Title 302 - NEBRASKA REAL ESTATE COMMISSION

Chapter 1 – SELLER PROPERTY CONDITION DISCLOSURE STATEMENT.

001 The disclosure statement required by Neb. Rev. Stat. Section 76-2,120 shall be in substantially the following form:

NEBRASKA REAL ESTATE COMMISSION
SELLER PROPERTY CONDITION DISCLOSURE STATEMENT
Residential Real Property

THIS DISCLOSURE STATEMENT IS BEING COMPLETED AND DELIVERED IN ACCORDANCE WITH NEBRASKA LAW. NEBRASKA LAW REQUIRES THE SELLER TO COMPLETE THIS STATEMENT (NEB. REV. STAT. §76-2,120).

How long has the seller owned the property? _____ year(s)
Is seller currently occupying the property? (Circle one) YES | NO If yes, how long has the seller occupied the property? _____ year(s)
If no, has the seller ever occupied the property? (Circle one) YES | NO If yes, when? From _____ (year) to _____ (year)

This disclosure statement concerns the real property located at _____
in the city of _____, County of_____ , State of Nebraska and legally described as:
_____
_____

A smart home device allows homeowners to control appliances, thermostats, lights, and other devices remotely through an internet connection.

This statement is a disclosure of the condition of the real property known by the seller on the date on which this statement is signed. This statement is NOT a warranty of any kind by the seller or any licensee representing a principal in the transaction, and *should NOT be accepted as a substitute for any inspection or warranty that the purchaser may wish to obtain*. Even though the information provided in this statement is NOT a warranty, the purchaser may rely on the information contained herein in deciding whether and on what terms to purchase the real property. Any licensee representing a principal in the transaction may provide a copy of this statement to any other person in connection with any actual or possible sale of the real property. The information provided in this statement is the representation of the seller and NOT the representation of any licensee, and is NOT intended to be part of any contract between the seller and purchaser.

Seller please note: you are required to complete this disclosure statement IN FULL. If any particular item or matter does not apply and there is no provision or space for indicating, insert "N/A" in the appropriate box. If age of items is unknown, write "UNK" on the blank provided. If the property has more than one item as listed below please put the number in the appropriate box. For example – if the home has three room air conditioners, one working, one not working, and one not included, put a "1" in each of the "Working", "Not Working", and "None/Not Included" boxes for that item, and a "3" on the line provided next to the item description to indicate total number of item. You may also provide additional explanation of any item in the comments section in Section 10.

SELLER STATES THAT, TO THE BEST OF THE SELLER'S KNOWLEDGE AS OF THE DATE THIS DISCLOSURE STATEMENT IS COMPLETED AND SIGNED BY THE SELLER, THE CONDITION OF THE REAL PROPERTY IS:

SECTION 1 – If there is more than one of any item in this Section, the statement made applies to each and all of such items unless otherwise noted in the Comments section in Section 10 of this disclosure statement, or number separately as provided in the instructions above. **If an item in this Section is not on the property, or will not be included in the sale, check only the "None/Not included" column for that item.**

Section 1-Appliances (if included in the sale)	Smart Device	Working	Not Working	Unknown	None / Not Included
1. Refrigerator					
2. Dishwasher					
3. Garbage Disposal					
4. Stand Alone Freezer					
5. Stand Alone Range/Oven					
6. Built-in Range/Oven					
7. Cooktop					
8. Range Ventilation System					
9. Microwave Oven					
10. Gas Grill					
11. Trash Compactor					
12. Built-In vacuum system & equipment					
13. Clothes Washer					
14. Clothes Dryer					

Section 1 Comments: _____
_____
_____

SECTION 2 – If there is more than one of any item in this Section, the statement made applies to each and all of such items unless otherwise noted in the Comments section in SECTION 10 of this disclosure statement, or number separately as provided in the instructions above. If an item in this Section is not on the property, or will not be included in the sale, check only the "None/Not included" column for that item.

Section 2-Electrical Systems		**Smart Device**	**Working**	**Not Working**	**Unknown**	**None / Not Included**
1. Electrical service panel capacity _____AMP Capacity (If known) _____Fuse _____Circuit Breakers						
2. Solar Panel(s) _____Year Installed (if known) _____Own _____Leased (Term Remaining_____)						
3. 220 Service	(_____number)					
4. Ceiling fan(s)	(_____number)					
5. Garage Door Opener(s)	(_____number)					
6. Video Camera(s)	(_____number)					
7. Garage Door Remote(s)	(_____number)					
8. Garage Door Keypad	(_____number)					
9. Telephone Wiring and Jacks						
10. Cable TV Wiring and Jacks						
11. Intercom or Sound System Wiring						
12. Built-in Speakers						
13. Fire Alarm						
14. Smoke Detectors	(_____number)					
15. Carbon Monoxide Detectors	(_____number)					
16. Room Ventilation/Exhaust Fan	(_____number)					
17. Whole House Fan	(_____number)					
18. Security System _____Own _____Leased _____Central Station Monitoring						
19. Back up Battery or Generator						
20. Have you experienced any problems with the electrical system or its components? _____Yes _____No. If Yes, explain in the comments below.						
21.a. Electric Vehicle Charger (Check One) ___LEVEL 1 ___LEVEL 2 ___LEVEL 3 b. (Check One) ___PORTABLE ___ATTACHED						

