

Real Estate Commission Meeting

October 28, 2021

**Atwood Building
550 W 7th Avenue
Suite 1550
(ZOOM ONLY)**

Anchorage

Call to Order

Roll Call

Traci Heaton

Elizabeth Schok

Chad Stigen

Jaime Matthews

Jesse Sumner

Cheryl Markwood

Statements of Conflict of Interest

Approval of Agenda

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT DIVISION OF
CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
Meeting Agenda

REAL ESTATE COMMISSION MEETING
October 28, 2021
Atwood Building 550 W. 7th Ave.
Suite 1550 (ZOOM ONLY)
Anchorage, AK

Email realestatecommission@alaska.gov for ZOOM information

Thursday, October 28, 2021

- 10:00a.m. 1. Call to Order Markwood
 a) Roll Call
 b) Approval of 10/28 Agenda
 c) Statements of Conflicts of Interest
2. Public Comments (est. time only; 10:05 am)
3. Meeting Minutes
 a) September 15, 2021
4. Old Business Maiquis
 a) AREC Property Transfer Disclosure Form Regulations
 Project – Public Comment Review
5. New Business Chambers
 a) Military Licensing Legislation
6. Commission Member Comments and Questions
7. Adjournment

Please report any Ethics violations to Nancy Harris.

Next Meeting: December 15, 2021

Oral Comments & Public Comments

Approval of Meeting Minutes

1
2 STATE OF ALASKA
3 DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT
4 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
5

6 REAL ESTATE COMMISSION
7 MEETING MINUTES
8

9 September 15, 2021
10

11 "These draft minutes were prepared by the staff of the Division of Corporations, Business
12 and Professional Licensing. They have not been reviewed or approved by the
13 Commission." By authority of AS 08.01.070(2), and in compliance with the provisions of
14 AS 44.62, Article 6, a scheduled meeting of the Real Estate Commission was held
15 September 15, 2021, at the State of Alaska Atwood Building, 550 W. 7th Avenue, Suite
16 1550, via Zoom, Anchorage, Alaska.
17

18
19 **Wednesday, September 15, 2021**

20 **Agenda Item 1 - Call to Order**

21 Chairperson Cheryl Markwood called the meeting to order at 9:00 a.m., at which time a
22 quorum was established.
23

24 Roll Call – 1(a)

25 Members Present via Zoom

26 Cheryl Markwood, Broker, Broker at Large, Chairperson
27 Elizabeth Schok, Associate Broker, 4th Judicial District
28 Traci Heaton, Associate Broker, 1st Judicial District
29 Chad Stigen, Associate Broker, Broker at Large
30 Jaime Matthews, Public Member, Vice Chairperson
31 Jesse Sumner, Public Member
32

33 Staff Present:

34 Shyla Consalo, Executive Administrator
35 Nancy Harris, Project Assistant
36

37 Staff Present via Zoom:

38 Melissa Dumas, Administrative Operations Manager
39 Erika Priksat, Senior Investigator
40

41 Guests Present via Zoom:

42 Cynthia Lamkin, Broker, NeighborWorks Alaska, Anchorage
43 Samantha Corbat, Broker, Ten-X, Anchorage
44

45 Approval of Agenda – 1(b)

46 Commission Members reviewed the meeting agenda.
47

48 **On a motion duly made by Ms. Schok, seconded by Mr. Sumner, it was**

49
50 **RESOLVED to approve the meeting agenda for September 15, 2021.**

51
52 **All in favor; Motion passed**

53
54 Statements of Conflicts of Interest – 1(c)

55 There were no conflicts of interests.

56 **Agenda Item 2 – Public Comments**

57 There were no public comments.
58
59

60 **Agenda Item 3 - Approval of Meeting Minutes**

61 June 16, 2021 Meeting Minutes – 3(a)
62

63 **On a motion duly made by Mr. Sumner, seconded by Ms. Schok, it was**

64
65 **RESOLVED to approve the June 16, 2021 meeting minutes.**
66

67 **All in favor; Motion passed.**
68
69

70 **Agenda Item 6 – Old Business**

71 AREC Property Transfer Disclosure Form Regulations Project – Status Update – 6(a)

72 Ms. Consalo explained the notice for public comment on this regulation project went out
73 yesterday (September 14th), and will end on October 21, 2021. She further stated the
74 Commission will need to schedule a quick meeting around the end of October or beginning
75 of November to not delay moving forward with the project. Director Sara Chambers also
76 has a topic to discuss with the Commission regarding new legislation that was passed that
77 may affect the Commission.
78

