



CONCRETE FOUNDATION ADVISORY AND DISCLOSURE (Page 1 of 2) FOR SELLERS AND BUYERS

FOR PROPERTY LOCATED AT: _____

YEAR PROPERTY BUILT: _____

HAVE THERE BEEN ANY ADDITIONS TO THE PROPERTY? YES NO If yes, year built: _____

Foundation cracks, problems or failures may be a result of many factors including but not limited to chemical compositions in foundation materials or natural occurrences at any time during the life of a property.

A number of properties in some areas of Massachusetts have exhibited foundation problems attributed to certain minerals, namely pyrrhotite (an iron sulfide compound) in those concrete foundations. This is similar to foundation problems that have previously been reported in several cities and towns in Connecticut.

The foundation failures appear to be typically identified in homes built from 1983 forward. Additions built during this time period may also be affected.

While Home Inspectors and Town and City Building Department Officials may be able to provide some limited general information about potential foundations issues, Sellers and Buyers are advised that ONLY engineers can provide expert guidance and assistance regarding a specific property's concrete foundation.

This concrete foundation advisory and disclosure is a voluntary form intended to assist Realtor® members working with clients and customers in the affected areas. This information may be provided to Sellers in an effort to help them make informed decisions regarding their property. This information may be provided to Buyers in an effort to help them make informed decisions regarding real estate purchases.

The scope and extent of failed or failing foundations is outside the area of expertise of real estate Brokers and Licensees. Real estate Brokers and Licensees ARE NOT foundation experts and ARE NOT qualified to independently provide opinions regarding foundations or foundation materials, or to conduct an independent investigation into representations that other parties may have made about foundations or foundation materials. Only if the real estate licensee has actual knowledge of a known material defect, including a verified problem with a property's foundation, is the licensee required to disclose that fact.

Buyers and Sellers should NOT rely upon any statement or representation made by real estate licensees regarding a property's concrete foundation and/or possibility that problems may or may not develop in the future. Engineers can provide guidance and expert assistance into aspects of foundation problems and concerns.

Massachusetts has created a reimbursement program administered by the Department of Professional Licensure to encourage homeowners to come forward and have their foundations tested. The testing program reimburses homeowners within a 20-mile radius of JJ Mottes Concrete Company (Stafford Springs, Connecticut) for visual testing conducted by a licensed professional engineer at 100% for up to \$400, and for core testing at a 75% rate up to \$5,000. The application and instructions for reimbursement are available here:

https://www.mass.gov/ files/documents/2019/10/16/Crumbling%20Foundations%20Application%20%20Instructions%202019.pdf.

FOUNDATION DISCLOSURE - Does the Seller have knowledge of any testing and/or inspection(s), done by a licensed professional, related to a foundation on the property? YES NO

If YES, please describe the testing method(s) and include all results and report(s) of any test(s) and/or inspection(s), as well as identifying location(s) of area(s) tested and/or inspected:





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FOR SELLERS AND BUYERS

Does the Seller have knowledge of any repair(s) related to a foundation on the Property? **YES** **NO**

If **YES**, please describe the nature of the repair(s), the name of the company who performed the repairs, and include all results of any test(s) and/or report(s), including location(s) of area(s) repaired:

Disclosures from the Seller(s) contained herein are intended to provide information and results of any testing, inspection or repairs related to a foundation on the property. A visual inspection is only a statement of condition at the moment in time the inspection was conducted and is not necessarily a prediction about the future of the foundation.

CONDOMINIUM/PLANNED UNIT DEVELOPMENT (PUD) NOTICE: Buyer(s) of condominiums, PUDs or other Home Owners' Associations may have regular or special assessments, which could be inclusive of repairs needed to any structure in the complex due to failing or crumbling foundations. Among others inquiries, Buyers of such properties should ask about existing or pending planned assessments, or any discussion of future assessments and inquire of the property manager or Board of Trustees about any known testing, repairs or evidence of failing foundations throughout the entire complex, not solely the unit Buyer is interested in purchasing.

By signing below, Seller(s) and Buyer(s) acknowledge receipt of this Advisory and Disclosure. **Seller(s) and Buyer(s) further acknowledge and agree that real estate Brokers and Salespersons are not experts in foundations and foundation materials and cannot undertake any independent investigations into the condition of foundations or representations that may be made by Sellers, home inspectors, appraisers or others on any property.**

SELLER (Please Print Name)

SELLER (Please Print Name)

SELLER (Signature) (date)

SELLER (Signature) (date)

BUYER (Please Print Name)

BUYER (Please Print Name)

BUYER (Signature) (date)

BUYER (Signature) (date)