

# SALES DISCLOSURE CHECKLIST

## for Sales of Residential Real Property, 1-4 Units

Statutory or Contractually Required Disclosures			
	C.A.R. Form Code or Document Name	Disclosure	ADDITIONAL INFORMATION
<input type="checkbox"/>	TDS + SPQ (unless exempt, see ESD + WHS below)	Transfer Disclosure Statement and Seller Property Questionnaire	<ul style="list-style-type: none"> <li>Although the TDS is required in residential 1 to 4 transactions, there are a number of exemptions. Common exemptions include probate, REOs, bankruptcy and some trusts. For exemptions see: C.A.R. "Transfer Disclosure Statement Law – Exemptions" Quick Guide at: <a href="https://www.car.org/-/media/CAR/Documents/Transaction-Center/PDF/QUICK-GUIDES/Quick-Guide---Transfer-Disclosure-Statement-Law--Exemptions-121818.pdf">https://www.car.org/-/media/CAR/Documents/Transaction-Center/PDF/QUICK-GUIDES/Quick-Guide---Transfer-Disclosure-Statement-Law--Exemptions-121818.pdf</a></li> <li>and C.A.R. "Transfer Disclosure Statement Exemptions" Q&amp;A article at: <a href="https://www.car.org/riskmanagement/qa/disclosure-folder/tds-exemptions">https://www.car.org/riskmanagement/qa/disclosure-folder/tds-exemptions</a>.</li> <li>See also Cal. Civ. Code § 1102, <i>et seq</i>; C.A.R. "Transfer Disclosure Statement Law" at <a href="https://www.car.org/en/riskmanagement/qa/disclosure-folder/transfer-disclosure-statement">https://www.car.org/en/riskmanagement/qa/disclosure-folder/transfer-disclosure-statement</a>;</li> <li>The SPQ is required by contract under the C.A.R residential purchase agreements whenever the TDS is required.</li> </ul>
<input type="checkbox"/>	AVID	Agent Visual Inspection Disclosure	<ul style="list-style-type: none"> <li>A visual inspection is required in nearly all residential 1 to 4 transactions. The AVID is a recommended C.A.R. form, but agents may also use the third page of the Transfer Disclosure Statement (TDS) to provide the results of their visual inspection. See Cal. Civ. Code § 2079 <i>et seq</i>; and C.A.R. Q&amp;A Article "Real Estate Licensee's Duty to Inspect Residential Property" at: <a href="https://www.car.org/riskmanagement/qa/disclosure-folder/re-licensee-duty-to-inspect">https://www.car.org/riskmanagement/qa/disclosure-folder/re-licensee-duty-to-inspect</a></li> </ul>
<input type="checkbox"/>	AS, QS or AB	Seller's Affidavit of Non-Foreign Status, Qualified Substitute, or Buyer's Affidavit	<ul style="list-style-type: none"> <li>Most transactions comply with FIRPTA through provision of a QS ("Qualified Substitute"). In practice, the AS is usually used to notify the buyer that escrow will provide a QS. In certain circumstances, the "Buyer's Affidavit" (form AB) may be used in lieu of both the AS and QS. See C.A.R. Q&amp;A Article, "Federal Withholding: Foreign Investment in Real Property Tax Act" at <a href="https://www.car.org/en/riskmanagement/qa/taxfolder/federal-withhold-foreign-invest">https://www.car.org/en/riskmanagement/qa/taxfolder/federal-withhold-foreign-invest</a>.</li> <li>FIRPTA allows other means to obtain an exemption. However, the use of the AB, QS or AB forms is the least burdensome and is within industry practice. If no exemption is obtained, then the buyer may be required to withhold. See Cal. Rev. &amp; Tax Code § 18662, 18668; 26 U.S.C. §1445; and</li> <li>C.A.R. Q&amp;A Article "Federal Withholding: Foreign Investment in Real Property Tax Act" at: <a href="https://www.car.org/en/riskmanagement/qa/taxfolder/federal-withhold-foreign-invest">https://www.car.org/en/riskmanagement/qa/taxfolder/federal-withhold-foreign-invest</a></li> </ul>
<input type="checkbox"/>	Natural hazard disclosure expert's report	Natural hazard disclosure expert's report	<ul style="list-style-type: none"> <li>See Cal. Civ. Code § 1103 <i>et seq</i>; and C.A.R. Q&amp;A Article "Natural Hazard Disclosure Statement" at <a href="https://www.car.org/riskmanagement/qa/disclosure-folder/natural-hazard-disclosure">https://www.car.org/riskmanagement/qa/disclosure-folder/natural-hazard-disclosure</a></li> <li>The C.A.R. contracts require a natural hazard zone disclosure report including tax. See paragraph 7(A)(1). It also enables the sellers to comply with their obligation to disclose whether the property is within any hazard zones.</li> </ul>