79 Ms. Markwood asked Commission members to look at their calendars for the last week of
80 October and first week of November, and identify any dates that were out of the question
81 to schedule a meeting. The majority of Commission members were available the last week
82 of October, and agreed to meet on Thursday, October 28, 2021 at 10:00 a.m.
83

84 2021 Strategic Plan Review – 6(b)

85 Ms. Consalo provided an update on the progress that has been made on the
86 Commission's Strategic Plan items. She discussed the updates provided in red regarding
87 the Property Management Committee, regulation revisions, draft Property Transfer
88 Disclosure Statement, fee analysis, and DCE education topics, some of which were/will be
89 addressed at this meeting. Ms. Consalo informed the Commission that with the newly
90 effective regulation changes, an updated copy of the Commission's statute and regulations
91 booklet is available on the Commission's website. Additionally, updated instructor forms
92 and the Application to Change License Status are also available on the website. Ms.
93 Consalo requested all Commission members replace their old booklets and forms, and
94 advise licensees to do the same.
95
96

97 **Agenda Item 7 – New Business**

98 Request for New Committee – 7(a)

99 Ms. Schok stated she is requesting the Commission approve for a subcommittee to be
100 created for the purpose of reviewing the Consumer Disclosure with regards to teams. Her
101 and Ms. Heaton would like to collaborate with other licensees in developing a better form
102 to keep the consumer and licensees informed on what teams mean with respect to
103 disclosure, responsibilities, and representation. The Commission discussed ideas on what
104 the Committee would be called, and decided Teams Disclosure Committee best described
105 the Committee's purpose.
106
107
108

109 **On a motion duly made by Ms. Schok, seconded by Ms. Matthews, it was**

110

111 **RESOLVED to approve the request to create the Teams Disclosure**
112 **Committee.**

113

114 **All in favor; Motion passed.**

115

116 Re-Election of Vice Chair, PM Committee Liaison & Education Liaison; Election of New
117 Committee Liaison – 7(b)

118 Ms. Consalo explained that because Commission statute states the Commission shall
119 elect its officers at the first meeting of the fiscal year, the Commission must re-do the
120 elections for current officers, even though most of them were recently appointed. Ms.
121 Consalo stated that even though they must re-do the elections, that does not mean they
122 have to re-nominate or change the current officers if they wished to stay in those positions.

123

124 Ms. Markwood asked the current officers if they would like to stay in their positions, and
125 they all concurred they would remain in those positions unless another Commission
126 member wished to fill those positions. There were no new nominations.

127

128

129 **On a motion duly made by Ms. Matthews, seconded by Ms. Schok, it was**

130

131 **RESOLVED to re-elect Ms. Matthews as Vice Chair, Ms. Heaton as**
132 **Property Management Committee Liaison, and Mr. Sumner as**
133 **Education Liaison.**

134

135 **All in favor; Motion passed.**

136

137 Ms. Markwood opened the discussion for nominations for the Teams Disclosure
138 Committee Liaison & Chair. Ms. Schok was the only nomination.

139

140 **On a motion duly made by Ms. Heaton, seconded by Ms. Matthews, it was**

141

142 **RESOLVED to elect Ms. Schok as the Teams Disclosure Committee**
143 **Liaison & Chair.**

144

145 **All in favor; Motion passed.**

146

147

148 **Agenda Item 4 – Investigative Report**

149 **Statistical Report – 4(a)**

150 Erika Prieksat, Senior Investigator, presented the investigation statistics for the reporting
151 period of June 3, 2021 through September 1, 2021. There are 48 open matters and 6
152 matters were closed from the last report. There was 1 individual on probation during this
153 reporting period, who was released from probation on June 17, 2021.

