

HOUSE BILL NO. 4110

February 25, 2025, Introduced by Reps. Mentzer, Koleszar, McFall, Paiz, Glanville and Price and referred to Committee on Regulatory Reform.

A bill to amend 1993 PA 92, entitled
"Seller disclosure act,"
by amending section 7 (MCL 565.957), as amended by 2005 PA 163.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 7. (1) The disclosures required by this act ~~shall~~**must** be made on the following form:

SELLER'S DISCLOSURE STATEMENT

Property Address: _____
Street

1 _____ Michigan
2 City, Village, or Township

3 Purpose of Statement: This statement is a disclosure of the
4 condition of the property in compliance with the seller disclosure
5 act. This statement is a disclosure of the condition and
6 information concerning the property, known by the seller. Unless
7 otherwise advised, the seller does not possess any expertise in
8 construction, architecture, engineering, or any other specific area
9 related to the construction or condition of the improvements on the
10 property or the land. Also, unless otherwise advised, the seller
11 has not conducted any inspection of generally inaccessible areas
12 such as the foundation or roof. This statement is not a warranty of
13 any kind by the seller or by any agent representing the seller in
14 this transaction, and is not a substitute for any inspections or
15 warranties the buyer may wish to obtain.

16 Seller's Disclosure: The seller discloses the following
17 information with the knowledge that even though this is not a
18 warranty, the seller specifically makes the following
19 representations based on the seller's knowledge at the signing of
20 this document. ~~Upon receiving~~ **On receipt of** this statement from the
21 seller, the seller's agent ~~is required to~~ **shall** provide a copy to
22 the buyer or the agent of the buyer. The seller authorizes ~~its~~
23 ~~agent(s)~~ **the seller's agent or agents** to provide a copy of this
24 statement to any prospective buyer in connection with any actual or
25 anticipated sale of property. The following are representations
26 made solely by the seller and are not the representations of the
27 seller's ~~agent(s),~~ **agent or agents**, if any. THIS INFORMATION IS A
28 DISCLOSURE ONLY AND IS NOT INTENDED TO BE A PART OF ANY CONTRACT
29

1 BETWEEN BUYER AND SELLER.

2 Instructions to the Seller: (1) Answer ALL questions. (2)
 3 Report known conditions affecting the property. (3) Attach
 4 additional pages with your signature if additional space is
 5 required. (4) Complete this form yourself. (5) If some items do not
 6 apply to your property, check NOT AVAILABLE. If you do not know the
 7 facts, check UNKNOWN. FAILURE TO PROVIDE A PURCHASER WITH A SIGNED
 8 DISCLOSURE STATEMENT WILL ENABLE A PURCHASER TO TERMINATE AN
 9 OTHERWISE BINDING PURCHASE AGREEMENT.

10 **Appliances/Systems/Services:** The items below are in working order
 11 (the items below are included in the sale of the property only if
 12 the purchase agreement so provides):

13	Yes	No	Unknown	Not Available
14 Range/ Over oven	_____	_____	_____	_____
15 Dishwasher	_____	_____	_____	_____
16 Refrigerator	_____	_____	_____	_____
17 Hood/fan	_____	_____	_____	_____
18 Disposal	_____	_____	_____	_____
19 TV antenna, TV rotor &				
20 controls	_____	_____	_____	_____
21 Electrical system	_____	_____	_____	_____
22 Garage door opener &				
23 remote control	_____	_____	_____	_____
24 Alarm system	_____	_____	_____	_____
25 Intercom	_____	_____	_____	_____
26 Central vacuum	_____	_____	_____	_____
27 Attic fan	_____	_____	_____	_____
28 Pool heater, wall				
29 liner & equipment	_____	_____	_____	_____

