				available to the property, is the house
40				connected to the sewer main? If no,
41				please explain.
42				
43	[] Yes	[] No	[] Don't know	C. Is the property subject to any sewage
44 45				system fees or charges in addition to
46				those covered in your regularly billed sewer or on-site sewage system
47				maintenance service?

1				D. If the property is connected to an on-
2				site sewage system:
3	[] Yes	[] No	[] Don't know	*(1) Was a permit issued for its
4				construction, and was it approved by
5 6				the local health department or district following its construction?
				· ·
7				(2) When was it last pumped:
8				
9	[] Yes	[] No	[] Don't know	*(3) Are there any defects in the
10 11				operation of the on-site sewage system?
			[] D4 l	•
12			[] Don't know	(4) When was it last inspected?
13				
14				By Whom:
15			[] Don't know	(5) For how many bedrooms was the
16				on-site sewage system approved ?
17				bedrooms
18	[] Yes	[] No	[] Don't know	E. Are all plumbing fixtures, including
19				laundry drain, connected to the sewer/on-
20				site sewage system? If no, please
21	£ 3.87	£ 3.37	618 til	explain:
22	[] Yes	[] No	[] Don't know	*F. Have there been any changes or
	£ 3.87	FIN	(1D to	repairs to the on-site sewage system?
24 25	[] Yes	[] No	[] Don't know	G. Is the on-site sewage system, including the drainfield, located entirely
26				within the boundaries of the property? If
27				no, please explain.
28				, r
29	[] Yes	[] No	[] Don't know	H. Does the on-site sewage system
30				require monitoring and maintenance
31				services more frequently than once a
32				year? If yes, please explain.
33				
34	NOTICE:	IF THIS RE	ESIDENTIAL REAL I	PROPERTY DISCLOSURE
35	STATEME	NT IS BEI	NG COMPLETED FO	OR NEW CONSTRUCTION WHICH
36	HAS NEVI	ER BEEN C	OCCUPIED, THE SEL	LER IS NOT REQUIRED TO
37		_		NITEM 4. STRUCTURAL OR ITEM
38	5. SYSTEM	MS AND FI	IXTURES	
39				4. STRUCTURAL
40	[] Yes	[] No	[] Don't know	*A. Has the roof leaked?
41	[] Yes	[] No	[] Don't know	*B. Has the basement flooded or
42				leaked?
43	[] Yes	[] No	[] Don't know	*C. Have there been any conversions,
44				additions, or remodeling?
45	[] Yes	[] No	[] Don't know	*(1) If yes, were all building
46			-	permits obtained?
				permis comined:

1 2	[] Yes	[] No	[] Don't know	*(2) If yes, were all final inspections obtained?
3	[] Yes	[] No	[] Don't know	D. Do you know the age of the house?
4				If yes, year of original construction:
5	£ 1.37	CIN	DD M	*F. H. d. 1d.
6 7	[] Yes	[] No	[] Don't know	*E. Has there been any settling, slippage, or sliding of the property or its
8				improvements?
9	[] Yes	[] No	[] Don't know	*F. Are there any defects with the
10				following: (If yes, please check
11				applicable items and explain.)
12		Foundations	□ Decks	□ Exterior Walls
13		Chimneys	□ Interior	Walls □ Fire Alarm
14		Doors	□ Windo	ws Patio
15		Ceilings	□ Slab Fl	oors □ Driveways
16		Pools	□ Hot Tu	b □ Sauna
17		Sidewalks	□ Outbui	dings □ Fireplaces
18		Garage Floors	□ Walkw	
19		Other	□ Wood S	Stoves
20	[] Yes	[] No	[] Don't know	*G. Was a structural pest or "whole
21				house" inspection done? If yes, when
22 23				and by whom was the inspection completed?
24	[]Yes	[] No	[] Don't know	H. During your ownership, has the
25	[]	[]	[]==========	property had any wood destroying
26				organism or pest infestation?
27	[] Yes	[] No	[] Don't know	I. Is the attic insulated?
28	[] Yes	[] No	[] Don't know	J. Is the basement insulated?
29				5. SYSTEMS AND FIXTURES
30				*A. If any of the following systems or
31				fixtures are included with the transfer,
32				are there any defects? If yes, please
33				explain.
34 35	[] Yes	[] No	[] Don't know	Electrical system, including wiring, switches, outlets, and service
36	[] Yes	[] No	[] Don't know	Plumbing system, including pipes,
37	[]	[]	[]	faucets, fixtures, and toilets
38	[] Yes	[] No	[] Don't know	Hot water tank
39	[] Yes	[] No	[] Don't know	Garbage disposal
40	[] Yes	[] No	[] Don't know	Appliances
41	[] Yes	[] No	[] Don't know	Sump pump
42	[] Yes	[] No	[] Don't know	Heating and cooling systems
43	[] Yes	[] No	[] Don't know	Security system
44				[] Owned[] Leased
45				Other