	<input type="checkbox"/>	Natural Hazard Disclosure Statement	Natural Hazard Disclosure Statement	<ul style="list-style-type: none"> <li>The NHD Disclosure Statement is contained within the NHD expert's report and is otherwise required on most residential 1 to 4 sales.</li> </ul>
	<input checked="" type="checkbox"/>	Notice Regarding Gas & Hazardous Liquid Transmission Pipelines	Gas & Hazardous Liquid Pipelines	<ul style="list-style-type: none"> <li>Pre-printed in C.A.R. contracts. See paragraph 11(J) in the RPA, and 11(H) in the RIPA.</li> </ul>
	<input checked="" type="checkbox"/>	Megan's Law Database Disclosure	Megan's Law Database Disclosure	<ul style="list-style-type: none"> <li>Pre-printed in C.A.R. contracts. See paragraph 10(D) in the RPA, and 11(C) in the RIPA. A separate form DBD is typically not required.</li> </ul>
	<input checked="" type="checkbox"/>	AD	Disclosure Regarding Real Estate Agency Relationships	<ul style="list-style-type: none"> <li>This form is a prechecked attachment in the C.A.R. residential purchase agreements.</li> <li>It is required in nearly all real property transactions. See Cal. Civ. Code § 2079.13 et seq; and C.A.R. "Agency Law Summary Chart" at <a href="https://www.car.org/riskmanagement/qa/agency-folder/agency-law-chart">https://www.car.org/riskmanagement/qa/agency-folder/agency-law-chart</a>;</li> <li>and C.A.R. Q&amp;A Article "Agency Disclosure and Confirmation" at <a href="https://www.car.org/riskmanagement/qa/agency-folder/agency-disclosure-confirmation">https://www.car.org/riskmanagement/qa/agency-folder/agency-disclosure-confirmation</a>.</li> <li>The confirmation of agency relationships is part of the same law that requires delivery of the AD. The agency confirmation is completed by filling in the information on the first page of the RPA, paragraph 2(B). A separate form AC is typically not required.</li> </ul>
	<input checked="" type="checkbox"/>	BIA	Buyer's Inspection Advisory	<ul style="list-style-type: none"> <li>This form is a prechecked attachment in the C.A.R. residential purchase agreements.</li> </ul>
	<input checked="" type="checkbox"/>	PRBS	Possible Representation of More Than One Buyer and Seller	<ul style="list-style-type: none"> <li>This form is a prechecked attachment in the C.A.R. residential purchase agreements.</li> <li>See Cal. Civ. Code §§ 2079.14; 2079.16, &amp; 2079.17; &amp; C.A.R. Agency law Summary Chart at <a href="https://www.car.org/riskmanagement/qa/agency-folder/agency-law-chart">https://www.car.org/riskmanagement/qa/agency-folder/agency-law-chart</a></li> </ul>
	<input checked="" type="checkbox"/>	FAAA	Fair Appraisal Act Addendum	<ul style="list-style-type: none"> <li>Every contract for the sale of real property is required to contain a notice stating that any appraisal of the property must be unbiased, objective and not influenced by improper or illegal considerations. This form is now a prechecked attachment on all C.A.R. real estate purchase agreements.</li> </ul>