1	Microwave	_____	_____	_____	_____
2	Trash compactor	_____	_____	_____	_____
3	Ceiling fan	_____	_____	_____	_____
4	Sauna/hot tub	_____	_____	_____	_____
5	Washer	_____	_____	_____	_____
6	Dryer	_____	_____	_____	_____
7	Lawn sprinkler system	_____	_____	_____	_____
8	Water heater	_____	_____	_____	_____
9	Plumbing system	_____	_____	_____	_____
10	Water				
11	softener/conditioner	_____	_____	_____	_____
12	Well & pump	_____	_____	_____	_____
13	Septic tank & drain				
14	field	_____	_____	_____	_____
15	Sump pump	_____	_____	_____	_____
16	City Water System water	_____	_____	_____	_____
17	system				
18	City Sewer System sewer	_____	_____	_____	_____
19	system				
20	Central air				
21	conditioning	_____	_____	_____	_____
22	Central heating system	_____	_____	_____	_____
23	Wall furnace	_____	_____	_____	_____
24	Humidifier	_____	_____	_____	_____
25	Electronic air filter	_____	_____	_____	_____
26	Solar heating system	_____	_____	_____	_____
27	Fireplace & chimney	_____	_____	_____	_____
28	Wood burning system	_____	_____	_____	_____
29	Explanations (attach additional sheets if necessary):				

1 _____
 2 _____
 3 _____
 4 _____
 5 _____

6 UNLESS OTHERWISE AGREED, ALL HOUSEHOLD APPLIANCES ARE SOLD IN
 7 WORKING ORDER EXCEPT AS NOTED, WITHOUT WARRANTY BEYOND DATE OF
 8 CLOSING.

9 **Property conditions, improvements & additional information:**

10 **1. Basement/crawl space:** Has there been evidence of water?
 11 yes____ no____
 12 If yes, please explain: _____

13 **2. Insulation:** Describe, if known _____
 14 Urea Formaldehyde Foam Insulation (UFFI) is installed?
 15 unknown____ yes____ no____

16 **3. Roof:** Leaks? yes____ no____
 17 Approximate age if known _____

18 **4. Well:** Type of well (depth/diameter, age, and repair history, if
 19 known): _____
 20 Has the water been tested? yes____ no____
 21 If yes, date of last report/results: _____

22 **5. Septic tanks/drain fields:** Condition, if known: _____
 23 _____

24 **6. Heating System:** Type/approximate age: _____

25 **7. Plumbing system:** Type: copper____ galvanized____ other____
 26 Any known problems? _____

27 **8. Electrical system:** Any known problems? _____

28 **9. History of infestation, if any:** (termites, carpenter ants, etc.)
 29 _____

10. Environmental ~~Problems~~ problems: Are you aware of any substances, materials, or products that may be an environmental hazard such as, but not limited to, asbestos, radon gas, formaldehyde, lead-based paint, fuel or chemical storage tanks, and contaminated soil on the property.

unknown____ yes____ no____

If yes, please explain:_____

11. Flood insurance: Do you have flood insurance on the property?

unknown____ yes____ no____

12. Mineral rights: Do you own the mineral rights?

unknown____ yes____ no____

Other Items: Are you aware of any of the following:

1. Features of the property shared in common with the adjoining landowners, such as walls, fences, roads and driveways, or other features whose use or responsibility for maintenance may have an effect on the property?

unknown____ yes____ no____

2. Any encroachments, easements, zoning violations, or nonconforming uses?

unknown____ yes____ no____

3. Any "common areas" (facilities like pools, tennis courts, walkways, or other areas co-owned with others), or a homeowners' association that has any authority over the property?

unknown____ yes____ no____

4. Structural modifications, alterations, or repairs made without necessary permits or licensed contractors?

unknown____ yes____ no____

5. Settling, flooding, drainage, structural, or grading problems?

unknown____ yes____ no____

- 1 6. Major damage to the property from fire, wind, floods, or
2 landslides?
3 unknown____ yes____ no____
- 4 7. Any underground storage tanks? unknown____ yes____ no____
- 5 8. Farm or farm operation in the vicinity; or proximity to a
6 landfill, airport, shooting range, etc.?
7 unknown____ yes____ no____
- 8 9. Any outstanding utility assessments or fees, including any
9 natural gas main extension surcharge?
10 unknown____ yes____ no____
- 11 10. Any outstanding municipal assessments or fees?
12 unknown____ yes____ no____
- 13 11. Any pending litigation that could affect the property or the
14 seller's right to convey the property?
15 unknown____ yes____ no____
- 16 If the answer to any of these questions is yes, please explain.
17 Attach additional sheets, if necessary: _____
18 _____
19 _____
20 _____
21 _____