154

155 Ms. Markwood asked Investigator Prieksat if there was an update on filling the real estate
156 investigator position. Investigator Prieksat stated there has been some difficulty in filling
157 the vacancies within the investigations section; however, they are in the process of
158 conducting interviews, which should be completed soon. Currently, she is overseeing most
159 real estate cases, and some cases have been disbursed to other investigators. She
160 explained they are working the cases as quickly as they can, and there is a little bit of a
161 delay in processing cases due to the numerous vacancies; however, she's excited about

162 the current recruitment, and expects to be filling the position very soon. Ms. Markwood
163 thanked Investigator Prieksat for the update.

164
165
166 **Agenda Item 7 – New Business**

167 **DCE Topics for 2022-2024 Renewal Cycle – 7(c)**

168 Ms. Harris explained it's the time of year where the Commission needs to choose the DCE
169 topics for the next renewal cycle, 2022 – 2024. The Commission is tasked with choosing
170 the topics and hours for each topic, totaling 8 hours – per regulation, this must be provided
171 to course providers and instructors by October 1st. At another meeting, the Commission
172 will establish the guidelines for each of the topics, so instructors know what they will need
173 to cover within those courses.

174
175 Ms. Markwood asked for Commission members to review the past DCE topics provided,
176 and provide input on what they feel would be good topics to recommend for the next
177 renewal cycle. Ms. Consalo encouraged Commission members to think about what they
178 are seeing in the industry and hearing complaints about, and use those as topics to
179 address through continuing education. Commission members discussed several options,
180 and agreed to six topics.

181
182 **On a motion duly made by Ms. Heaton, seconded by Mr. Sumner, it was**

183
184 **RESOLVED to establish the following DCE topics for the 2022 – 2024**
185 **renewal cycle: Prohibited Conduct (1 hour), Advertising & Social**
186 **Media (1 hour), Situational Ethics (2 hours), Contract & Real Estate**
187 **Licensing Law (2 hours), Licensee Relationships (1 hour), and**
188 **Property Disclosures & Inspections (1 hour).**

189
190 **All in favor; Motion passed.**

191
192
193 Break at 9:50 a.m.

194 Reconvene at 10:03 a.m.

195
196
197 **Agenda Item 5 – Division Update**

198 **Fee Analysis – 5(a)**

199 Melissa Dumas, Administrative Operations Manager for the Division of Corporations,
200 Business, and Professional Licensing, presented the Fee Analysis.

201
202 Ms. Dumas explained the fee analysis should have been done at the Commission's last
203 meeting; however, there was a discrepancy within the Division's timeline tracker, and it
204 was missed. She apologized for the error, and explained that it is too close to the renewal
205 cycle to make any changes to fees at this time. She also explained the Governor was not
206 authorizing any fee increases to make it easier on Alaskans and reduce the cost of doing
207 business in the State to encourage growth. Ms. Dumas stated she still feels it's important
208 to go over the analysis, because she does think there needs to be some changes to fees
209 in the future. Ms. Dumas explained the REC portion of the Commission's funds, and went
210 through each column on the spreadsheet to show Commission members how that revenue
211 is calculated. So, \$775,614 is the current estimated revenue for a two-year period,
212 covering fiscal year 2019/2020. She explained they don't have the fiscal year 2021 totals
213 yet, so she will redo this spreadsheet prior to the Commission's first meeting after their
214 renewal to discuss the analysis and possible fee changes again. Ms. Dumas stated the

215 Commission would likely be looking at fee reductions to reduce the Commission's overall
216 budget surplus to be more in-line with the Division's goal. State statute requires the
217 Division keep expenditures and revenue approximately equal, so the Commission's
218 increasing surplus balance does need to be addressed. Ms. Dumas asked if there were
219 any questions about the REC funds spreadsheet. There were no questions.

220
221 Ms. Dumas proceeded to explain the ZSU (recovery fund) portion of the Commission's
222 funds. She stated the recovery fund has opposite problem as far as the balance is
223 concerned. State statute requires the recovery fund maintain a balance between \$250,000
224 and \$500,000. Currently, the Commission is still within budget requirements; however, if
225 there were a large claim filed, the Commission would find themselves in a position where
226 they do not have the required minimum balance in the fund. So, after renewal, she wants
227 to look at increasing the recovery fund fee. She stated even though recovery fund claims
228 don't happen every year, the Commission needs to be prepared for them. A small increase
229 to the recovery fund fee, while also factoring in a decrease to some REC fees, will
230 essentially offset the recovery fund fee increase. It is more than likely there won't be any
231 push back from licensees if that's how the Commission decides to move forward. Ms.
232 Dumas asked if there were any questions about the ZSU funds spreadsheet.

