



Connecticut REALTORS®

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Q&A on Concrete Foundations and the Concrete Foundation Advisory

Question: Where can I find the Concrete Disclosure for Buyers and Sellers form or the Foundation Advisory for Buyers

Answer: Both of these forms may be found at the Connecticut Realtors® website at the Concrete page, www.ctrealtors.com/concrete and also in the CTR forms libraries with the forms vendors, Ziplogix (Zipforms) and Instanet through the SmartMLS.

Question: Are either the Concrete Disclosure for Buyers and Sellers form or the Foundation Advisory for Buyers form legally required to be completed?

Answer: No, neither of the forms are legally required.

Question: Are trustees, executors, conservators, bank owned property sellers, or relocation companies required to complete this form?

Answer: No, neither of the forms are legally required to be filled out by anyone; it does not matter who the seller is.

Question: If the buyer requests the seller fill out the Concrete Disclosure for Buyers and Sellers and seller doesn't want to fill it out, can the buyer force the seller to fill it out?

Answer: No, that's the seller's prerogative whether or not they want to fill it out.

Question: Are either of the concrete forms required to be completed in order to be eligible for CFSIC financial reimbursement?

Answer: No.

Question: Do we have to use the form for a specific type of property, for specific types of transactions?

Answer: The forms are designed to be used with residential purchase and sale transactions, but otherwise may be used for the purchase and sale of any type of residential dwelling (single family, multi-family, condo, etc).

Question: Do we have to use the form for every transaction?

Answer: No, however, best practices would be to set a consistent policy as to when it will be offered/used and to stick with the policy without deviations.

Question: If the seller fills out the Concrete Disclosure for Buyers and Sellers do they still have to fill out the Residential Property Condition Disclosure Report form (RPCDR)?

Answer: Yes; one of these forms does not substitute for the other.

Question: If the seller fills out the portion of the RPCDR that addresses concrete foundations, does the seller still have to fill out this concrete advisory?

Answer: The Concrete Advisory is always optional/ voluntary and there is no relation to whether or not the RPCDR is filled out.

Question: But if the information about a crumbling foundation is something the seller has to disclose, why isn't this form required?

Answer: The *form* is not required. This is a form created and distributed by the Connecticut Association of REALTORS®, as noted at the bottom of both forms where it says "© 2019 Connecticut Association of REALTORS®, Inc." This is not a form from the state of Connecticut or the Federal government. Only the state of Connecticut by way of legislation or the federal government enacting a law can require this form, and neither the state of Connecticut nor the federal government have enacted a law requiring the use of this form.

Question: If I have questions about crumbling foundations funding, claims and reimbursement, where can I obtain more information?

Answer: More information may be found at the Captive Insurance Company (CFSIC) website, www.crumblingfoundations.org

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