Section 2 Comments: _____
_____
_____

SECTION 3 – If there is more than one of any item in this Section, the statement made applies to each and all of such items unless otherwise noted in the Comments section in Section 10 of this disclosure statement, or number separately as provided in the instructions above. If an item in this Section is not on the property, or will not be included in the sale, check only the "None/Not included" column for that item.

Section 3-Heating and Cooling Systems	**Smart Device**	**Working**	**Not Working**	**Unknown**	**None / Not Included**
1. Heating System _____Year Installed (if known) _____Gas _____Electric _____Other (Specify_____)					
2. Heat Pump _____Year Installed (if known)					
3. Geothermal _____Year Installed (if known)					
4. Central Air Conditioner _____Year Installed (if known)					
5. Humidifier or Dehumidifier					
6. Air Purifier					
7. Attic Fan					
8. Room Air Conditioner (_____number)					
9. Fireplace/Fireplace Insert (_____number)					

Section 3-Heating and Cooling Systems – Continued	Smart Device	Working	Not Working	Unknown	None / Not Included
10. Artificial Log Gas Fireplace					
11. Fireplace Gas Starter					
12. Wood Burning Stove _____Year Installed (if known)					
13. Propane Tank _____Year Installed (if known) _____Leased _____Own					

Section 3 Comments: _____

SECTION 4 – Water Systems – If there is more than one of any item in this Section, the statement made applies to each and all of such items unless otherwise noted in the Comments section in Section 10 of this disclosure statement, or number separately as provided in the instructions above. If an item in this Section is not on the property, or will not be included in the sale, check only the "None/Not included" column for that item.

Section 4- Water Systems	Smart Device	Working	Not Working	Unknown	None / Not Included
1. Whirlpool/ Jetted Tub _____ year installed (if known)					
2. Hot tub _____ year installed (if known)					
3. Swimming pool _____ year installed (if known)					
4. a. Underground sprinkler system					
b. Back-flow prevention system					
5. Water heater _____ year installed (if known) _____Number					
6. Water purifier _____ year installed (if known)					
7. Water softener _____ Leased _____ Own					
8. Sump Pump-Discharges to _____					
9. Well System					
10. Source of Water Supply-_____Public _____Community _____Private _____Other:_____					
11. Is the Water Supply System Operational and adequate?_____Yes ____No					
12. a. Sewer System-_____Public _____Community _____Private _____Other:_____ b. Is the system operational? _____Yes _____No c. Has the main sewer line from the house ever backed up or exhibited slow drainage? _____Yes _____No (if yes, comment below) d. If yes, has it been repaired? _____Yes _____No Repaired Date _____ e. Has the main sewer line ever been scoped? _____Yes _____No					
13. Septic System-_____Public _____Community _____Private _____Other:_____					

Section 4 Comments: _____

SECTION 5 – Cleaning / Servicing Conditions - Have you ever performed or had performed the following? (State most recent year performed)

Section 5- Cleaning / Servicing Conditions	Year	Yes	No
1. Professional servicing of air conditioner			
2. Cleaning of fireplace or wood-burning stove, including chimney			
3. Professional servicing of furnace			
4. Professional servicing of septic system			
5. Treatment for wood-destroying insects or rodents			
6. Tested well water			
7. Serviced / treated well water			

Section 5 Comments: _____

Section 6. Structural Conditions - If there is more than one of any item listed in this Section, the statement made applies to each and all of such items unless otherwise noted in the comment section of this disclosure statement.

Section 6 - Structural Conditions	YES	NO	Unknown
1. Age of roof (if known) _____ year(s)	N / A	N / A	
2. Does the roof leak?			
3. Has the roof leaked?			
4. Is there presently damage to the roof?			
5. Has there been water intrusion in the basement or crawl space?			
6. Has there been any damage to the real property or any of the structures thereon due to the following occurrences including, but not limited to, wind, hail, fire, flood, wood-destroying insects, or rodents?			
7. Are there any structural problems with the structures on the real property?			
8. Is there presently damage to the chimney?			
9. Are there any windows which presently leak, or do any insulated windows have any broken seals?			

