

# Owner's Property Disclosure Statement

OWNER(S) NAME(S): DUANE E BANKS JR MARGUERITE H BANKS  
PROPERTY ADDRESS: 6918 BARQUERA ST, CORAL GABLES, FL 33146  
DATE HOME BUILT: 1963  
DATE OWNER PURCHASED PROPERTY: April 1, 1998  
PROPERTY IS PRESENTLY:  Occupied by Owner  Rented  Vacant.  
IF LEASED, is the lease  Written  Oral. Termination date of lease is: \_\_\_\_\_

## The information Disclosed Is Given To The Best Of Owner's Knowledge

**NOTICE TO THE BUYER/TENANT AND OWNER:** In Florida, an Owner is obligated to disclose to a Buyer/Tenant all known facts that materially affect the value of the property being sold and that are not readily observable. This disclosure statement is designed to assist Owner in complying with the disclosure requirements under Florida Law and to assist the Buyer/Tenant in evaluating the property being considered. This disclosure statement concerns the condition of the real property located at the above-referenced address. It is not a warranty of any kind by the Owner or any Licensee in this transaction. It is not a substitute for any inspections or warranties the parties may wish to obtain. It is based only upon Owner's knowledge of property condition. This disclosure is not intended to be a part of any contract for sale and purchase or lease agreement. Real estate agents and other parties involved in the transaction rely upon and may refer to this information when they evaluate, market, or present Owner's property to prospective Buyer/Tenants.

**INSTRUCTIONS TO THE OWNER:** (1) Complete this form yourself; (2) review prior disclosure statement(s) and/or inspection report(s) when completing this form; (3) describe conditions affecting property to the best of your knowledge; (4) attach additional pages with your signature if additional space is required; (5) answer all questions; (6) if you have no knowledge regarding the specific matter, then "UNKNOWN" should be indicated, and (7) if any items do not apply, write "N/A" (Not Applicable).

The following representations are made by the Owner(s) and are not representations of any real estate licensees:

### 1. CLAIMS & ASSESSMENTS:

a. Are you aware of existing, pending, or proposed legal actions, claims, special assessments, tax liens, charges, or unpaid assessments (including homeowner's association, condo maintenance fees, proposed increases in assessments and/or maintenance fees) affecting the property?  NO  YES If "Yes", please explain: \_\_\_\_\_

b. Have any local, state or federal authorities notified you that repairs, alterations or corrections of the property are required?  NO  YES If "Yes", please explain: \_\_\_\_\_

### 2. PROPERTY USE/DEED RESTRICTIONS AND HOMEOWNER/CONDO ASSOCIATION:

a. Are you aware of any Homeowner Association, Condo Association, deed restrictions, covenants, or reservations that may affect the use, future resale or value of the property?  NO  YES If "Yes", please explain: \_\_\_\_\_

b. Are you aware of any proposed changes that affect (or may affect) the use, future resale or value of the property?  NO  YES If "Yes", please explain: \_\_\_\_\_

### 3. STRUCTURE-RELATED ITEMS:

a. Are you aware of any structural damage which may have resulted from events including, but not limited to: fire, wind, hurricanes, flood, hail, lightening, landslide, blasting, shifting in the foundation, and/or spalling?  NO  YES

b. Are you aware of any past or present cracks or flaws in the walls, floors or foundations?  NO  YES

c. Are you aware of any past or present problems with driveways, walkways, patios, porches, seawalls, pools, or retaining walls on the property?  NO  YES

d. Are you aware of any past or present water leaks, water accumulation or dampness within the house, basement, crawl space or attic?  NO  YES

If any of your answers in this section are "Yes", please explain: \_\_\_\_\_

4. PROPERTY-RELATED ITEMS:

- a. Have you ever had the property surveyed?  NO  YES
- b. Is there an existing elevation certificate?  NO  YES
- c. The Flood Zone is: \_\_\_\_\_ . The Base Flood Elevation (BFE) is: \_\_\_\_\_ .
- d. Are you aware of any walls, driveways, fences, structures or other features shared in common with adjoining landowners, or any encroachments, boundary line disputes, setback violations or easements (other than utility or drainage easements) affecting the property?  NO  YES If "Yes". Please explain: \_\_\_\_\_
- e. Do you have an existing flood insurance policy?  NO  YES

