



Q&A on Concrete Foundations and the Concrete Foundation Advisory

Question: Where can I find the Concrete Advisory and Disclosure for Sellers and Buyers 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.

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

Answer: No, both are optional.

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

Answer: No, it's the seller's prerogative whether or not they 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 or 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: If the forms are used, do they have to be used 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 Advisory and Disclosure for Sellers and Buyers do they still have to fill out the Residential Property Condition Report form (RPCR)?

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

Question: If the seller fills out the portion of the RPCR 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 RPCR is filled out.

Question: 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 "© 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 has enacted a law requiring the use of this form. The State of Connecticut Department of Consumer Protection developed a Residential Foundation Condition Report which a seller is obligated to complete in certain circumstances as are detailed on the 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, <https://crumblingfoundations.org/>. Please note that funding through the CFSIC may no longer be available as of June 30, 2030, or sooner if allocated funds are depleted.

THE INFORMATION CONTAINED HEREIN IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE CONSTRUED, CONSIDERED OR RELIED UPON AS LEGAL ADVICE. PLEASE CONSULT WITH YOUR PERSONAL ATTORNEY OR CLOSING ATTORNEY REGARDING YOUR PERSONAL SITUATION.