233
234 Ms. Markwood asked Ms. Dumas to clarify when the Commission would need to re-
235 address fee changes/fee analysis. Ms. Dumas stated some point after the Commission's
236 renewal cycle is completed, and hopefully by that time there won't be any restrictions on
237 fee increases. She is also going to see if it's possible to move any of the surplus funds
238 from the REC account over to the ZSU account – she's not sure if that's something that
239 can even be done. Ms. Consalo commented that the Commission's March meeting is
240 probably the most appropriate meeting to re-address the matter.

241
242 Ms. Markwood then asked Ms. Dumas if she could explain the fee change process if the
243 Commission were to decide to implement fee changes in the future. Ms. Dumas explained
244 that any fee changes would go out for a 30-day public comment period. Then, the
245 recommended fee changes would go to Director Chambers for review/approval, as
246 Director Chambers has sole discretion on all fee changes. Once that's approved, it will go
247 to the Department of Law for legal review, and then the Lieutenant Governor for
248 signature/implementation. She explained if everything was done as quickly as possible,
249 the process could take three months to complete; however, a more realistic timeframe for
250 this process is four months. Ms. Markwood thanked Ms. Dumas for attending the meeting
251 and providing the fee analysis report.

252
253

254 **Agenda Item 8 – Executive Administrator's Report**

255 **Education Statistics – 8(a)**

256 Ms. Harris presented the education report for September 15, 2021. She reported that as of
257 August 10, 2021, there were 13 pre-licensing courses; 4 broker upgrade courses; 369
258 elective courses; 67 designated courses; and 73 post-licensing courses approved, with a
259 total of 526 courses approved. Ms. Harris stated there are currently 74 approved
260 instructors.

261
262

262 **Licensing Statistics – 8(b)**

263 Ms. Consalo presented the licensing report for September 15, 2021. She reported that as
264 of August 30, 2021, there were 88 new licenses issued; 2,955 active licensees; 13 inactive
265 licensees; 480 lapsed licenses with 3 of those for non-compliance of PLE; 140 transfers;
266 50 licensees who completed their PLE requirements; 6 license upgrades from salesperson

267 to associate broker; 1 license upgrade from salesperson to broker; and 20 licensees in a
268 license returned status.

269
270 RISC E&O Claims Report – 8(c)

271 Ms. Consalo presented the report for RISC E&O claims for their second quarter (Apr - Jul).
272 Total closed claims were \$3,000, and the total open claims were \$24,001, for a total of
273 \$27,001 in claims for the second quarter. All of these claims were the same claims/cases
274 reported in the first quarter report; however, the total incurred claims for the second
275 quarter was reduced by \$8,001.

276
277 Recovery Fund Balance Report – 8(d)

278 Ms. Consalo presented the Recovery Fund Report for the fourth quarter, ending June 30,
279 2021. The Commission received a total of \$14,810 for license fees processed between
280 April and June, leaving the current total fund balance at \$257,747. The projected balance
281 for the end of the next fiscal year is \$317,018 with an average 2-year licensing cycle fund
282 balance of \$287,382.

283
284 Application Matter – 8(e)

285 **On a motion duly made by Ms. Heaton, seconded by Mr. Sumner, it was**

286
287 **RESOLVED to go into Executive Session per AS 44.62.310(c), for the**
288 **purpose of discussing subjects that tend to prejudice the reputation**
289 **and character of any person, provided the person may request a**
290 **public discussion.**

291
292 **All in favor; Motion passed.**

293
294 The Commission went into Executive Session at 10:25 a.m.

295
296 **On a motion duly made by Mr. Sumner, seconded by Mr. Stigen, it was**

297
298 **RESOLVED to come out of Executive Session.**

299
300 The Commission came out of Executive Session at 10:39 a.m.

