

**DISCLOSURE OF SEWAGE TREATMENT SYSTEM.**

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**WARNING TO PREPARER: Make no changes to this form unless such changes are visible.**

*[Complete this next paragraph if this form is used as an addendum to a Purchase Agreement.]*

This addendum is a continuation of the Purchase Agreement dated \_\_\_\_\_ by and between \_\_\_\_\_, as Sellers, and \_\_\_\_\_, as Buyers, for property described below in Section A.

**The Disclosure Law.** Pursuant to Minnesota Statutes Section 115.55, Subdivision 6, before signing an agreement to sell or to transfer real property, the seller or transferor must disclose in writing to the buyer or transferee information on how sewage generated at the property is managed. Unless the buyer/transferee and seller/transferor agree to the contrary in writing before the closing of the sale, a seller/transferor who fails to disclose the existence or known status of a subsurface sewage treatment system at the time of sale, and who knew or had reason to know of the existence or known status of the system is liable to the buyer/transferee for costs relating to bringing the system into compliance with the subsurface sewage treatment system rules and for reasonable attorney fees for collection of costs from the seller/transferor. An action under this subdivision must be commenced within two years after the date on which the buyer/transferee closed the purchase or transfer of the real property where the system is located.

**IF YOU DO NOT UNDERSTAND THIS LAW, CONSULT YOUR LAWYER.**

**A. PROPERTY DESCRIPTION.**

Property Identification Number (Tax Parcel No.):

Quarter:      Section:      Township:      Range:      County:

Legal Description: Lot \_\_\_\_, Block \_\_\_\_, (plat name) \_\_\_\_\_

(If metes-and-bounds description, attach legal description on separate sheet.)

Street Address:

**B. STATUTORY DISCLOSURE OF SEWAGE SYSTEM.**

*[Seller/Transferor must complete this section.]*

**M.P.C.A. PERMITTED FACILITY:** *[Check only one from 1, 2, and 3:]*

- 1. Seller/Transferor states that sewage generated at the property goes to a facility permitted by the Minnesota Pollution Control Agency (for example, the sewer lines on the property are connected to a municipal sewer system or public sewage treatment system).
- 2. Seller/Transferor states that sewage generated at the property does not go to a facility permitted by the Minnesota Pollution Control Agency, and is therefore subject to applicable requirements.
- 3. Seller/Transferor states that no sewage is generated at the property.

**IN-USE SUBSURFACE ON-SITE SEWAGE TREATMENT SYSTEM:** *[Check either 4 or 5: ]*

- 4. Seller/Transferor has no knowledge whether there is a subsurface sewage treatment system in use on the property.
- 5. Seller/Transferor knows that there *[strike one:]* **are / are no** subsurface sewage treatment systems in use on the property. If Seller/Transferor discloses the existence of a subsurface sewage treatment system on the property, then Minnesota law requires that the location of the system be disclosed to Buyer/Transferee with a map. *[Complete the map below in Section C.]*

**ABANDONED SUBSURFACE ON-SITE SEWAGE TREATMENT SYSTEM:** *[Check either 6 or 7: ]*

- 6. Seller/Transferor has no knowledge whether there is an abandoned subsurface sewage treatment system on the property.
- 7. Seller/Transferor knows that there *[strike one:]* **are / are no** abandoned subsurface sewage treatment systems on the property. If Seller/Transferor discloses the existence of an abandoned subsurface sewage treatment system on the property, then Minnesota law requires that the location of the system be disclosed to Buyer/Transferee with a map. *[Complete the map below in Section C.]*

**C. SUBSURFACE SEWAGE TREATMENT SYSTEMS (IN-USE OR ABANDONED) ON THE PROPERTY. Describe all in-use and abandoned systems on the property.**

- |   |  |
|---|--|
| 1 | For each sewage treatment system in use, state the type of System:<br><input type="checkbox"/> Septic Tank with: <input type="checkbox"/> standard drainfield <input type="checkbox"/> mound system drainfield<br><input type="checkbox"/> Sealed System (holding tank or contained cesspool)<br><input type="checkbox"/> Other (describe) <input type="checkbox"/> seepage tank <input type="checkbox"/> cesspool <input type="checkbox"/> dry well <input type="checkbox"/> leaching pit |
| 2 | <b>SKETCH MAP:</b> Sketch the location of the house, garage, accessory buildings, well, septic tank, drainfield, mound, or other components of the sewer system. Also show the location of the components of any abandoned sewage treatment systems (tanks, pipes, drainfields, pits, etc.) Include estimated distances from all roads, streets and buildings. Use additional sheets of paper, if necessary.   |