1				
_				*B. If any of the following fixtures
2				or property is included with the
3				transfer, are they leased? (If yes,
4				please attach 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
8				Other:
9				6. COMMON INTERESTS
10	[] Yes	[] No	[] Don't know	A. Is there a Home Owners'
11				Association? Name of Association
12				
13	[] Yes	[] No	[] Don't know	B. Are there regular periodic
14				assessments:
15				\$ per [] Month [] Year
16				[] Other
17	[] Yes	[] No	[] Don't know	*C. Are there any pending special
18	11			assessments?
19	[] Yes	[] No	[] Don't know	*D. Are there any shared "common
20				areas" or any joint maintenance
21				agreements (facilities such as walls,
22				fences, landscaping, pools, tennis courts,
23				walkways, or other areas co-owned in
24				undivided interest with others)?
25				7. GENERAL
26	[] Yes	[] No	[] Don't know	*A. Have there been any drainage
26 27	[] Yes	[] No	[] Don't know	*A. Have there been any drainage problems on the property?
	[] Yes	[] No	[] Don't know	, ,
27				problems on the property?
27 28	[] Yes	[] No		problems on the property? *B. Does the property contain fill
27 28 29			[] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the
27 28 29 30	[] Yes	[] No	[] Don't know	problems on the property? *B. Does the property contain fill material?
27 28 29 30 31	[] Yes	[] No	[] Don't know	*B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach
27 28 29 30 31 32	[] Yes	[] No	[] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils,
27 28 29 30 31 32 33	[]Yes	[] No	[] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides?
27 28 29 30 31 32 33	[]Yes	[] No	[] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood
27 28 29 30 31 32 33 34 35	[] Yes [] Yes	[] No	[] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain?
27 28 29 30 31 32 33 34 35	[] Yes [] Yes	[] No	[] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials,
27 28 29 30 31 32 33 34 35 36 37	[] Yes [] Yes	[] No	[] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials, or products on the property that may be
27 28 29 30 31 32 33 34 35 36 37	[] Yes [] Yes	[] No	[] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials, or products on the property that may be environmental concerns, such as
27 28 29 30 31 32 33 34 35 36 37 38	[] Yes [] Yes	[] No	[] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials, or products on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, lead-
27 28 29 30 31 32 33 34 35 36 37 38 39	[] Yes [] Yes	[] No	[] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials, or products on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage
27 28 29 30 31 32 33 34 35 36 37 38 39 40	[] Yes [] Yes [] Yes	[] No [] No [] No	[] Don't know [] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials, or products on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, leadbased paint, fuel or chemical storage tanks, or contaminated soil or water?
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41	[] Yes [] Yes [] Yes	[] No [] No [] No	[] Don't know [] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials, or products on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, or contaminated soil or water? *G. Has the property ever been used as
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42	[] Yes [] Yes [] Yes	[] No [] No [] No	[] Don't know [] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials, or products on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, leadbased paint, fuel or chemical storage tanks, or contaminated soil or water? *G. Has the property ever been used as an illegal drug manufacturing site?
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43	[] Yes [] Yes [] Yes	[] No [] No [] No	[] Don't know [] Don't know [] Don't know [] Don't know	problems on the property? *B. Does the property contain fill material? *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides? D. Is the property in a designated flood plain? *E. Are there any substances, materials, or products on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, leadbased paint, fuel or chemical storage tanks, or contaminated soil or water? *G. Has the property ever been used as an illegal drug manufacturing site? *H. Are there any radio towers in the