5. TERMITES, DRY ROT, PESTS, WOOD DESTROYING ORGANISMS:

- a. Do you have any knowledge of termites, dry rot, pests or wood destroying organisms on or affecting property?  NO  YES
- b. Do you have any knowledge of any damage to the property caused by termites, dry rot, pests or wood destroying organisms?  NO  YES
- c. Have you ever had the property inspected for termites, dry rot, pests or wood destroying organisms?  NO  YES If "Yes", Date of Inspection: \_\_\_\_\_
- d. Has the property been treated for termites, dry rot, pests or wood destroying organisms?  NO  YES If "Yes", please indicate Date of Treatment Not sure Terminix Type of Treatment Not sure Company Name: Terminix
- e. Is your property currently under warranty or other coverage by a licensed pest control company?  NO  YES If "Yes", Company Name: \_\_\_\_\_ If any of your answers in this section are "Yes", please explain: \_\_\_\_\_

6. PERMITS:

- a. Are you aware of any improvements, modifications or additions to the property, whether by you or by others, that have been constructed in violation of applicable building codes or without necessary permits?  NO  YES
  - b. Are you aware of any open permits, (i.e., active or expired permits) on the property which have not been closed by a final inspection?  NO  YES
- If any of your answers in this section are "Yes", please explain: \_\_\_\_\_

7. ROOF-RELATED ITEMS:

- a. Approximate age of roof: 13 years
- b. Have you replaced the roof?  NO  YES If "Yes", when?: It was replaced about 13 years ago
- c. Is there a warranty on the roof?  NO  YES If "Yes" is the warranty transferable?  NO  YES Name of Company: \_\_\_\_\_
- d. Has the roof ever leaked since you've owned the property?  NO  YES If "Yes", what has been done to correct the leaks? \_\_\_\_\_ . Date of repair(s): \_\_\_\_\_
- e. Has the roof been inspected within the last 12 months?  NO  YES If "Yes", please explain: \_\_\_\_\_

8. PLUMBING-RELATED ITEMS:

- a. What is your drinking water source?  Public  Private Well  Other \_\_\_\_\_
- b. If your drinking water is from a well or other source, when was your water last checked for safety and what were the results of the tests? \_\_\_\_\_
- c. What is the water source for your sprinkler system? Public
- d. Do you have a water conditioning system?  NO  YES If "Yes" is it  LEASED? or  OWNED?
- e. What is the type of sewage system?  Public Sewer  Private Sewer  Septic Tank  Cesspool When was the septic tank/cesspool last serviced? Not sure
- f. Are any storage tanks stored or buried on the property?  NO  YES If "Yes", where? had some tree roots get into

g. Do you know of any leaks, backups, breaks, or other problems relating to any of the plumbing, water, sewage/septic system or sprinkler system?  NO  YES If "Yes", please explain: \_\_\_\_\_

9. ELECTRICAL SYSTEMS:

- a. Does Property have: Circuit breakers?  NO  YES Fuses?  NO  YES
b. Are you aware of any damaged, dangerous, malfunctioning or un-permitted switches, receptacles, circuits, fans, lights, fuses or wiring?  NO  YES
c. Are you aware of any conditions that materially affect the value or operating capacity of the electrical system?  NO  YES If any of your answers to the section are "Yes", please explain: \_\_\_\_\_

