



**NEW MEXICO ASSOCIATION OF REALTORS® — 2024
PROPERTY DISCLOSURE STATEMENT
(ADVERSE MATERIAL FACTS)**

SELLER PROVIDES THIS DISCLOSURE STATEMENT IN ORDER TO DISCLOSE TO BUYER(S) AND PROSPECTIVE BUYER(S) ADVERSE MATERIAL FACTS CONCERNING THE PROPERTY ABOUT WHICH SELLER HAS ACTUAL KNOWLEDGE.

DISCLOSURE STATEMENT TO BE COMPLETED BY SELLER, NOT BROKER

This Disclosure Statement involves certain real property located at:

38 Tres Lomas

Address (Street, City, State, Zip Code)

Legal Description Proj. Sec. 29, T27N, R12E NMPM. Also Pt. Tr. 12, M23, and Pt. Tr. 4, M27, all in S4, 1941 TCRS.

or see metes and bounds or other legal description attached as Exhibit _____, _____ Taos County(ies), New Mexico.

AUTHORIZATION AND HOLD HARMLESS: Seller hereby authorizes Listing Broker to provide a copy of this Disclosure Statement to any person or entity in connection with any actual or anticipated sale of the Property. Seller further agrees to indemnify and hold Listing Broker and Brokerage harmless from all claims for damages based upon the disclosures made in this Disclosure Statement and for Seller's failure to disclose any **ADVERSE MATERIAL FACTS** known to the Seller.

SELLER REPRESENTATIONS: Seller affirms that the information contained in this Disclosure Statement is correct to Seller's **ACTUAL KNOWLEDGE** as of the date signed by Seller. Seller warrants that he/she has prepared this Disclosure Statement and any attachments hereto and that this Disclosure Statement encompasses all **ADVERSE MATERIAL FACTS** concerning the Property that are actually known to the Seller as of the date signed by Seller. If Seller becomes aware of any changes in the foregoing information, Seller shall update this Disclosure Statement promptly after discovery. If the Property is part of a Common Interest Community, this Disclosure Statement is limited to the Property or Unit itself, unless otherwise indicated.

Seller to check all that apply:

- Seller currently occupies the Property. May 2022 (beginning date)
- Seller occupied the Property from _____ to _____ (dates).
- Seller has never occupied the Property.
- Property is currently leased.
- Property includes a residential dwelling(s) built prior to 1978.
- Property is located within a HOA (Homeowners' Association), COA (Condo Owners' Association) or other Owners' Association. *
- Property is located within a PID (Property Improvement District). *
- Property includes a Manufactured, Modular or Off-site Built Home(s). *
- Property is located within governmentally designated flood plain or wetland area.

* INFO SHEET(S): 4600 - Homeowners' Association, 2356 - Condominium Association, 4500 - Public Improvement District Act, 2305 - Manufactured Housing

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1. ACCESS (Easements, Private, Public, Shared Road Agreements, etc.)

Describe any known issues such as: Legal Disputes Concerning Access, Uninsurable Access, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

2. APPLIANCES (Dishwashers, Dryers, Microwaves, Refrigerators, Ranges, Washers, etc.)

Describe any known issues such as: Inefficient/Non-Cooling Refrigerators, Non-Functioning Range Burners, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

3. BASEMENTS AND/OR SUBTERRAIN CONSTRUCTION

Describe any known issues such as: Evidence of Water, Flooding, Leakage, Moisture, Sump Pump, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

4. BUILDING/STRUCTURAL (Ceilings, Doors, Exterior/Interior Walls, Flooring, Slabs, Windows, etc.)

Describe any known issues such as: Damaged Security System, Non-Functioning Garage Door Motor, etc.

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5. BUILT-IN SYSTEMS (Garage Openers, Intercoms, Security Systems, Smart House Technology, etc.)
Describe any known issues such as: Damaged Security System, Non-Functioning Garage Door Motor, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

6. DOMESTIC WATER SUPPLY (Associations, City/Municipal, Community, Storage Tanks, Wells, etc.)
Describe known issues such as: Failing Systems, Low Supply/Production, Poor Quality, Restrictions, etc.
INFO SHEET(S): 2307 - Water Rights and Domestic Wells

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

7. ELECTRICAL AND/OR WIRING (Cable, Electrical, Ethernet, Telephone, etc.)
Describe known issues such as: Faulty Systems, Faulty Wiring, Non-Functioning Switch or Receptacle, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

8. FLOODING
Describe known issues such as: Damage Caused by Failing or Broken Pipes, Flooding, Draining, Grading Problems, Standing Water, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic



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9. FOUNDATION

Describe known issues such as: Cracking, Inferior Design and/or Construction, Reinforcement, Settling, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

10. HAZARDOUS, ENVIRONMENTAL AND TOXIC

Describe known issues such as: Asbestos, Clandestine Drug Laboratories, Environmentally Sensitive Area, Landfill or Waste Dump, Cannabis Production, Mold, Radon, Reports of Lead-Based Paint, Underground Storage Tanks, etc.