## Statutory and Contractually Required Disclosures in Applicable Cases

IF ... THEN add ...		C.A.R. Form Code or Document Name	Disclosure	ADDITIONAL INFORMATION
If seller is EXEMPT from TDS, THEN ADD ...	<input type="checkbox"/> <input type="checkbox"/>	ESD + WHS (these replace the TDS + SPQ)	Exempt Seller Disclosure and Water Heater Statement of Compliance	<ul style="list-style-type: none"> <li>For TDS exempt transactions, neither the TDS nor the SPQ is required to be delivered. Instead, the seller will provide the Exempt Seller Disclosure (Form ESD). Even if the transaction is TDS exempt, the seller may still be required to certify water heater bracing depending upon the type of water heater. Seller may use the WHS or the WHSD for this certification. For exemptions, see C.A.R. "Transfer Disclosure Statement Law – Exemptions" Quick Guide at <a href="https://www.car.org/-/media/CAR/Documents/Transaction-Center/PDF/QUICK-GUIDES/Quick-Guide---Transfer-Disclosure-Statement-Law--Exemptions-121818.pdf">https://www.car.org/-/media/CAR/Documents/Transaction-Center/PDF/QUICK-GUIDES/Quick-Guide---Transfer-Disclosure-Statement-Law--Exemptions-121818.pdf</a> Cal. Civ. Code § 1102, et seq; C.A.R. Q&amp;A Article "Transfer Disclosure Statement Law" at <a href="https://www.car.org/en/riskmanagement/qa/disclosure-folder/transfer-disclosure-statement">https://www.car.org/en/riskmanagement/qa/disclosure-folder/transfer-disclosure-statement</a>; and C.A.R. Q&amp;A article "Transfer Disclosure Statement Exemptions" at: <a href="https://www.car.org/en/riskmanagement/qa/disclosure-folder/tds-exemptions">https://www.car.org/en/riskmanagement/qa/disclosure-folder/tds-exemptions</a></li> </ul>
If the property is located in a High or Very High Fire Hazard Severity Zone  And only if A TDS is required, THEN ADD	<input type="checkbox"/> <input type="checkbox"/>	FHDS + if actually obtained by seller, the "Final Inspection Report" for construction or rebuilding (The FHDS form replaces the HHDA)	Fire Hardening and Defensible Space Advisory, Disclosure, and Addendum (This form replaces the Home Hardening Disclosure and Advisory)	<ul style="list-style-type: none"> <li>This disclosure form fulfills three separate disclosure requirements.</li> <li>First: The first is the fire home hardening questionnaire. For this requirement, the seller must answer questions based on actual knowledge of fire home hardening features that the property lacks. But the seller is only required to complete the questionnaire under item #3 if the property is built before 2010 and located in a High or Very High Fire Hazard Severity Zone, and then only in those transactions where a TDS is required to be delivered.</li> <li>Second: The second disclosure requirement is for delivery of a final inspection report for construction or rebuilding which demonstrates compliance with building codes (under item #5). The seller will indicate whether they actually obtained such a report at the bottom of the HHDA form. The obligation to provide this report arises if 1) The seller in fact had obtained such a report upon completion or rebuilding of the home 2) The property is located in a Very High Fire Hazard Severity Zone and 3) A TDS is required to be delivered. Obviously, regardless of these technical requirements, if the seller does in fact have a such a report in their possession, basic risk management and disclosure rules mean that the seller will always deliver it in every case. For details on these disclosures please see our Q&amp;A "Home Hardening Fire Disclosure" at <a href="https://www.car.org/riskmanagement/qa/disclosure-folder/Home-Hardening">https://www.car.org/riskmanagement/qa/disclosure-folder/Home-Hardening</a></li> <li>Third: The FHDS now contains a third disclosure requirement pertaining to defensible space (under item #4). The FHDS will be needed for any transaction that requires a TDS and is in a High or Very High Fire Hazard Severity Zone where the property will close on or after July 1, 2021. Under the revised RPA, it is no longer necessary to include the FHDS as an addendum with the original offer or counter-offer. Instead, the FHDS may be delivered during the first seven days after the Agreement is entered into as a typical disclosure. However, the buyer would still be required to agree to its terms, failing which, the seller may cancel the agreement after delivering a Notice to Buyer to Perform.</li> <li>Notice that this disclosure is not dependent on when the property is built. Please see our Q&amp;A "Defensible Space Law" at <a href="https://www.car.org/riskmanagement/qa/disclosure-folder/Defensible-Space-Law">https://www.car.org/riskmanagement/qa/disclosure-folder/Defensible-Space-Law</a></li> </ul>