10. POOL/HOT TUBS/SPAS:

- a. Does the property have a swimming pool?  NO  YES Hot Tub?  NO  YES Spa?  NO  YES If "Yes", was the certificate of completion received after October 1, 2000 for the pool/hot tub/spa?  NO  YES
b. Are there any problems in need of repair to the pool, pool lines, pool-related equipment, hot tub, and/or spa?  NO  YES
c. Are there any electrical problems with the pool, pool related equipment, hot tub and/or spa?  NO  YES
d. Do the following Pool Safety features (as defined by Chapter 515, Florida Statutes.) comply with the law: Enclosure meeting barrier requirements?  NO  YES Approved Safety Pool Cover?  NO  YES Required door and window exit alarms?  NO  YES Required door/gate locks?  NO  YES If any of your answers in this section are "No", please explain: \_\_\_\_\_

11. MAJOR APPLIANCES AND EQUIPMENT:

- a. Are there existing problems with the appliances and/or equipment in the home, including the sprinkler system and security system?  NO  YES If "Yes", please explain: \_\_\_\_\_
b. Are there service contracts or warranties on appliances and/or equipment?  NO  YES If "Yes", please explain: \_\_\_\_\_
Are any of these gas appliances?  NO  YES Lawn Sprinkler System?  NO  YES Is there a timer?  NO  YES
Garage door openers?  NO  YES Hurricane Shutters?  NO  YES
Other items included in this sale: \_\_\_\_\_

12. HEATING AND AIR CONDITIONING:

- a. Is the air conditioning  Central? or  Window? Number of units? One
b. How old is the air conditioner? Not sure of age of system
c. Are you aware of any defects and/or any malfunctioning, circulation, electrical, cooling, leakage, overheating, or condensation problems pertaining to the air conditioning/heating since you have owned the property?  NO  YES If "Yes", please explain: \_\_\_\_\_

13. DOCKS/DAVITS/PIERS AND SEAWALLS:

- a. Are you aware of any conditions that may affect the desirability, use or function of the dock, davits or pier or seawall?  NO  YES If "Yes", please explain: \_\_\_\_\_
b. Was a federal, state or local government permit required for the construction or maintenance of the dock, davits, pier, or seawall?  NO  YES  UNKNOWN If "Yes", were all appropriate permits and approvals issued for the construction and maintenance of such structures?  NO  YES  UNKNOWN If "No", please explain: \_\_\_\_\_

14. MOLD AND TOXIC SUBSTANCES:

- a. Are you aware of any past or present instances of mold or water/moisture intrusion in the structure(s) on the property?  NO  YES If "Yes", please explain: \_\_\_\_\_
b. Are you aware of any past or present damage to the structure(s) on the property that resulted from water/moisture intrusion, including, but not limited to, the presence of mold?  NO  YES If "yes", please explain: \_\_\_\_\_

c. Are you aware of any underground tanks or toxic substances present on the property (structure or spill) such as asbestos, PCB's, accumulated radon, lead paint, chinese/defective drywall, above ground or buried oil or gas tanks, or others?

NO  YES

If "Yes", please explain: \_\_\_\_\_

d. Are you aware of any repairs or other corrective or remedial procedures that were undertaken as a result of the matters identified in this section?  NO  YES If "Yes", please explain: \_\_\_\_\_

15. NEIGHBORHOOD/ENVIRONMENT:

a. Are you aware of any existing condition or proposed change in your neighborhood that could adversely affect the value or desirability of the property, such as noise or other nuisances, electric or magnetic field levels, threat of condemnation or street changes, proposed developments or roadways, or blasting?  NO  YES If "Yes", please explain: \_\_\_\_\_

b. Are you aware of wetlands, mangroves, archeological sites, historical preservation property, or other environmentally sensitive matters on, or affecting the property?  NO  YES If "Yes", please explain: \_\_\_\_\_

16. OTHER MATTERS:

a. Are there any other matters affecting or which may affect the value of the property?  NO  YES If "Yes", please explain: \_\_\_\_\_

ACKNOWLEDGEMENT OF OWNER

The undersigned Owner represents that the information set forth in the above disclosure statement is accurate and completed to the best of the Owner's knowledge on the date signed below. Owner does not intend for this disclosure statement to be a warranty or a guarantee of any kind. Owner hereby authorizes disclosure of the information contained in this disclosure statement to prospective Buyer/Tenant of the property. Owner understands and agrees that Owner will notify the Buyer/Tenant in writing within five (5) business days after Owner becomes aware that any information set forth in this disclosure statement has become inaccurate or incorrect in any way during the term of the pending purchase by the Buyer/Tenant.