INFO SHEET(S): 2306 - Clandestine Drug Laboratory Remediation, 2309 - Mold, 2314 - Radon, 2315 - Lead-Based Paint (LBP) Renovation Repair and Painting Program

remediation of radon has occurred, test to confirm levels

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

11. HEATING AND/OR AIR-CONDITIONING SYSTEMS

Describe known issues such as: Heating or Cooling Systems Incorrectly Sized for Square Footage, Rooms without Heating and/or Cooling, Damaged or Non-Functioning Systems, Inferior Installation, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

12. INSURANCE CLAIMS, PAST DAMAGE AND/OR REMEDIES

Describe known issues such as: Fire and/or Smoke Damage, Hail Damage, Remediated Element/Feature, Water Damage, etc.

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13. IRRIGATION RIGHTS AND SYSTEMS (Not Domestic Wells)

Describe any known issues such as: Disputed Rights, Failing Systems, Low Production Ditches or Wells, etc.

INFO SHEET(S): 2307 - Water Rights and Domestic Wells

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

14. NOISE, ODORS AND/OR POLLUTION

Describe known issues such as: Continuous or Periodic Noise in/on the Property (e.g. flight path, highway/traffic noise, animals), Continuous or Periodic Odors, Pet Odors, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

15. PEST OR ANIMAL INFESTATION AND/OR DAMAGE

Describe known issues such as: Damage caused by Animals, Rodent Infestation, Termites, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

16. PLUMBING (Gas Lines, Radiant Heating, Sprinkler Systems, Water Heaters, Water Supply Lines, etc.)

Describe known issues such as: Leaks, Failing Systems, Inferior Products (e.g. Entran II, Kitec, Polybutylene), Low or Excessive Water Pressure, etc.

INFO SHEET(S): 7600 - Polybutylene, Kitec and Entran II

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17. POOLS, SPAS AND/OR SAUNA

Describe known issues such as: Leaks, Failing Systems (e.g. Motors, Pumps, Filters), Inferior Installation, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

18. RENEWABLE ENERGY (Hydropower, Solar, Wind Turbines, etc.)

Describe known issues such as: Failing or Non-Functioning Systems (e.g. Panels, Converters, Batteries, Turbines), Inferior Installation, Inadequate Design, etc.

INFO SHEET(S): 5130 - Solar System Panel

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

19. ROOFS, GUTTERS AND/OR DOWNSPOUTS

Describe known issues such as: Leaks, Clogged Gutters and/or Downspouts, Deterioration, Failing Systems, Flat Spots, Inferior Construction and/or Products, Inferior Installation, Ponding, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

20. SEWER AND/OR SEPTIC SYSTEM(S)

Describe known issues such as: Back-ups, Clogging, Failing Leach Field, Inferior Installation, Cracked or Leaking Holding Tanks, Sewer Line(s) Intrusion(s), etc.

INFO SHEET(S): 2308 - Septic Systems

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic



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21. SOIL, VEGETATION AND/OR LANDSCAPING

Describe any known issues such as: Contaminated Soil, Diseased and/or Dying Trees, Infested Shrubs, Non-Fertile Soil, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

22. SUPPLEMENTAL WATER SUPPLY (AGRICULTURAL/LIVESTOCK) - Dirt Tanks, Livestock Wells, Storage Tanks, Streams, etc.

Describe known issues such as: Failing Systems, Low Supply/Production, Poor Quality, Restrictions, etc.

INFO SHEET(S): 2307 - Water Rights and Domestic Wells

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

23. USE, ZONING AND/OR LEGAL

Describe known issues such as: Citations from Government Entity, Covenants, Deed Restrictions, First Right of Refusal, HOA/COA/LOA Restrictions/Bylaws, Judgements, Lawsuits or Legal Proceedings, Liens, Un-Permitted Construction and/or Repairs, Variances, Zoning, Violations of New Mexico Subdivision Act, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding this topic

24. OTHER

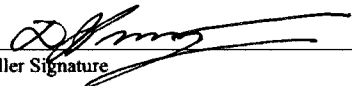


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IMPORTANT NOTICE TO SELLER(S) AND BUYER(S)

The **PURCHASE AGREEMENT**, **NOT** this **DISCLOSURE STATEMENT**, determines whether an item is included in or excluded from the sale.

SELLER(S) warrants that the information herein is true, correct, and complete to the best of the Seller's ACTUAL KNOWLEDGE and belief as of the date signed by Seller.

	Daniel J. Pingaro	1-24-2024	11:45pm
Seller Signature	Printed Name	Date	Time
Seller Signature	Printed Name	Date	Time

If additional signature lines are needed, please use NMAR Form 1150 — Signature Addendum

BUYER'S DUE DILIGENCE: This Disclosure Statement is not a substitute for any inspections the Buyer may wish to obtain. Buyer is advised to exercise all his rights under and in accordance with the Purchase Agreement to investigate the Property. Unless otherwise waived, Buyer(s) may complete any and all inspections of the Property that he deems necessary. The Buyer's rights to object to inspections and terminate the Agreement based on inspections are set forth in the Inspections Paragraph of the Purchase Agreement. Buyer is advised to thoroughly review those rights and understand the process. **The fact this Disclosure Statement fails to disclose an adverse material fact concerning a particular feature, fixture, and/or element of the Property DOES NOT imply that the same is free of defects.**

BUYER(S) acknowledges receipt of this DISCLOSURE STATEMENT.

Buyer Signature	Printed Name	Date	Time
Buyer Signature	Printed Name	Date	Time

If additional signature lines are needed, please use NMAR Form 1150 — Signature Addendum