<p><b>If the Agency Disclosure is provided, THEN C.A.R. recommends that this form be provided</b></p>	<input type="checkbox"/>	<p>CCPA</p>	<p>California Consumer Privacy Act Advisory</p>	<ul style="list-style-type: none"> <li>This form is bundled with the Agency Disclosure. The California Consumer Privacy Act (“CCPA”), which went into effect on January 1, 2020, imposes certain obligations on “3<sup>rd</sup> party” companies to provide a consumer with explicit notice of their right to “opt-out” of the sale of their data that was received from the CCPA covered business before that data is sold or shared again by the 3<sup>rd</sup> party company. Most MLSs would qualify as 3<sup>rd</sup> parties. Accordingly, the MLS Model Rules now require that all MLS participants or subscribers comply with the 3<sup>rd</sup> party CCPA notice requirements. Use of this form will satisfy the MLS rule.</li> </ul>
<p><b>If built before 1960, THEN ADD ...</b></p>	<input type="checkbox"/>	<p>“The Homeowner’s Guide to Earthquake Safety” booklet &amp; Questionnaire1</p>	<p>Residential Earthquake disclosure</p>	<ul style="list-style-type: none"> <li>The residential earthquake booklet is required to be delivered for certain properties built before 1960. Exemptions are generally the same as those for the TDS. If required to be given, then the questionnaire at the end of the booklet must also be completed. But even if not required, delivery of the booklet provides a limited liability protection to the seller and agent. See C.A.R. “Summary Disclosure Chart” for exemptions at <a href="https://www.car.org/en/riskmanagement/disclosure-charts/summary-disclosure-chart">https://www.car.org/en/riskmanagement/disclosure-charts/summary-disclosure-chart</a></li> <li>Available in zipForm® E-Pubs library or at: <a href="https://ssc.ca.gov/forms_pubs/hog/">https://ssc.ca.gov/forms_pubs/hog/</a></li> <li>See footnote 1 below.</li> </ul>
<p><b>If built before 1975, THEN ADD ...</b></p>	<input type="checkbox"/>	<p>“The Commercial Property Owner’s Guide to Earthquake Safety” booklet &amp; Questionnaire</p>	<p>Commercial earthquake disclosure</p>	<ul style="list-style-type: none"> <li>Owners of some types of property built before 1975 may be obligated to provide this. If so, the questionnaire must be completed. Available in zipForm® E-Pubs library or at: <a href="https://ssc.ca.gov/forms_pubs/cog/">https://ssc.ca.gov/forms_pubs/cog/</a></li> </ul>
<p><b>If built before 1978, THEN ADD ... (1 of 2)</b></p>	<input type="checkbox"/>	<p>"Protect Your Family from Lead in Your Home" booklet</p>	<p>Lead-based paint disclosure booklet</p>	<ul style="list-style-type: none"> <li>For transactions involving most types of residential properties built before 1978, the seller will be required to deliver this booklet. But even if not required, delivery of the booklet provides a limited liability protection to the seller and agent. See, C.A.R. “Summary Disclosure Chart” for exemptions at <a href="https://www.car.org/riskmanagement/disclosure-charts/summary-disclosure-chart">https://www.car.org/riskmanagement/disclosure-charts/summary-disclosure-chart</a></li> </ul>
<p><b>If built before 1978, THEN ADD ... (2 of 2)</b></p>	<input type="checkbox"/>	<p>LPD</p>	<p>Lead-Based Paint and Lead-Based Paint Hazards Disclosure, Acknowledgment and Addendum for Pre-1978 Housing Sales, Leases, or Rentals Rentals</p>	<ul style="list-style-type: none"> <li>For transactions involving most types of residential property built before 1978, the seller will be required to provide disclosures as indicated on this form.</li> <li>See, C.A.R. “Summary Disclosure Chart” for exemptions at <a href="https://www.car.org/riskmanagement/disclosure-charts/summary-disclosure-chart">https://www.car.org/riskmanagement/disclosure-charts/summary-disclosure-chart</a></li> </ul>
<p><b>If built before 1994, THEN ADD ...</b></p>	<input type="checkbox"/>	<p>Disclosure re water-conserving plumbing fixtures (contained within the TDS &amp; SPQ or ESD)</p>	<p>Water conserving fixtures compliance and disclosure</p>	<ul style="list-style-type: none"> <li>The obligation to install water conserving plumbing fixtures is not a point of sale requirement. <a href="https://www.car.org/riskmanagement/ga/disclosure-folder/water-conserving-plumbing-fixtures">As an optional disclosure form WCMD “Water Conserving Plumbing Fixtures and Carbon Monoxide Detector Notice” is available.</a> See Cal. Civ. Code § 1101.4(b), 1101.5(a) and (d). See also C.A.R. Q&amp;A Article “Water Conserving Plumbing Fixtures” at <a href="https://www.car.org/riskmanagement/ga/disclosure-folder/water-conserving-plumbing-fixtures">https://www.car.org/riskmanagement/ga/disclosure-folder/water-conserving-plumbing-fixtures</a>.</li> </ul>