Section 6 - Structural Conditions	YES	NO	Unknown
10. Year property was built _____ (if known)	N / A	N / A	
11. Has the property experienced any moving or settling of the following:	------	------	------
- Foundation			
- Floor			
- Wall			
- Sidewalk			
- Patio			
- Driveway			
- Retaining wall			
12. Any room additions or structural changes?			

Section 6 Comments: _____

_____

_____

SECTION 7 – Environmental Conditions – Does the property have any of the following substances:

Section 7 – Environmental Conditions	YES	NO	Unknown
1. Asbestos			
2. Contaminated soil or water			
3. Landfill or buried materials			
4. Lead based paint or soil contamination			
5. Is there a lead service line			
6. Radon Gas- Mitigated _____Yes _____No What year _____ _____Active _____Passive Year Tested _____			
7. Mold - Professionally Mitigated _____Yes _____No What year _____			
8. Underground Fuel, chemical or other type of storage tank			
9. Have you been notified by the Noxious Weed Control Authority in the last 3 years of the presence of noxious weeds, as defined by Nebraska law (N.A.C. Title 25, Ch. 10), on the property?			
10. Hazardous substances, materials or products identified by the Environmental Protection Agency or its authorized Nebraska Designee (excluding ordinary household cleaners)			

Section 7 – Environmental Conditions	N/A	YES	NO	Unknown
11. Has the property ever been used as an illegal drug manufacturing or distribution site. If yes, explain in comments				
Questions 12, 12a, and 12b apply only to properties purchased and renovated with the intent to resell for compensation, commonly known as a "house flip". Such properties are subject to the Environmental Protection Agency's (EPA) Renovation, Repair and Painting (RRP Rule, 40 C.F.R. Part 745)				
12. Is this property an investment property (non-owner-occupied) built prior to 1978? If "No", do not answer questions 12a and 12b.				
12a. Did the seller: (i)purchase this property				
(ii)perform or cause any renovation, repair, or painting work to be performed on it; and				
(iii)intend to resell it for compensation If "Yes", continue to question 12b.				
12b. For all renovation, repair, or painting work performed on this property after the seller acquired it, was required testing and work performed by an EPA Lead-Safe Certified Firm using EPA Certified Renovators as required by the EPA's RRP Rule?				

Section 7 Comments: _____

_____

_____

SECTION 8 - Title Conditions - Do any of the following conditions exist with regard to the real property?

Section 8 - Title Conditions	YES	NO	Unknown
1. Any features, such as walls, fences and driveways which are shared?			
2. Any easements, other than normal utility easements?			
3. Any encroachments?			
4. Any zoning violations, non-conforming uses, or violations of "setback" requirements?			
5. Is the property located in a historical district?			
6. Any lot-line disputes?			
7. Have you been notified, or are you aware of, any work planned or to be performed by a utility or municipality close to the real property including, but not limited to sidewalks, streets, sewers, water, power, or gas lines?			
8. Any planned road or street expansions, improvements, or widening adjacent to the real property?			
9. Any condominium, homeowners' HOA, or other type of association which has any authority over the real property? Name _____			
10. Does ownership of the property entitle the owner to use any "common area" facilities such as pools, tennis courts, walkways, or other common use areas?			

Section 8 - Title Conditions	YES	NO	Unknown
11. a. Is there a common wall or walls?			
b. Is there a party wall agreement?			
12. Any lawsuits regarding this property during the ownership of the seller?			
13. Any notices from any governmental or quasi-governmental agency affecting the real property?			
14. Any unpaid bills or claims of others for labor and/or materials furnished to or for the real property?			
15. Any deed restrictions or other restrictions of record affecting the real property?			
16. Any unsatisfied judgments or assessments against the seller?			
17. Any dispute regarding a right of access to the real property?			
18. Any other title conditions which might affect the real property?			
19. Any private transfer fee obligation upon sale?			

Section 8 Comments: _____

_____

_____

SECTION 9 – Other Conditions - Do any of the following conditions exist with regard to the real property?

Section 9 - Other Conditions	YES	NO	Unknown
1. Is the property in a flood plain?			
2. Is the property in a flood way?			
3. Are there any flooding, draining, or grading problems in connection to the real property?			
4. Is trash service provided to the property? _____Public _____Private			
5. Is the property connected to a natural gas system?			
6. Has a pet lived on the property? Type(s) _____			
7. Are there any diseased or dead trees, or shrubs on the real property?			