1 2				8. MANUFACTURED AND MOBILE HOMES
3 4				If the property includes a manufactured or mobile home,
5	[] Yes	[] No	[] Don't know	*A. Did you make any alterations to the
6				home? If yes, please describe the
7				alterations:
8	[] Yes	[] No	[] Don't know	*B. Did any previous owner make any
9				alterations to the home? If yes, please
10				describe the alterations:
11	[] Yes	[] No	[] Don't know	*C. If alterations were made, were
12				permits or variances for these alterations
13				obtained?
14				A FILL DIGGLOCUPE DV
15				9. FULL DISCLOSURE BY SELLERS
16				A. Other conditions or defects:
17	[] Yes	[] No	[] Don't know	*Are there any other existing material
18				defects affecting the property that a
19				prospective buyer should know about?
20				B. Verification:
21				The foregoing answers and attached
22				explanations (if any) are complete and
23				correct to the best of my/our knowledge
24				and I/we have received a copy hereof.
25				I/we authorize all of my/our real estate
26				licensees, if any, to deliver a copy of this
27				disclosure statement to other real estate
28				licensees and all prospective buyers of
29				the property.
30	DATE		SELLER	SELLER
31			NOTICE TO T	HE BUYER
32	INFORMAT	ΓΙΟΝ REG	ARDING REGISTER	ED SEX OFFENDERS MAY
33	BE OBTAIN	NED FROM	I LOCAL LAW ENF	ORCEMENT AGENCIES. THIS
34	NOTICE IS	INTENDE	D ONLY TO INFOR	M YOU OF WHERE TO OBTAIN THIS
35	INFORMA	ΓΙΟΝ AND	IS NOT AN INDICA	ATION OF THE PRESENCE OF
36	REGISTER	ED SEX O	FFENDERS.	
37		II. BUYI	ER'S ACKNOWLEI	OGMENT
38		A.	Buyer hereby ackno	owledges that: Buyer has a duty to pay
39				any material defects that are known to
40				own to Buyer by utilizing diligent attention
41			and observation.	
42		В.	The disclosures set	forth in this statement and in any
43				statement are made only by the Seller and
44				te licensee or other party.

:	1		(C.	Buyer acknowledges that, pursuant to RCW 64.06.050(2), real
:	2				estate licensees are not liable for inaccurate information
	3				provided by Seller, except to the extent that real estate
	4				licensees know of such inaccurate information.
!	5		I	D.	This information is for disclosure only and is not intended to
	6				be a part of the written agreement between the Buyer and
	7				Seller.
:	8		F	E.	Buyer (which term includes all persons signing the "Buyer's
9	9				acceptance" portion of this disclosure statement below) has
1	0				received a copy of this Disclosure Statement (including
1	1				attachments, if any) bearing Seller's signature.
-1	0	DICCI OCUDEC	COME THE	T 3.	

12 DISCLOSURES CONTAINED IN THIS DISCLOSURE STATEMENT ARE PROVIDED BY SELLER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME 13 14 SELLER COMPLETES THIS DISCLOSURE STATEMENT. UNLESS BUYER AND SELLER OTHERWISE AGREE IN WRITING, BUYER SHALL HAVE THREE BUSINESS DAYS FROM 15 THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS DISCLOSURE STATEMENT TO 16 17 RESCIND THE AGREEMENT BY DELIVERING A SEPARATELY SIGNED WRITTEN 18 STATEMENT OF RESCISSION TO SELLER OR SELLER'S AGENT. IF THE SELLER 19 DOES NOT GIVE YOU A COMPLETED DISCLOSURE STATEMENT, THEN YOU MAY WAIVE 20 THE RIGHT TO RESCIND PRIOR TO OR AFTER THE TIME YOU ENTER INTO A SALE

21 AGREEMENT.

31 32

33

34 35

36

37

- 22 BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS DISCLOSURE
- 23 STATEMENT AND ACKNOWLEDGES THAT THE DISCLOSURES MADE HEREIN ARE THOSE
- OF THE SELLER ONLY, AND NOT OF ANY REAL ESTATE LICENSEE OR OTHER PARTY. 24
- 25 DATE BUYER BUYER
- 26 If the disclosure statement is being completed for new 27 construction which has never been occupied, the disclosure statement is 28 not required to contain and the seller is not required to complete the 29 questions listed in item 4. Structural or item 5. Systems and 30 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.
- 38 NEW SECTION. Sec. 2. A new section is added to chapter 64.06 RCW 39 to read as follows:

The notice regarding sex offenders under RCW 64.06.020 does not 1 2 create any legal duty on the part of the seller, or on the part of any real estate licensee, to investigate or to provide the buyer with 3 information regarding the actual presence, or lack thereof, of 4 registered sex offenders in the area of any property, including but not 5 limited to any property that is the subject of a disclosure or waiver 6 7 of disclosure under this chapter, or that is exempt from disclosure under RCW 64.06.010. 8

9 <u>NEW SECTION.</u> **Sec. 3.** This act applies prospectively only and not 10 retroactively. It applies only to residential real property purchase 11 and sale agreements entered into on or after the effective date of this 12 act, without regard to when the agreements are closed or finalized.

NEW SECTION. Sec. 4. This act takes effect January 1, 2005.

Passed by the Senate February 17, 2004.

Passed by the House March 3, 2004.

Approved by the Governor March 24, 2004.

Filed in Office of Secretary of State March 24, 2004.