

§173. Required disclosures

Unless the transaction is exempt under section 172, the seller of residential real property shall provide to the purchaser a property disclosure statement containing the following information: [PL 1999, c. 476, §1 (NEW).]

1. Water supply system. The type of system used to supply water to the property. If the property has a private water supply, the seller shall disclose:

- A. The type of system; [PL 1999, c. 476, §1 (NEW).]
- B. The location of the system; [PL 1999, c. 476, §1 (NEW).]
- C. Any malfunctions of the system; [PL 1999, c. 476, §1 (NEW).]
- D. The date of the most recent water test, if any; and [PL 1999, c. 476, §1 (NEW).]
- E. Whether the seller has experienced a problem such as an unsatisfactory water test or a water test with notations; [PL 1999, c. 476, §1 (NEW).]

[PL 1999, c. 476, §1 (NEW).]

2. Insulation.

[PL 2005, c. 378, §25 (RP); PL 2005, c. 378, §29 (AFF).]

2-A. Heating system or heating source. Detailed information on the system or source used to supply heat to the property, including:

- A. The type of heating system or source; [PL 2005, c. 378, §26 (NEW); PL 2005, c. 378, §29 (AFF).]
- B. The age of the heating system or source; [PL 2005, c. 378, §26 (NEW); PL 2005, c. 378, §29 (AFF).]
- C. The name of the company that services the heating system or source; [PL 2005, c. 378, §26 (NEW); PL 2005, c. 378, §29 (AFF).]
- D. The date of the most recent service call on the heating system or source; [PL 2005, c. 378, §26 (NEW); PL 2005, c. 378, §29 (AFF).]
- E. The annual fuel consumption per heating system or source; [PL 2019, c. 37, §1 (AMD).]
- F. Any malfunctions per heating system or source within the past 2 years; and [PL 2019, c. 37, §1 (AMD).]
- G. The date of the most recent inspection of the chimneys and vents for the heating system or source; [PL 2019, c. 37, §2 (NEW).]

[PL 2019, c. 37, §§1, 2 (AMD).]

3. Waste disposal system. The type of waste disposal system used on the property. If the property has a private waste disposal system, the seller shall disclose:

- A. The type of system; [PL 1999, c. 476, §1 (NEW).]
- B. The size and type of the tank; [PL 1999, c. 476, §1 (NEW).]
- C. The location of the tank; [PL 1999, c. 476, §1 (NEW).]
- D. Any malfunctions of the tank; [PL 1999, c. 476, §1 (NEW).]
- E. The date of installation of the tank; [PL 1999, c. 476, §1 (NEW).]
- F. The location of the leach field; [PL 1999, c. 476, §1 (NEW).]
- G. Any malfunctions of the leach field; [PL 1999, c. 476, §1 (NEW).]

- H. The date of installation of the leach field; [PL 1999, c. 476, §1 (NEW).]
- I. The date of the most recent servicing of the system; [PL 1999, c. 476, §1 (NEW).]
- J. The name of the contractor who services the system; and [PL 1999, c. 476, §1 (NEW).]
- K. For systems within shoreland zones, disclosures on septic systems required by Title 30-A, section 4216; [PL 1999, c. 476, §1 (NEW).]
[PL 1999, c. 476, §1 (NEW).]

4. Hazardous materials. The presence or prior removal of hazardous materials or elements on the residential real property, including, but not limited to:

- A. Asbestos; [PL 1999, c. 476, §1 (NEW).]
- B. Lead-based paint for pre-1978 homes in accordance with federal regulations; [PL 2011, c. 96, §5 (AMD).]
- C. Radon; [PL 2019, c. 234, §1 (AMD).]
- D. Underground oil storage tanks as required under Title 38, section 563, subsection 6; and [PL 2019, c. 234, §2 (AMD).]
- E. Methamphetamine; [PL 2019, c. 234, §3 (NEW).]
[PL 2019, c. 234, §§1-3 (AMD).]

5. Known defects. Any known defects; and
[PL 2017, c. 181, §2 (AMD).]

6. Access to the property. Information describing the means of accessing the property by:

- A. A public way, as defined in Title 29-A, section 101, subsection 59; and [PL 2017, c. 181, §3 (NEW).]
- B. Any means other than a public way, in which case the seller shall disclose information about who is responsible for maintenance of the means of access, including any responsible road association, if known by the seller. [PL 2017, c. 181, §3 (NEW).]
[PL 2017, c. 181, §3 (NEW).]

SECTION HISTORY

PL 1999, c. 476, §1 (NEW). PL 2005, c. 339, §3 (AMD). PL 2005, c. 378, §§25,26 (AMD). PL 2005, c. 378, §29 (AFF). PL 2011, c. 96, §5 (AMD). PL 2017, c. 181, §§1-3 (AMD). PL 2019, c. 37, §§1, 2 (AMD). PL 2019, c. 234, §§1-3 (AMD).

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