Section 9 - Other Conditions	YES	NO	Unknown
8. a. Have you made any insurance or manufacturer claims with regard to the real property?			
b. Were all repairs related to the above claims completed?			
9. Infestations you are aware of: a. Any termites, wood destroying insects, or other pests on the Property? b. Any damage to the Property by termites, wood destroying insects or other pests? c. Any termite, wood destroying insects or other pest control treatments on the Property in the last five (5) years? If yes, list company, when and where treated_____			

Section 9 Comments: _____

_____

_____

Section 10 – Comments. Please reference comments on items responded to above in Sections 1 through 9, with Section letter and item number. Note: Use additional pages if necessary.

_____

_____

_____

_____

_____

_____

_____

If checked here _____ Section 10 is continued on a separate page(s)

SELLER'S CERTIFICATION

Seller hereby certifies that this disclosure statement, which consists of _____ pages (*including additional comment pages*), has been completed by Seller; that Seller has completed this disclosure statement to the best of Seller's belief and knowledge as the date hereof, which is the date this disclosure statement is completed and signed by the Seller.

Seller's Signature _____ Date _____

Seller's Signature _____ Date _____

ACKNOWLEDGEMENT OF RECEIPT OF DISCLOSURE STATEMENT, UNDERSTANDING AND CERTIFICATION

I/We acknowledge receipt of a photocopy of the above Seller Property Condition Disclosure Statement; understand that such disclosure statement is NOT a warranty of any kind by the seller or any licensee representing any principal in the transaction; understand that such disclosure statement should not be accepted as a substitute for any inspection or warranty that I/we may wish to obtain; understand the information provided in this disclosure statement is the representation of the seller and not the representation of any licensee, and is not intended to be part of any contract between the seller and purchaser; and certify that disclosure statement was delivered to me/us or my/our licensee on or before the effective date of any contract entered into by me/us relating to the real property described in such disclosure statement.

Purchaser's Signature _____ Date _____

Purchaser's Signature _____ Date _____

“Smart Device" Disclosure/Information

The following disclosure/information form is provided to help both sellers and buyers prepare for the transition in ownership of a property with "smart devices" connected to the internet ("connected devices"). Real Estate Licensees are not experts in these technologies and make no representations as to the condition, fitness, or merchantability of any connected devices.

A smart home device allows homeowners to control appliances, thermostats, lights, and other devices remotely through an internet connection.

For the Buyer

Once you have taken possession of your new property, please review the following checklist to help maximize your security and protect your privacy:

- Obtain confirmation from Seller(s) and vendors that Seller(s) no longer have administrative or user access to any connected device that is Included with the sale.
- Submit change of ownership and contact information to device manufacturers and service providers to ensure you receive security updates and manufacturer notifications.
- Update and modify all system passwords and usernames upon taking possession of your new property.
- Review devices' warranty and technical support policies. Consider disabling/ replacing devices no longer supported by the vendor.
- Review the configuration, privacy and data sharing settings for all devices and modify to your preferences.
- Run updates and contact manufacturers to confirm devices are patched with the latest software and firmware.
- Reset access and guest codes for home security systems, gates and garage door openers.
- Reset access codes for all other connected devices.

Buyer Name (Print): _____

Buyer Signature: _____

Buyer Name (Print): _____

Buyer Signature: _____

Date: _____

"Smart Device" Disclosure/Information

Property Address:_____

For the Seller

My property has the following connected devices (check all that apply):

☐ Modems, gateways, hubs, access points	☐ Included with sale	☐ Not included with sale
☐ Connected access for garage, locks, gates	☐ Included with sale	☐ Not included with sale
☐ External keypads for garage, locks, gates	☐ Included with sale	☐ Not included with sale
☐ Thermostats, HVAC, energy systems	☐ Included with sale	☐ Not included with sale
☐ Smart lighting systems	☐ Included with sale	☐ Not included with sale
☐ Home Security System	☐ Included with sale	☐ Not included with sale
☐ Smart refrigerator	☐ Included with sale	☐ Not included with sale
☐ Other:	☐ Included with sale	☐ Not included with sale

_____

_____

_____

No later than closing, please provide Buyer with all system passwords/usernames for all connected devices that are included with sale as well as access and guest codes for home security systems, gates and garage door openers. Or, you may re-set connected devices to factory defaults and provide Buyer with default system passwords/usernames for all connected devices as well as home security systems, gates and garage door openers. Once the sale has closed, ensure that you no longer have administrative or user access to these systems so that you are prevented from continuing to be billed for services.

Seller Name (Print): _____

Seller Signature: _____

Seller Name (Print): _____

Seller Signature: _____

Date: _____

The effective date of this amended Chapter is October 18, 2026.

Laws 1994, LB 642, '1(12); RS 1943, '76-2,120.01(12), R.S. Cum. Supp., 1994. Effective July 16, 1994; laws 2015, LB34, §8(4)(k) & §13, Neb. Rev. Stat. § 76-2,120 (4)(k) and §76-2,120 (13)