LEAD-BASED PAINT ADDENDUM TO RESIDENTIAL SALE LISTING CONTRACT

ADDENDUM DATE _____

ADDENDUM NUMBER 6 TO LISTING CONTRACT DATED _____

PROPERTY: 807 Ferguson Road Joppa, MD 21085

SELLER(S): Ryan Funkhouser & Allison Funkhouser

A. APPLICABLE LAW

Title X, Section 10108, The Residential Lead-Based Paint Hazard Reduction Act of 1992 (the Federal Program) requires the disclosure of certain information regarding lead-based paint and lead-based paint hazards in connection with the sale of residential real property. Unless otherwise exempt, the Federal Program applies only to housing constructed prior to 1978. A seller of pre-1978 housing is required to disclose to the buyer, based upon the seller's actual knowledge, all known lead-based paint hazards in the property and provide buyer with any available reports in the seller's possession relating to lead-based paint or lead-based paint hazards applicable to the property. The seller, however, is not required to conduct or pay for any lead-based paint risk assessment or inspection. At the time that the offer to purchase is entered into by the buyer, the seller is required to provide the buyer with the EPA pamphlet entitled "Protect Your Family From Lead In Your Home" and a disclosure of information on lead-based paint and lead-based paint hazards in the property.

Under the Federal Program, the seller is required to provide the buyer with a ten-day time period (or other mutually agreeable time period) for the buyer, at buyer's expense, to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards unless the buyer waives such assessment or inspection by indicating such wavier on the lead-based paint disclosure form. Seller(s) and any agent involved in the transaction are required to retain a copy of the completed lead-based paint disclosure form for a period of three (3) years following the date of settlement.

A SELLER OR AGENT WHO FAILS TO PROVIDE THE REQUIRED LEAD-BASED PAINT DISCLOSURES AND EPA PAMPHLET MAY BE LIABLE UNDER THE FEDERAL PROGRAM FOR THREE TIMES THE AMOUNT OF DAMAGES AND MAY BE SUBJECT TO BOTH CIVIL AND CRIMINAL PENALTIES.

B. REPRESENTATION OF SELLER

Seller represents and warrants to broker(s), broker(s)' agents and subagents, intending that they rely upon such warranty and representation, that **(Please initial the appropriate space)**

_____ the Property was built during or after 1978, **the Federal Program does not apply to the Property, skip Section C, below**

X the Property was built before 1978 (the Federal Program applies to the Property)

_____ Seller is uncertain as to date classification, therefore, Seller acknowledges that, for the purposes of the sale contemplated by this listing contract, the Property will be treated as though it had been constructed prior to 1978. Seller acknowledges that the Property is subject to Federal law as to the presence of lead-based paint and/or lead-based paint hazards.

C. SELLER ACKNOWLEDGES RECEIPT OF THE FOLLOWING INFORMATION FROM BROKER

EPA Brochure: **"EPA and HUD Real Estate Notification and Disclosure Rule"**
EPA Brochure: **"Protect Your Family From Lead In Your Home"**

Please check in box below if Property is being sold as a rental property

☐ **SALE OF RENTAL PROPERTY**

If the property being sold is a rental property built prior to 1979, Seller acknowledges that the property may also be subject to the Maryland Lead Poisoning Prevention Program (the Maryland Program) and agrees to provide buyers with all applicable disclosures required under the Maryland Program.

Seller of pre-79 rental property acknowledges receipt of the following information from broker:

MDE Brochure: **"Lead Poisoning Prevention Program - Summary"**
MDE Brochure: **"Notice of Tenant's Rights"**

BROKER:

RE/MAX American Dream

Agent: [signature] Date 5/12/10

SELLER(S):

[signature] Seller Date 5/12/2010

A. Funkhouser Seller Date 5/12/2010

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REALTOR®

Form LEADLIST (4/00)

RE/MAX American Dream
Alyce Dailey

Property. 807 Ferguson Road Joppa, MD 21085 Year Constructed 1963

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

A buyer/tenant of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may contain lead-based paint and that exposure to lead from lead-based paint, paint chips or lead paint dust may place young children at risk of developing lead poisoning if not managed properly. 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/landlord of any interest in residential real property is required to disclose to the buyer/tenant the presence of known lead-base paint hazards and to provide the buyer/tenant with any information on lead-based paint hazards from risk assessments or inspections in the seller's/landlord's possession. A tenant must receive a federally approved pamphlet on lead poisoning prevention. It is recommended that a buyer conduct a risk assessment or inspection for possible lead-based paint hazards prior to purchase.

Seller's/Landlord's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

☐ ____/____ (i)Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):

☒ DK / AF (ii)Seller/Landlord has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (Check (i) or (ii) below):

☐ (i) ____/____ Seller/Landlord has provided the purchaser/tenant with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

☒ (ii) DK / AF Seller/Landlord has no reports pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Buyer's/Tenant's Acknowledgment (Initial)

(c) ____/____ Buyer/Tenant has received copies of all information listed in section (b)(i) above, if any.