1 The seller has lived in the residence on the property from
2 _____ (date) to _____ (date). The seller
3 has owned the property since _____ (date). The seller
4 has indicated above the condition of all the items based on
5 information known to the seller. If any changes occur in the
6 structural/mechanical/appliance systems of this property from the
7 date of this form to the date of closing, seller will immediately
8 disclose the changes to buyer. In no ~~event shall~~ **circumstances will**
9 the parties hold the broker liable for any representations not
10 directly made by the broker or broker's agent.
11 Seller certifies that the information in this statement is true and
12 correct to the best of seller's knowledge as of the date of
13 seller's signature.

14 BUYER SHOULD OBTAIN PROFESSIONAL ADVICE AND INSPECTIONS OF THE
15 PROPERTY TO MORE FULLY DETERMINE THE CONDITION OF THE
16 PROPERTY. THESE INSPECTIONS SHOULD TAKE INDOOR AIR AND WATER
17 QUALITY INTO ACCOUNT, AS WELL AS ANY EVIDENCE OF UNUSUALLY
18 HIGH LEVELS OF POTENTIAL ALLERGENS INCLUDING, BUT NOT LIMITED
19 TO, HOUSEHOLD MOLD, MILDEW AND BACTERIA.

BUYERS ARE ADVISED THAT CERTAIN INFORMATION COMPILED PURSUANT TO THE SEX OFFENDERS REGISTRATION ACT, 1994 PA 295, MCL 28.721 TO ~~28.732~~, **28.730**, IS AVAILABLE TO THE PUBLIC. BUYERS SEEKING THAT INFORMATION SHOULD CONTACT THE APPROPRIATE LOCAL LAW ENFORCEMENT AGENCY OR SHERIFF'S DEPARTMENT DIRECTLY. **BUYER IS ADVISED THAT THE NEW ESTIMATED ANNUAL REAL PROPERTY TAXES ON THE PROPERTY WILL BE \$_____**, BASED ON THE CURRENT STATE EQUALIZED VALUE, WITHOUT ANY REDUCTION IN THE STATE EQUALIZED VALUE FOR THE LIMITATION ON INCREASES IN THE TAXABLE VALUE UNDER SECTION 3 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963, AND ALSO BASED ON THE CURRENT APPLICABLE MILLAGE RATES FOR PROPERTY TAXES AND ON THE PROPERTY BEING CLAIMED AS A PRINCIPAL RESIDENCE UNDER SECTION 7CC OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7CC.

BUYER IS ADVISED THAT THE STATE EQUALIZED VALUE OF THE PROPERTY, PRINCIPAL RESIDENCE EXEMPTION INFORMATION, AND OTHER REAL PROPERTY TAX INFORMATION IS AVAILABLE FROM THE APPROPRIATE LOCAL ASSESSOR'S OFFICE.

BUYER SHOULD NOT ASSUME THAT BUYER'S FUTURE TAX BILLS ON THE PROPERTY WILL BE THE SAME AS THE SELLER'S PRESENT TAX BILLS. UNDER MICHIGAN LAW, REAL PROPERTY TAX OBLIGATIONS CAN CHANGE SIGNIFICANTLY WHEN PROPERTY IS TRANSFERRED.

Seller_____ Date_____

Seller_____ Date_____

Buyer has read and acknowledges receipt of this statement.

Buyer_____ Date_____ Time:_____

Buyer_____ Date_____ Time:_____

(2) A form described in subsection (1) printed before ~~January~~

1 ~~1, 2006~~ **the effective date of the amendatory act that amended this**
2 **section** that was in compliance with this section at that time may
3 be ~~utilized~~ **used** and ~~shall be~~ **is** considered **to be** in compliance
4 with this section until ~~April 1, 2006~~. **90 days after the effective**
5 **date of the amendatory act that amended this section.**