301
302 **On a motion duly made by Ms. Schok, seconded by Ms. Heaton, it was**

303
304 **RESOLVED to approve the license application for Daniel Vernon,**
305 **license #182459.**

306
307 **Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Mr. Stigen – yes, Ms.**
308 **Matthews – yes, Mr. Sumner – yes, and Ms. Markwood – yes.**

309
310 **Motion passed.**

311
312 The Commission approved the license application for Daniel Vernon, license #182459.

313
314
315 **Agenda Item 10 – Commission Member Comments & Questions**

316 Ms. Schok had no comments.

317
318 Ms. Heaton had no comments.

319

320 Ms. Matthews stated it was a great meeting, and thanked Ms. Markwood for running an
321 efficient meeting.

322
323 Mr. Sumner expressed the same comments as Ms. Matthews.

324
325 Mr. Stigen stated he was happy to be on the Commission and learn from everyone.

326
327 Ms. Markwood thanked everyone in attendance for their participation and moving through
328 the agenda so quickly – the Commission has gotten a lot done and is continuing to move
329 forward. She reminded everyone about the upcoming Property Management Committee
330 meeting. She expressed appreciation for Ms. Schok setting up the new subcommittee to
331 discuss teams – she feels this will be a very productive Committee, as there are many in
332 the industry interested in this topic. She thanked Commission staff for their continued hard
333 work in moving items forward during very tremendous time, and staying dedicated to the
334 Commission. She reminded everyone about the special Commission meeting on October
335 28th to review and discuss the public comment on the Property Transfer Disclosure
336 Statement, and receive information from Director Chambers on new legislation. Ms.
337 Markwood asked if Ms. Consalo or Ms. Harris had anything to add.

338
339 Ms. Consalo stated Ms. Harris will be handling everything with the Teams Disclosure
340 Committee, so Ms. Schok will need to coordinate meeting dates/times and agenda items
341 with her.

342
343 Ms. Harris thanked the Commission members for establishing the DCE topics for the next
344 renewal cycle, their contributions are tremendously appreciated.

345
346

347 **Agenda Item 11 – Adjournment**

348 **On a motion duly made by Mr. Sumner, seconded by Ms. Matthews, it was**

349

350 **RESOLVED to adjourn.**

351

352 **All in favor; Motion passed.**

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354 Meeting adjourned at 10:44 a.m.

355

356 The next meeting will be held October 28, 2021 in Anchorage.

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Prepared and submitted by:
Real Estate Commission Staff

Approved:

Cheryl Markwood
REC Chairperson
Alaska Real Estate Commission

Regulation Revisions – Status Update

NOTICE OF PROPOSED CHANGES ON PROPERTY DISCLOSURE FORM IN THE REGULATIONS OF THE ALASKA REAL ESTATE COMMISSION

BRIEF DESCRIPTION: The Real Estate Commission proposes to update the residential real property transfer disclosure statement form.

The Real Estate Commission (Commission) proposes to adopt regulation changes in Title 12, Chapter 64 of the Alaska Administrative Code including the following:

12 AAC 64.930. Property disclosure form, is proposed to update the residential real property transfer disclosure statement form that the commission adopts by reference.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Commission will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/203703>, and using the comment link. **The comments must be received not later than 4:30 p.m. on October 21, 2021.** Comments received after this deadline will not be considered by the Commission.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Commission will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Commission's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateCommission.aspx>. The Commission may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov not later than October 14, 2021 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/REC-0921.pdf>.

A copy of the material proposed for adoption by reference may be viewed at the Commission's office at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, 550 W. 7th Avenue, Suite 1500, Anchorage, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/ResidentialRealPropertyTransferDisclosureStatementForm-08-4229-Draft-6-16-21.pdf>.