Owner: DUANE E BANKS JR / DUANE E BANKS JR Date: 12/15/2023  
(signature) (print name)

Owner: MARGUERITE H BANKS / MARGUERITE H BANKS Date: 12/15/2023  
(signature) (print name)

INSTRUCTIONS TO THE BUYER/TENANT: Buyer/Tenant is encouraged to thoroughly inspect the property personally and/or have it inspected by a third party, and to inquire about any specific areas of concern. NOTE: If Owner answers "NO" to any of the pervious questions listed above, Owner does not necessarily mean that the matter in question does not exist on the property. "NO" may mean that the Owner is unaware that the matter in question exists on the property.

RECEIPT AND ACKNOWLEDGEMENT OF BUYER/TENANT: Owner is using this form to disclose Owner's knowledge of the condition of the property and improvements located on the property as of the date signed by Owner. This disclosure form is not a warranty of any kind. The information contained in the disclosure is limited to information which the Owner has knowledge. It is not intended to be a substitute for any inspection or professional advice the Buyer/Tenant may wish to obtain. An independent professional inspection is encouraged and may be helpful to verify the condition of the property and to determine the cost of repairs, if any. Buyer/Tenant understands these representations are not made by any real estate licensee. Buyer/Tenant hereby acknowledges having received a copy of this disclosure statement.

Buyer/Tenant: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
(signature) (print name)

Buyer/Tenant: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
(signature) (print name)

**Property Assessed Clean Energy (PACE) Lien Disclosure**

Re: 6918 BARQUERA ST, CORAL GABLES, FL 33146 ("Property").  
(Print Property Address)

A PACE loan (made to finance qualifying improvements to residential and commercial property relating to energy efficiency, renewable energy or wind resistance) is repaid through the property owner's real estate tax bill as a non-ad valorem assessment. The lien of the PACE loan is a priority lien, which typically has automatic first lien priority over previously and subsequently recorded mortgages on the Property. Sellers MUST disclose the existence of a PACE lien prior to the execution of a Contract for Sale and Purchase of a Property. While property taxes are legally transferrable when a sale or refinance occurs, most mortgage lenders require a full payoff of the PACE lien at the time of closing of a sale of the Property.

Therefore, at or before the time a Buyer executes a contract for the sale and purchase of any property for which a non-ad valorem assessment is levied and has an unpaid balance due under section 163.08, Florida Statutes, the Seller shall give the prospective Buyer a written disclosure statement in the following form:

**Qualifying Improvements for energy efficiency,  
renewable energy, or wind resistance.**

The property being purchased is located within the jurisdiction of a local government that has placed an assessment on the property pursuant to s. 163.08, Florida Statutes. The assessment is for a qualifying improvement to the property relating to energy efficiency, renewable energy, or wind resistance, and is not based on the value of property. You are encouraged to contact the county property appraiser's office to learn more about this and other assessments that may be provided by law.

DEBJMHB Initials I (We)/Seller(s) attest that I (We) have not applied for, nor is the Property subject to, a PACE home improvement lien.

\_\_\_\_\_ Initials I (We)/Sellers attest and disclose that there is a PACE lien on the Property. I (We) shall provide all necessary documentation and cooperate with Buyer(s), the closing agent and/or title insurer in order to pay-off and ultimately satisfy such lien at or following the closing transaction for the Property.