If HOA/common interest development, THEN ADD ...	<input type="checkbox"/>	Mandatory and contractual HOA disclosures	Mandatory and Contractual HOA disclosures	<ul style="list-style-type: none"> <li>Forms HOA-IR, HOA-RS, and HOA-RN may be used to request the mandatory HOA disclosures (per Civil Code § 4525) and contractual disclosures (per the C.A.R. purchase agreements) from the HOA. However, these documents are commonly ordered through the title and escrow without an agent preparing the HOA-IR, HOARS or HOA-RN forms. See Cal. Civ. Code §§ 4525, 4528, 4530 and 4202; and C.A.R. Q&amp;A Article "Condominium and Other Common Interest Development Disclosures" at <a href="https://www.car.org/riskmanagement/qa/hoa-folder/condominium-disclosures">https://www.car.org/riskmanagement/qa/hoa-folder/condominium-disclosures</a>.</li> </ul>
If TIC, THEN ADD ...	<input type="checkbox"/>	TIC-FD	Tenancy-In-Common ("TIC") Financial Disclosure Statement	<ul style="list-style-type: none"> <li>When selling a tenancy in common interest, the C.A.R. form Tenancy In Common ("TIC") Purchase Agreement contractually obligates the seller to complete and deliver a TIC Financial Disclosure Statement.</li> </ul>
If agent has actual knowledge of a discriminatory covenant, THEN ADD ...	<input type="checkbox"/>	Discriminatory Covenants disclosure letter	C.A.R. Sample Letter "Disclosure to Buyer (or Owner) of Discriminatory Covenants"	<ul style="list-style-type: none"> <li>If a real estate broker or agent, county recorder, title company, or escrow company has actual knowledge that a deed or declaration that is being directly delivered to a buyer or owner includes an unlawfully restrictive or discriminatory covenant, they must notify the buyer (or owner) and also of their ability to have it removed through the restrictive covenant modification process. A Sample Letter is available to agents to disclose this information (via zipForm in the C.A.R. Sample Letter Library).</li> </ul>
If "termite" clearance required by contract or lender, THEN ADD ...	<input type="checkbox"/>	Pest Report	Pest control inspection report and certification	<ul style="list-style-type: none"> <li>Any report in possession of the seller must be delivered to the buyer per Section M of the SPQ. However, there is additionally a specific law that requires the delivery of a pest report and certification if a condition of the contract. See Cal. Civil Code § 1099</li> </ul>
If seller financing, THEN ADD	<input type="checkbox"/>	SFA	Seller Financing Addendum	<ul style="list-style-type: none"> <li>Designed to be used with CAR form RPA or RIPA, this document contains terms of seller financing and the legally required disclosures. It grants the seller the right to obtain and review the buyer's credit report and requires the buyer to complete a loan application.</li> </ul>
If a former meth lab, THEN ADD ...	<input type="checkbox"/>	Meth lab clean-up order (Form MCN and answer question in SPQ or in ESD)	Meth lab clean-up order	<ul style="list-style-type: none"> <li>If the seller answers affirmatively in the SPQ or ESD to receiving an order of meth-lab contamination, then a copy of the order must be provided to the buyer. See Cal. Health &amp; Safety Code §25400.28 and 25400.11.</li> </ul>
If seller received a notice regarding groundwater, THEN ADD ...	<input type="checkbox"/>	Groundwater Basin Comprehensive Notice or Groundwater Adjudication Notice	Groundwater disclosure	<ul style="list-style-type: none"> <li>Pursuant to groundwater adjudication litigation, a property owner that has received notice of the comprehensive adjudication and transfers property during the pendency of the adjudication must disclose on the TDS that the property is subject to the adjudication and must attach to the TDS the court-approved notice. Cal. Civ. Code § 836(f).</li> </ul>
If private transfer fee, THEN ADD ...	<input type="checkbox"/>	NTF or equivalent	Notice of Private Transfer Fee or equivalent	<ul style="list-style-type: none"> <li>The entity to receive the transfer fee must record a document entitled "Payment of Transfer Fee Required." The seller is obliged to provide the NTF or equivalent at the same time as the TDS unless the buyer had already received the Payment of Transfer Fee Required notice. See Cal. Civ. Code §1102.6e</li> </ul>
If seller received flood-related disaster assistance, THEN ADD ...	<input type="checkbox"/>	Disclose in SPQ or in ESD	Flood disaster insurance requirements	<ul style="list-style-type: none"> <li>See 42 U.S.C. § 5154a.</li> </ul>
If buyer is not obtaining title insurance, THEN ADD ...	<input type="checkbox"/>	Notice advising buyer to obtain title insurance (contained within the SBSA)	(See left)	<ul style="list-style-type: none"> <li>See Civil Code § 1057.6</li> </ul>