After the public comment period ends, the Commission will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.88.071; AS 08.88.081; AS 08.88.615; AS 34.70.050

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.88.071; AS 08.88.081; AS 08.88.615; AS 34.70.050

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 9/14/2021

/s/
Jun Maiquis, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

**ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))**

1. **Adopting agency:** Real Estate Commission – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Property disclosure form.
3. **Citation of regulation:** 12 AAC 64.930.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations; compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: None known.
Another state agency: None known.
A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2022 or in subsequent years.
9. **The name of the contact person for the regulation:**
Shyla Consalo, Executive Administrator
Alaska Real Estate Commission
Division of Corporations, Business and Professional Licensing
Department of Commerce, Community, and Economic Development
Telephone: (907) 269-8197
E-mail: shyla.consalo@alaska.gov
10. **The origin of the proposed action:** Real Estate Commission.
11. **Date:** 9/14/2021 **Prepared by:** /s/

Jun Maiquis
Regulations Specialist

Chapter 64. Real Estate Commission.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 64.930(a) is amended to read:

12 AAC 64.930. Property disclosure form. (a) The form titled *Residential Real Property Transfer Disclosure Statement*, dated **June 2021** [JULY 2008], is adopted by reference.

This form, prepared by the Real Estate Commission, presents the information required by AS 34.70 that a transferor of an interest in residential real property must disclose to a prospective transferee of the property before the transferee makes a written offer. Use of this form also complies with AS 34.70.050 regarding notice to the transferee to conduct investigations regarding convicted sex offenders residing in the neighborhood and whether there is an agricultural facility or operation in the vicinity.

(b) For the purposes of this section, "residential real property" has the meaning given to the term in AS 34.70.200. (Eff. 9/12/93, Register 127; am 2/12/99, Register 149; am 8/23/2001, Register 159; am 6/20/2003, Register 166; am 1/1/2005, Register 172; am 11/18/2006, Register 180; am 10/4/2008, Register 188; am ___/___/_____, Register _____)

Authority: AS 08.88.071 AS 08.88.615 AS 34.70.050

AS 08.88.081

Editor's note: Copies of the *Residential Real Property Transfer Disclosure Statement*, adopted by reference in 12 AAC 64.930, may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Real Estate Commission, 550 W. 7th Avenue, Suite **1500** [1950], Anchorage, AK 99501 [-3567]; phone: (907) 269-**8168** [8162].



State of Alaska Residential Real Property Transfer Disclosure Statement

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

General Information

AS 34.70.010 requires that before ~~the a~~ Transferee/Buyer (hereafter referred to as Buyer) of an interest in residential real property makes a written offer of residential real property, the Transferor/Seller (hereafter referred to as Seller) must deliver a completed written disclosure form. This disclosure statement is in compliance with AS 34.70.010. It concerns the residential real property* located in the _____ Recording District, Judicial District, State of Alaska.

Legal Description: _____

Property Address/City/Other: _____

*Residential real property means any single-family dwelling, or two single family dwelling units under one roof, or any individual unit in a multi-unit structure or common interest ownership community whose primary purpose is to provide housing. AS 34.70.200(2) and (3).

Exemption for First Sale: Under AS 34.70.120, the first transfer of an interest in residential real property that has never been occupied is exempt from the requirement for the Seller to complete the Disclosure Statement.

Waiver by Agreement: Under AS 34.70.110, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Seller and Buyer agree in writing. Signing this waiver does not affect other obligations for disclosure.

Violation or Failure to Comply: A person who negligently violates or fails to perform a duty required by AS 34.70.010 - AS 34.70.200 is liable to the Buyer for actual damages suffered by the Buyer as a result of the violation or failure. If the person willfully violates or fails to perform a duty required by AS 34.70.010 - AS 34.70.200, the Seller is liable to the Buyer for up to three times the actual damages. In addition to the damages, a court may also award the Buyer costs and attorney fees to the extent allowed under the rules of court.

AS 34.70.020 provides that if a disclosure statement or material amendment is delivered to the transferee after the transferee has made a written offer, the transferee may terminate the offer by delivering a written notice of termination to the transferor or the transferor's licensee within three days after the disclosure statement or amendment is delivered in person or within six days after the disclosure statement or amendment is delivered by deposit in the mail.

AS 34.70.040(b) provides that if an item that must be completed in the disclosure statement is unknown or is unavailable to the Seller, and if the Seller or Seller's agent licensee has made a reasonable effort to ascertain the information, the Seller may make an approximation based on the best information available to the Seller or Seller's agent licensee. It must be reasonable, clearly labeled as an approximation, and not used to avoid the disclosure requirements of AS 34.70.010 – AS 34.70.200.

