



CONSUMER GUIDE: SELLER DISCLOSURES

When selling a home, sellers must disclose certain characteristics of the property to potential buyers. An agent who is a REALTOR® can help you understand why and what you need to disclose, but here are the basics:

What are seller disclosures? Seller disclosures are certain material defects – elements of a home that may impact its value – that sellers must disclose to buyers in a legal document. While specific disclosures are dependent on state and local law, sellers are typically required to list any information about natural hazards, property defects, missing essentials, HOA existence and fees, and certain other conditions.

Why are seller disclosures important? Seller disclosures are important because they help protect both the buyer and the seller. The disclosures allow buyers to choose whether they want to make an offer on the house based on what the seller is disclosing about the property, or can influence the offer amount. For sellers, the disclosure can help protect them from legal liability, meaning they may not be responsible for any issue that arises on the property after the sale as long as it was previously disclosed to the best of the seller's knowledge.

Where are seller disclosures listed? Seller disclosures are listed on a legal document called a Residential Property Condition Report (RPCR). Connecticut has a standard form that the seller completes.

Are there exceptions to when the RPCR must be used? Yes, certain sellers, such as executors and trustees, are exempt from completing the RPCR. For a complete list, see C.G.S Sec. 20-327b(b).

Which defects, if any, need to be disclosed? Consult with your real estate professional to help understand what defects need to be disclosed. While it is not required, you can also conduct a home inspection before listing, which can help identify potential issues that you can consider repairing before showing your home to potential buyers and use as a differentiator for your property. If you uncover possible issues that may appear during a buyer's inspection, you will have time to make any necessary changes that could impact your home's asking price, as well as defects you may need to disclose under state laws.

What if there are no defects that need to be disclosed? A seller can state that there are no material defects on a property on the disclosure form.

When do material defects need to be disclosed? In Connecticut, seller disclosures are required before the buyer executes any binder, contract to purchase, option or lease containing a purchase option. Some sellers choose to disclose as early as home tours.

What happens if a material defect about a property is not disclosed? If a seller knowingly withholds information regarding a required seller disclosure, there may be legal consequences. A buyer may be able to cancel the sale, or the seller could be legally liable. Sellers should be honest with any and all details they are required to disclose about the home.