<b>If property has window security bars or safety release mechanisms, THEN ADD ...</b>	<input type="checkbox"/>	Disclosure regarding window security bars	Use TDS and SPQ or ESD	<ul style="list-style-type: none"> <li>See Cal. Health and Safety Code §17958.4.</li> </ul>
<b>If supplemental taxes, THEN ADD ...</b>	<input type="checkbox"/>	SPT (or SBSA)	Notice of Your Supplemental Property Tax Bill or Statewide Buyer & Seller Advisory	<ul style="list-style-type: none"> <li>Either of these two forms contains the required disclosure. See Cal. Civ. Code § 1102.6c; and C.A.R. Sales Disclosure Chart at <a href="https://www.car.org/riskmanagement/disclosure-charts/sales-disclosure-chart">https://www.car.org/riskmanagement/disclosure-charts/sales-disclosure-chart</a></li> </ul>
<b>If FHA loan or HUD-owned property, THEN ADD ...</b>	<input type="checkbox"/>	HID	For Your Protection: Get a Home Inspection	<ul style="list-style-type: none"> <li>Required to be delivered by the lender to a prospective homebuyer at first contact, be it for pre-qualification, pre-approval or initial application. Letter 92564-CN may be accessed at <a href="https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwienP-2jrn9AhV4OkQIHTMVAMEQFnoECAsQAQ&amp;url=https%3A%2F%2Fwww.hud.gov%2Fsites%2Fdocuments%2FDOC_35958.doc&amp;usg=AOvVaw2JOoo1omsz8xDhOL9WqLBe">https://www.google.com/url?sa=t&amp;rct=j&amp;q=&amp;esrc=s&amp;source=web&amp;cd=&amp;cad=rja&amp;uact=8&amp;ved=2ahUKEwienP-2jrn9AhV4OkQIHTMVAMEQFnoECAsQAQ&amp;url=https%3A%2F%2Fwww.hud.gov%2Fsites%2Fdocuments%2FDOC_35958.doc&amp;usg=AOvVaw2JOoo1omsz8xDhOL9WqLBe</a> See also HUD Handbook 4000.1, Section</li> <li>II.A.1.a.ii.(A)(4) at <a href="https://www.hud.gov/sites/dfiles/OCHCO/documents/4000.1hsg.pdf">https://www.hud.gov/sites/dfiles/OCHCO/documents/4000.1hsg.pdf</a></li> <li>As required by HUD, this form gives Buyers of HUD-owned property notice that no representation is made regarding radon gas or mold. In addition, Buyer releases HUD and its agents from any liability associated with either of these substances. The form also advises Buyer to contact a lawyer and have an inspection.</li> </ul>
<b>If HUD-owned property, THEN ADD ...</b>	<input type="checkbox"/>	RGM	Radon Gas and Mold Notice and Release Agreement	<ul style="list-style-type: none"> <li>As required by HUD, this form gives Buyers of HUD-owned property notice that no representation is made regarding radon gas or mold. In addition, Buyer releases HUD and its agents from any liability associated with either of these substances. The form also advises Buyer to contact a lawyer and have an inspection.</li> </ul>
<b>If property has a solar panel or solar system, THEN ADD...</b>	<input type="checkbox"/>	SOLAR	Solar Advisory and Questionnaire	<ul style="list-style-type: none"> <li>Strictly speaking, this form is not contractually required. However, where the property has a solar panel or solar system, then the seller is contractually obligated under the terms of the RPA to deliver to buyer all known information about the solar panels or solar system. This form facilitates the seller's contractual and common law duty to disclose such information.</li> </ul>

### Other Available Advisories and Disclosures

		C.A.R. Form Code or Document Name	Disclosure	ADDITIONAL INFORMATION
To all buyers and sellers	<input type="checkbox"/>	FHDA	Fair Housing and Discrimination Advisory	<ul style="list-style-type: none"> <li>This form provides guidance and information related to fair housing laws and how they relate to real estate. It provides some best practices dos and don'ts. It is bundled with purchase agreements, listing agreements, buyer representation agreements, and the residential lease.</li> </ul>
To all buyers and sellers	<input type="checkbox"/>	SBSA	Statewide Buyer & Seller Advisory	<ul style="list-style-type: none"> <li>This is a 14-page risk management advisory that C.A.R. recommends including in every transaction.</li> </ul>
To all buyers and sellers	<input type="checkbox"/>	MCA	Market Conditions Advisory	<ul style="list-style-type: none"> <li>This form is used to document that a Broker discussed with a Buyer that market conditions fluctuate, and as a result, there is no guarantee that prices will continue to move in a direction. It also advises on the risks of making non-contingent offers or removing contingencies.</li> </ul>

