



**SELLER'S DISCLOSURE OF REAL PROPERTY CONDITION REPORT  
AND RADON DISCLOSURE - EXEMPT PROPERTY CERTIFICATION  
State of Delaware**

Approved by the Delaware Real Estate Commission 5/11/17 (Effective 10/1/17)

**Seller(s) Name:** \_\_\_\_\_

**Property Address:** \_\_\_\_\_

**Approximate Age of Building(s):** \_\_\_\_\_ **Date Acquired:** \_\_\_\_\_

**Chapter 25, Title 6 of the Delaware Code**, requires a Seller of residential property to disclose in writing all material defects of the property that are known at the time the property is offered for sale or that are known prior to the time of final settlement. Residential property means any interest in a property or manufactured housing lot, improved by dwelling units for 1-4 families.

The **SELLER'S DISCLOSURE OF REAL PROPERTY CONDITION REPORT** shall not apply to the following transfers of residential real property. **Chapter 25, Title 6, §2577.**

SELLER(s) has circled each item number below that qualifies the property for exemption.

1. Transfers by a fiduciary in the course of the administration of the decedent's estate, guardianship or trust.  
Note: For estates, this exemption only applies if the executor or administrator is the seller. If people who inherited the property are the sellers, they must complete the Seller's Disclosure form.
2. Transfers pursuant to court order such as transfers ordered by the Court of Chancery in the administration of an estate, trust or guardianship or pursuant to a Writ of Execution, by a trustee in bankruptcy or a receiver, by eminent domain, and transfers resulting from a decree for specific performance.
3. Transfers to a mortgagee by a mortgagor in default by a deed in lieu of foreclosure.
4. Transfers by any sheriff's sale for default on an obligation secured by a mortgage, judgment, tax or other lien.  
Note: If the seller is a lender who acquired the property by a deed in lieu of foreclosure or by sheriff sale, the lender is required to complete the Seller's Disclosure form where reselling the property.
5. Transfers from one co-owner to one or more other co-owners.
6. Transfers made to a spouse or to a person or persons in the lineal line of consanguinity of one or more of the transferors.
7. Transfers between spouses resulting from a property settlement incident to a divorce.
8. Transfers to or from any government entity.

**Where the transaction that is the subject of this disclosure involves a Delaware licensed Broker or Salesperson, the Buyer and Seller shall sign the following certification:**

**By signing below, Seller certifies that one or more of the above exemptions are applicable to this property. Buyer acknowledges that the Seller's disclosure is not required, as set forth in Chapter 25, Title 6, §2577.**

SELLER \_\_\_\_\_ Date \_\_\_\_\_ SELLER \_\_\_\_\_ Date \_\_\_\_\_

BUYER \_\_\_\_\_ Date \_\_\_\_\_ BUYER \_\_\_\_\_ Date \_\_\_\_\_