DUANE E BANKS JR  
\_\_\_\_\_  
**Seller**

Date: 12/15/2023  
\_\_\_\_\_

\_\_\_\_\_  
**Buyer**

Date: \_\_\_\_\_

MARGUERITE H BANKS  
\_\_\_\_\_  
**Seller**

Date: 12/17/2023  
\_\_\_\_\_

\_\_\_\_\_  
**Buyer**

Date: \_\_\_\_\_

**Septic Tank System Disclosure**  
**Required by Section 21-49.1 of the Code of Miami-Dade County, Florida**

Property Address: 6918 BARQUERA ST, CORAL GABLES, FL 33146

SELLER(S) DISCLOSE AND BUYER(S) ACKNOWLEDGE RECEIPT OF THIS DISCLOSURE, AS FOLLOWS:

THE LAND INVOLVED IN THIS TRANSACTION HAS A SEPTIC TANK SYSTEM INSTALLED ON IT OR IS SERVICED BY A SEPTIC TANK SYSTEM. SEPTIC TANK SYSTEMS MAY BE SUBJECT TO LOCAL, STATE, AND FEDERAL REGULATIONS. IMPROPERLY MAINTAINED SEPTIC TANK SYSTEMS MAY POSE SUBSTANTIAL RISKS TO HUMAN HEALTH AND THE ENVIRONMENT. IT IS RECOMMENDED THAT THE PURCHASER OF THIS LAND CONSIDER OBTAINING AN INSPECTION OF THE SEPTIC TANK SYSTEM BY A QUALIFIED PROFESSIONAL.

DUANE E BANKS JR

**Seller**

Date: 12/15/2023

MARQUERITE H BANKS

**Seller**

Date: 12/17/2023

**Buyer**

Date: \_\_\_\_\_

**Buyer**

Date: \_\_\_\_\_



# Comprehensive Rider to the Residential Contract For Sale And Purchase

THIS FORM HAS BEEN APPROVED BY THE FLORIDA REALTORS AND THE FLORIDA BAR

BERKSHIRE HATHAWAY HomeServices EWM Realty

If initialed by all parties, the clauses below will be incorporated into the Florida Realtors®/Florida Bar Residential Contract For Sale And Purchase between DUANE E BANKS JR & MARGUERITE H BANKS (SELLER) and (BUYER) concerning the Property described as 6918 BARQUERA ST, CORAL GABLES, FL 33146

Buyer's Initials \_\_\_\_\_ Seller's Initials DEBJ MHB

## P. LEAD-BASED PAINT DISCLOSURE (Pre-1978 Housing)

### Lead-Based Paint Warning Statement

"Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspection in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase."

### Seller's Disclosure (INITIAL)

- (a) Presence of lead-based paint or lead-based paint hazards (CHECK ONE BELOW):
- [ ] Known lead-based paint or lead-based paint hazards are present in the housing.
- [x] Seller has no knowledge of lead-based paint or lead-based paint hazards in the housing.
(b) Records and reports available to the Seller (CHECK ONE BELOW):
- [ ] Seller has provided the Buyer with all available records and reports pertaining to lead-based paint or lead-based paint hazards in the housing. List documents:
- [x] Seller has no reports or records pertaining to lead-based paint or lead-based paint hazards in the housing.

### Buyer's Acknowledgement (INITIAL)

- (c) Buyer has received copies of all information listed above.
(d) Buyer has received the pamphlet Protect Your Family from Lead in Your Home.
(e) Buyer has (CHECK ONE BELOW):
- [ ] Received a 10-day opportunity (or other mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint or lead-based paint hazards; or
- [ ] Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint or lead-based paint hazards.

### Licensee's Acknowledgement (INITIAL)

- (f) Licensee has informed the Seller of the Seller's obligations under 42 U.S.C.4852(d) and is aware of Licensee's responsibility to ensure compliance.

### Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Table with 4 columns: Name, Date, Role, Date. Rows include DUANE E BANKS JR (SELLER), MARGUERITE H BANKS (SELLER), and Listing Licensee (SELLING LICENSEE).

Any person or persons who knowingly violate the provisions of the Residential Lead-Based Paint Hazard Reduction Act of 1992 may be subject to civil and criminal penalties and potential triple damages in a private civil lawsuit.