<b>To buyers making non-contingent offers</b>		NCOA	Non-Contingent Offer Advisory	<ul style="list-style-type: none"> <li>This form is similar to the MCA (indicated in the box above) but is specifically directed to a buyer who is making a non-contingent offer by providing clearer and more directed advice regarding loan, appraisal and investigation contingencies. Both this form and the MCA may be used together.</li> </ul>
<b>To all buyers and sellers</b>	<input type="checkbox"/>	WFA	Wire Fraud Advisory	<ul style="list-style-type: none"> <li>This form is an advisory to Buyers and Sellers regarding the need to exercise extreme caution when using wire transfers of funds. It includes practical suggestions for safeguarding their transactions and private information.</li> </ul>
<b>To buyers and sellers in a probate sale</b>	<input type="checkbox"/>	PA	Probate advisory	<ul style="list-style-type: none"> <li>This document advises the parties on what to expect during a probate transaction in matters such as disclosure, court procedure, and other issues.</li> </ul>
<b>To buyers and sellers in a short sale</b>	<input type="checkbox"/>	SSIA	Short Sale Information and Advisory	<ul style="list-style-type: none"> <li>This form advises on short sale considerations for both parties.</li> </ul>

To all buyers	<input type="checkbox"/>	BIE	Buyer's Inspection Election Advisory	<ul style="list-style-type: none"> <li>This form is used by a Buyer to identify which specific inspections or reports the Buyer wants to order. It is to be kept by the Buyer's agent and does not need to be given to the seller or listing agent. The form may be used more than once in a transaction if Buyer decides to order some items at one time and others later.</li> </ul>
To all buyers	<input type="checkbox"/>	BIW	Buyer's Inspection Waiver	<ul style="list-style-type: none"> <li>This form is used to document that a Buyer has been advised to obtain certain inspections but has declined to do so.</li> </ul>
To all buyers	<input type="checkbox"/>	BMI	Buyer's Material Issues Advisory	<ul style="list-style-type: none"> <li>Form used by the Buyer to document issues that are of concern to Buyer. This form helps avoid disputes between a Buyer and Broker about whether a conversation took place and what was discussed. By identifying particular areas of concern to Buyer, the form enables a Broker to better assist the Buyer gathering information or refer the Buyer to sources that can provide Buyer with additional information.</li> </ul>
To all buyers	<input type="checkbox"/>	WCMD	Water-Conserving Plumbing Fixtures and Carbon Monoxide Detector Notice	<ul style="list-style-type: none"> <li>This form modifies the existing Carbon Monoxide Detector Notice to add language about water conserving plumbing devices. It identifies the compliance and disclosure requirements of the law and State law standards to assess if plumbing fixtures are "non-compliant". It also discloses the requirements, exemptions and disclosure obligations regarding carbon monoxide detectors but does not disclose if the property has C-O detectors installed or who will pay for any such installation.</li> </ul>
To all buyers	<input type="checkbox"/>	6-Part Disclosure Packet	<p>6-part Disclosure packet</p> <p>Available in the zipForm® ePubs library, this group of six documents comprises the following titles:</p> <ol style="list-style-type: none"> <li>(1) Residential Environmental Hazards;</li> <li>(2) Protect Your Family from Lead in Your Home;</li> <li>(3) Home Energy Rating Pamphlet;</li> <li>(4) Homeowner's Guide to Earthquake Safety;</li> <li>(5) Earthquake Hazards Report; and</li> <li>(6) Homeowner's Signature</li> </ol>	<ul style="list-style-type: none"> <li>The Residential Environmental Hazards booklet and the Home Energy Rating Pamphlet are optional disclosures in all transactions. The "Homeowner's Guide to Earthquake Safety" and "Protect Your Family from Lead in Your Home" booklets are sometimes required (see above). When these booklets are delivered, even if not required, the law deems them adequate to inform the buyer generally of the subject matter of the booklets. Known material facts affecting value or desirability must still be specifically disclosed. Civil Code §§ 2979.7, 2079.8, 2079.9 and 2079.10</li> </ul>
To buyers of homes with HOAs	<input type="checkbox"/>	BHAA	Buyer Homeowner Association Advisory	<ul style="list-style-type: none"> <li>This advises buyers of property subject to an HOA of the importance of a thorough review of HOA documents which will govern, affect and, in some cases, which may limit their current and future use of the property.</li> </ul>
To buyers where seller is trustee	<input type="checkbox"/>	TA	Trust Advisory	<ul style="list-style-type: none"> <li>This document gives information about and clarifies issues regarding sales by the trustee of a trust, such as which disclosures the trustee must comply with, which the trustee is exempt from, the obligations of the real estate agent, and other impacts on the transaction.</li> </ul>