<b>3</b>	<p><b>SELLER/TRANSFEROR DISCLOSURE:</b> Pursuant to Minnesota Statutes Section 115.55, Subdivision 6, the Seller/Transferor shall disclose to the Buyer/Transferee what the Seller/Transferor has knowledge of relative to the compliance status of the subsurface treatment system, and whether, to the best of the Seller’s/Transferor’s knowledge, a straight-pipe system exists. A Seller/Transferor who has in their possession a previous inspection report completed by a licensed inspection business or certified local government inspector in accordance with Section 115.55, Subdivision 5 (new construction) or 5a (existing systems), shall attach a copy to the disclosure statement that is provided to the Buyer/Transferee.</p> <p><b>STATEMENT BY SELLER/TRANSFEROR:</b> To my knowledge, the property <i>[strike one] is / is not</i> in compliance with all applicable sewage treatment laws and rules. To the best of my knowledge, a straight-pipe system <i>[strike one] does / does not</i> exist. A previous inspection report <i>[strike one] does / does not</i> exist; and if one exists, it is attached to this Disclosure.</p> <p><small>Certification: I certify that none of the published text of this form has been deleted or altered except as indicated by strike out or by additional text shown in a typeface different than the published form.</small></p> <p style="margin-left: 40px;">Name of lawyer or other preparer _____                  Signature of lawyer or other preparer _____</p> <p style="margin-top: 20px;">_____</p> <table style="width:100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Signature of Seller/Transferor</td> <td style="width: 33%; text-align: center;">Print Name of Seller/Transferor</td> <td style="width: 33%; text-align: center;">Date</td> </tr> </table> <p>_____</p> <table style="width:100%; border: none;"> <tr> <td style="width: 33%; text-align: center;">Signature of Seller/Transferor</td> <td style="width: 33%; text-align: center;">Print Name of Seller/Transferor</td> <td style="width: 33%; text-align: center;">Date</td> </tr> </table>	Signature of Seller/Transferor	Print Name of Seller/Transferor	Date	Signature of Seller/Transferor	Print Name of Seller/Transferor	Date
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<b>4</b>	<p><b>ACKNOWLEDGMENT AND RECEIPT BY BUYER/TRANSFEE:</b> I have received this disclosure on [date] _____.</p> <p>_____</p> <table style="width:100%; border: none;"> <tr> <td style="width: 50%; text-align: center;">Signature of Buyer/Transferee</td> <td style="width: 50%; text-align: center;">Signature of Buyer/Transferee</td> </tr> </table>	Signature of Buyer/Transferee	Signature of Buyer/Transferee				
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**SUPPLEMENTAL DISCLOSURE REGARDING SUBSURFACE ON-SITE SYSTEM.**

This supplemental disclosure asks for information that is not required as part of the statutory disclosure. Completion of this Supplement is voluntary.

<p><b>D. INFORMATION REGARDING PERFORMANCE AND USE. Seller's answers to these questions might assist a state-licensed inspector in evaluating the performance of the subsurface on-site sewage treatment system. [See MINN. RULES, chapter 7080.]</b></p>	
1	<p>a. The property is <i>[check one]</i> ___ in full time residential use                  ___ in part-time, seasonal, or recreational use (lake cabin, etc.)</p> <p>b. What is the average <b>number of people</b> who have used the system during the past two years? _____</p>
2	How many <b>toilets</b> flush into the system? _____
3	Does a <b>dishwasher</b> empty into the system? <u>yes / no</u> If "yes," how many times per week? _____
4	Does a <b>garbage disposal</b> empty into the system? <u>yes / no</u> If "yes," how many times per week? _____
5	Does a <b>clothes washer</b> empty into the system? <u>yes / no</u> If "yes," how many loads of wash per week? _____
6	Are there any <b>other sources of water</b> which drain into the system? <u>yes / no</u> If "yes," describe:
7	Has the system <b>malfunctioned</b> while you have owned the property? <u>yes / no</u> If "yes," describe:
8	Describe the <b>work performed</b> on the system while you have owned the property, including routine maintenance and pumping:
<p><b>E. INFORMATION REGARDING LOCATION. If Seller/Transferor is unable to provide answers to these questions, Buyer should obtain this information from other sources. Minnesota law and local ordinances restrict the ability to build or to rebuild improvements within flood plains, shorelands, and wetlands. You might also be restricted from using the property if the property does not have enough land area to install a new drainfield. These restrictions affect wells and subsurface on-site sewage treatment systems. If the subsurface on-site sewage treatment system fails, you might not be allowed to rebuild in its present location.</b></p>	
1	Is any part of the system, including all drainfields, located in a <b>Flood Plain</b> ? <u>yes / no / unknown</u>

2	Is any part of the system, including all drainfields, located in a <b>Shoreland Zone</b> ? <u>yes / no / unknown</u>
3	Is any part of the system, including all drainfields, located in or near a <b>wetland</b> or low lying area? <u>yes / no / unknown</u> If "yes," describe:
4	Is the system, including all drainfields, located within the <b>property lines</b> ? <u>yes / no / unknown</u> If "no," describe encroachment or easement:
5	Is the system, including all drainfields, located within the <b>setback lines</b> ? <u>yes / no / unknown</u> If "no," describe encroachment:
<b>F. INFORMATION REGARDING GOVERNMENTAL NOTICES AND SELLER'S/TRANSFEROR'S KNOWLEDGE.</b>	
1	Have you received any <b>notices</b> regarding your system from any governmental unit? <u>yes / no</u> If "yes," explain:
2	Do you know of any <b>defects</b> in the sewer system? <u>yes / no</u> If "yes," describe:
3	Is there enough useable land area on the property to construct a new drainfield? <u>yes / no / unknown</u>
4	Do you have <b>any other information</b> about repairs or maintenance of the system that has not already been disclosed in this form? <u>yes / no</u> If "yes," describe:



SUPPLEMENTAL SHEET