(d) ____/____ Buyer/Tenant has received the pamphlet *Protect Your Family from Lead in Your Home*

(e) **Buyer** has [check (i) or (ii) below]:

(i) ☐ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

(ii) ☐ Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(f) AFO Agent has informed the seller of the Seller's/Landlord's obligations under 42 U.S.C. 4852d and is aware of his/her 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.

[signature]	5/12/2010		
Seller/Landlord	Date	Buyer/Tenant	Date
A. Funkhouser	5/12/2010		
Seller/Landlord	Date	Buyer/Tenant	Date
[signature]	5/12/10		
Seller's/Landlord's Agent	Date	Buyer's/Tenant's Agent	Date

MARYLAND RESIDENTIAL PROPERTY DISCLOSURE AND DISCLAIMER STATEMENT

Property Address: 807 Ferguson Road Joppa, MD 21085

Legal Description: 807 Ferguson Road, Joppa, MD 21085

NOTICE TO SELLER AND PURCHASER

Section 10-702 of the Real Property Article, *Annotated Code of Maryland*, requires the owner of certain residential real property to furnish to the purchaser either (a) a RESIDENTIAL PROPERTY DISCLAIMER STATEMENT stating that the owner is selling the property "as is" and makes no representations or warranties as to the condition of the property or any improvements on the real property, except as otherwise provided in the contract of sale, or in a listing of latent defects; or (b) a RESIDENTIAL PROPERTY DISCLOSURE STATEMENT disclosing defects or other information about the condition of the real property actually known by the owner. Certain transfers of residential property are excluded from this requirement (see the exemptions listed below).

10-702. EXEMPTIONS. - The following are specifically excluded from the provisions of §10-702:

1. The initial sale of single family residential real property:
   A. that has never been occupied; or
   B. for which a certificate of occupancy has been issued within 1 year before the seller and buyer enter into a contract of sale;
2. A transfer that is exempt from the transfer tax under §13-207 of the Tax-Property Article, except land installment contracts of sale under §13-207(11) of the Tax Property Article and options to purchase real property under §13-207(a)(12) of the Tax-Property Article;
3. A sale by a lender, or an affiliate or subsidiary of a lender, that acquired the real property by foreclosure or deed in lieu of foreclosure;
4. A sheriff's sale, tax sale, or sale by foreclosure, partition, or by court appointed trustee;
5. A transfer by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
6. A transfer of single family residential real property to be converted by the buyer into use other than residential use or to be demolished; or
7. A sale of unimproved real property.

Section 10-702 also requires the owner to disclose information about latent defects in the property that the owner has actual knowledge of. The owner must provide this information even if selling the property "as is." "Latent defects" are defined as: Material defects in real property or an improvement to real property that:

(1) A purchaser would not reasonably be expected to ascertain or observe by a careful visual inspection of the real property; and
(2) Would pose a direct threat to the health or safety of:
   (i) the purchaser; or
   (ii) an occupant of the real property, including a tenant or invitee of the purchaser.

MARYLAND RESIDENTIAL PROPERTY DISCLOSURE STATEMENT

NOTICE TO OWNERS: Complete and sign this statement only if you elect to disclose defects, including latent defects, or other information about the condition of the property actually known by you; otherwise, sign the Residential Property Disclaimer Statement. You may wish to obtain professional advice or inspections of the property; however, you are not required to undertake or provide any independent investigation or inspection of the property in order to make the disclosure set forth below. The disclosure is based on your personal knowledge of the condition of the property at the time of the signing of this statement.

NOTICE TO PURCHASERS: The information provided is the representation of the Owners and is based upon the actual knowledge of Owners as of the date noted. Disclosure by the Owners is not a substitute for an inspection by an independent home inspection company, and you may wish to obtain such an inspection. The information contained in this statement is not a warranty by the Owners as to the condition of the property of which the Owners have no knowledge or other conditions of which the Owners have no actual knowledge.

How long have you owned the property? 6 years

Property System: Water, Sewage, Heating & Air Conditioning (Answer all that apply)

Water Supply	☒ Public	☐ Well	☐ Other _____		
Sewage Disposal	☒ Public	☐ Septic System approved for _____ (# bedrooms)			
Garbage Disposal	☒ Yes	☐ No			
Dishwasher	☒ Yes	☐ No			
Heating	☐ Oil	☐ Natural Gas	☐ Electric	☒ Heat Pump Age 2 yrs	☐ Other _____
Air Conditioning	☐ Oil	☐ Natural Gas	☐ Electric	☒ Heat Pump Age _____	☐ Other _____
Hot Water	☐ Oil	☐ Natural Gas	☒ Electric Capacity 50 gal.	Age 10 yrs	☐ Other _____

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Please indicate your actual knowledge with respect to the following:

1. Foundation: Any settlement or other problems: ☐ Yes ☒ No ☐ Unknown
Comments:

2. Basement: Any leaks or evidence of moisture? ☐ Yes ☐ No ☐ Unknown ☒ Does Not Apply
Comments:

3. Roof: Any leaks or evidence of moisture? ☐ Yes ☒ No ☐ Unknown
Type of Roof: Fiberglass Sin Age: 20 yrs
Is there any existing fire retardant treated plywood? ☐ Yes ☐ No ☒ Unknown
Comments:

4. Other Structural Systems, including exterior walls and floors:
Comments:
Any defects (structural or otherwise)? ☐ Yes ☒ No ☐ Unknown
Comments:

5. Plumbing System: Is the system in operating condition? ☒ Yes ☐ No ☐ Unknown
Comments:

6. Heating Systems: Is heat supplied to all finished rooms? ☒ Yes ☐ No ☐ Unknown
Comments:
Is the system in operating condition? ☒ Yes ☐ No ☐ Unknown
Comments:

7. Air Conditioning System: Is cooling supplied to all finished rooms? ☒ Yes ☐ No ☐ Unknown ☐ Does Not Apply
Comments:
Is the system in operating condition? ☒ Yes ☐ No ☐ Unknown ☐ Does Not Apply
Comments:

8. Electric Systems: Are there any problems with electrical fuses, circuit breakers, outlets or wiring?
☐ Yes ☒ No ☐ Unknown
Comments:
Will the smoke detectors provide an alarm in the event of a power outage? ☒ Yes ☐ No ☐ Does Not Apply
Comments:

9. Septic Systems: Is the septic system functioning properly? ☐ Yes ☐ No ☐ Unknown ☒ Does Not Apply
When was the system last pumped? Date _____ ☐ Unknown
Comments:

10. Water Supply: Any problem with water supply? ☐ Yes ☒ No ☐ Unknown
Comments:
Home Water Treatment System ☐ Yes ☒ No ☐ Unknown
Comments:
Fire Sprinkler System ☐ Yes ☒ No ☐ Unknown ☐ Does Not Apply
Comments:
Are the systems in operating condition? ☐ Yes ☐ No ☐ Unknown
Comments:

11. Insulation

In exterior walls?	☒ Yes	☐ No	☐ Unknown
In ceiling/attic?	☒ Yes	☐ No	☐ Unknown
In any other areas?	☐ Yes	☐ No	☐ Where: _____

Comments:

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12. Exterior Drainage: Does water stand on the property for more than 24 hours after a heavy rain?

☐ Yes ☒ No ☐ Unknown

Comments:

Are gutters and downspouts in good repair? ☒ Yes ☐ No ☐ Unknown

Comments:

13. Wood-destroying insects: Any infestation and/or prior damage: ☒ Yes ☐ No ☐ Unknown

Comments:

Any treatments or repairs? ☒ Yes ☐ No ☐ Unknown

Any warranties? ☐ Yes ☐ No ☐ Unknown

Comments: Treated by prev. owner

14. Are there any hazardous or regulated materials (including, but not limited to licensed landfills, asbestos, radon gas, lead-based paint, underground storage tanks, or other contamination) on the property? ☐ Yes ☒ No ☐ Unknown

If yes, specify below.

Comments:

15. If the property relies on the combustion of a fossil fuel for heat, ventilation, hot water, or clothes dryer operation, is a carbon monoxide alarm installed in the property? ☐ Yes ☒ No ☐ Unknown

Comments:

16. Are there any zoning violations, nonconforming uses, violation of building restrictions or setback requirements or any recorded or unrecorded easement, except for utilities, on or affecting the property? ☐ Yes ☒ No ☐ Unknown

If yes, specify below.

Comments:

17. Is the property located in a flood zone, conservation area, wetland area, Chesapeake Bay critical area or Designated Historic District? ☐ Yes ☒ No ☐ Unknown If yes, specify below

Comments:

18. Is the property subject to any restriction imposed by a Home Owners Association or any other type of community association?

☐ Yes ☒ No ☐ Unknown If yes, specify below

Comments:

19. Are there any other materials defects including latent defects, affecting the physical condition of the property?

☐ Yes ☒ No ☐ Unknown

Comments:

NOTE: Owner(s) may wish to disclose the condition of other buildings on the property on a separate RESIDENTIAL PROPERTY DISCLOSURE STATEMENT.

The owner(s) acknowledge having carefully examined this statement, including any comments, and verify that it is complete and accurate as of the date signed. The owner(s) further acknowledge that they have been informed of their rights and obligations under §10-702 of the Maryland Real Property Article.

Owner _____ Date 5/12/2010

Owner A. Funkhouser Date 5/12/2010

The purchaser(s) acknowledge receipt of a copy of this disclosure statement and further acknowledge that they have been informed of their rights and obligations under §10-702 of the Maryland Real Property Article.

Purchaser _____ Date _____

Purchaser _____ Date _____