<b>To REO buyers</b>	<input type="checkbox"/>	REO	REO Advisory	<ul style="list-style-type: none"> <li>This document gives information about and clarifies issues regarding REO sales, such as which disclosures the REO must comply with, which the REO is exempt from, the obligations of the real estate agent, and other impacts on the transaction.</li> </ul>
<b>To buyers in wildfire areas</b>	<input type="checkbox"/>	WFDA	Wildfire Disaster Advisory	<ul style="list-style-type: none"> <li>This document addresses major concerns and issues of buying (or renting) property in a wildfire area and provides contacts for additional information.</li> </ul>
<b>To buyers and sellers where buyer's agent is also arranging buyer's mortgage</b>	<input type="checkbox"/>	LBSB	Loan Broker - Sales Broker Disclosure	<ul style="list-style-type: none"> <li>This document satisfies the requirement that a broker discloses within 24 hours if the broker is acting in the capacity of both a loan broker and a sales broker on the same transaction, together with the amount, source and form of compensation, which must be disclosed before close of escrow. See California Business &amp; Professions Code § 10177.6 and DRE Reg 2904.</li> </ul>
<b>To all sellers</b>	<input type="checkbox"/>	DIA	Disclosure Information Advisory	<ul style="list-style-type: none"> <li>This document advises sellers of the importance of disclosing what they know affecting the value and desirability of the property and taking the time to be thorough and complete when making required statutory and contractual disclosures.</li> </ul>
<b>To all sellers</b>	<input type="checkbox"/>	SA	Seller's Advisory	<ul style="list-style-type: none"> <li>This document provides a list of legal and practical issues for sellers to consider when selling property, such as disclosures, contract terms, and marketing issues.</li> </ul>
<b>To REO sellers</b>	<input type="checkbox"/>	REOL	REO Advisory (Listing)	<ul style="list-style-type: none"> <li>This document gives information about and clarifies issues regarding REO sales, such as which disclosures the REO must comply with, which the REO is exempt from, the obligations of the real estate agent, and other impacts on the transaction.</li> </ul>
<b>To all visitors to the property</b>	<input type="checkbox"/>	PVOH	Property Visit and Open House Advisory	<ul style="list-style-type: none"> <li>This form is an advisory to anybody visiting or viewing a property. It advises them of the possibility of being recorded and of various safety risks. The visitor is acknowledging the risk of entry and being advised to take responsibility for children. Please see our Q&amp;A "Buyer Interest Letters and Unconscious or Implicit Bias: Dos and Don'ts" explaining the background and purpose of this disclosure.</li> </ul>
<b>To all buyers</b>	<input type="checkbox"/>	SFLS	Square Foot and Lot Size Advisory	<ul style="list-style-type: none"> <li>This form is an advisory related to the possibility that there may be different measurements for square footage and lot size. It recognizes that there may be discrepancy and advises the buyer to do their own investigation. There is a chart to provide the various different measurements that parties may be aware of</li> </ul>
<b>To buyers and sellers of a stock cooperative</b>	<input type="checkbox"/>	COOP-OA	Stock Cooperative Ownership Advisory	<ul style="list-style-type: none"> <li>This advisory answers basic questions concerning stock cooperatives including: What is a stock cooperative? What is the nature of the ownership interest? And why are there both condominiums and stock cooperatives? Additionally, it explains that the seller is required to make common interest disclosures in addition to other mandated and contractual disclosures.</li> </ul>
<b>To all buyers from a buyer's agent (Required when a BRBC is signed, otherwise optional)</b>	<input type="checkbox"/>	ABCD	Anticipated Broker Compensation Disclosure	<ul style="list-style-type: none"> <li>This form is divided into three parts. First, it is disclosed at the outset that the buyer's a broker will be receiving compensation. Second, as properties are show, the compensation to be received is disclosed on a property-by-property basis. The third part is where the buyer's broker discloses the final compensation received. This form is optional unless a Buyer Representation and Broker Compensation Agreement is signed ("BRBC"), then it is required.</li> </ul>

<b>To buyers and seller when presented with a non-standard form</b>		NSF	Non-Standard Form Advisory	<ul style="list-style-type: none"> <li>The most typical scenario for use of this form involves builders, REOs or banks. Often these persons or entities will develop their own original forms or contracts which will obviously favor the entities that drafted them. Provisions in these original forms are typically different from common provisions found in the C.A.R. Standard Forms, and may include terms such as passive contingency removal, waiver of rights or disclosures, non-refundable monies, releases, hold harmless and indemnification clauses, etc.... The NSF form warns the client of such problems and advises the client to consult a qualified California real estate attorney before making the decision to proceed in a transaction with non-standard forms.</li> </ul>
<b>To buyers of a tenancy in common</b>	<input type="checkbox"/>	TIC-OA	Tenancy in Common ("TIC") Ownership Advisory	<ul style="list-style-type: none"> <li>This advisory explains, clarifies and warns a buyer about various aspects of owning a tenancy in common including 1) a TIC is not a condominium 2) the necessity for a TIC agreement 3) problems of financing a TIC and 4) resale issues.</li> </ul>