All disclosures made in this statement are required to be made in good faith (AS 34.70.060). The Seller is required to **must** disclose defects or other conditions in the real property, or the real property interest being transferred. **The Seller** To comply, disclosure **does not** need not include a search of the public records, nor does it require a professional inspection of the property.

If the information supplied in this disclosure statement becomes inaccurate as a result of an act or agreement after the disclosure statement is delivered to the Buyer, the Seller is required to deliver an amendment to the disclosure statement to the Buyer. An addendum/amendment form for that purpose may be attached to this disclosure statement.

Upon delivery to a buyer, any inspection/reports generated by a purchase agreement of this property automatically becomes an addendum/amendment to the property disclosure.

Seller's Information Regarding Property

Property Type (check one):

- Single Family
 Zero Lot Line/Town House
 Condominium
 Townhome/PUD
 Duplex (Including Single Family with an Apartment)
 Other (please specify) _____

Do you currently occupy the property? Yes No If Yes, how long? _____

If not a **the** current occupant, have you ever occupied the property? Yes No If so, when? _____

Year Property Built: _____. If property was built prior to 1978, or if Seller has any knowledge of lead-based paint, Seller must complete Disclosure of Information and Acknowledgment of Lead-based Paint and/or Lead-based Paint Hazards in accordance with Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (also known as Title X) and provide Buyer with the "Protect Your Family From Lead in Your Home" pamphlet. The pamphlet can be found on the Internet at <http://www.epa.gov/lead/leadprot.htm>.

Construction Overview: Wood Frame Manufactured Modular Other: _____

Foundation: Masonry Block Poured Concrete Piling Treated Wood Other: _____

Name of original builder (if known): _____

Property Features: (This section has been alphabetized)

Check all items that are built in and will remain with the property. **Also . . .**

Circle those checked items that have known defects or malfunctions. **Also . . .**

Describe the defect or malfunction on the Addendum/Amendment(s) to the Disclosure Statement.

- | | | |
|---|---|--|
| <input type="checkbox"/> Auto Garage Door Opener(s) # of _____ | <input type="checkbox"/> Hot Tub <input type="checkbox"/> Cover | <input type="checkbox"/> Smoke Detector(s) # of _____ |
| <input type="checkbox"/> Built-In Barbecue | <input type="checkbox"/> Instant Hot Water Dispenser | <input type="checkbox"/> Steam Shower Room |
| <input type="checkbox"/> Central Vacuum Installed | <input type="checkbox"/> Intercom | <input type="checkbox"/> Storage Shed(s) # of _____ |
| <input type="checkbox"/> CO Detector(s) # of _____ | <input type="checkbox"/> Jetted Tub | <input type="checkbox"/> Trash Compactor(s) # of _____ |
| <input type="checkbox"/> Cooktop(s) # of _____ | <input type="checkbox"/> Microwave(s) # of _____ | <input type="checkbox"/> T.V. Antenna |
| <input type="checkbox"/> Dishwasher(s) # of _____ | <input type="checkbox"/> Oven(s) # of _____ | <input type="checkbox"/> Water Filtering System |
| <input type="checkbox"/> Fire Alarms | <input type="checkbox"/> Paddle Fan(s) # of _____ | <input type="checkbox"/> Water Softener |
| <input type="checkbox"/> Freezer(s) # of _____ | <input type="checkbox"/> Built-In Refrigerator(s) # of _____ | <input type="checkbox"/> Window Screens |
| <input type="checkbox"/> Garbage Disposal | <input type="checkbox"/> Rods & Blinds | <input type="checkbox"/> Wood Stove(s) # of _____ |
| <input type="checkbox"/> Greenhouse <input type="checkbox"/> Attached <input type="checkbox"/> Detached | <input type="checkbox"/> Satellite Dish | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Ventilating System | <input type="checkbox"/> Security System | |
| <input type="checkbox"/> Heating System | | |

Comments: _____

Structural Components:

Check only those items that have known defects, malfunctions, or have had major repairs performed within the last five years.

Also . . . Check items that need replaced/repared

- | | | | | |
|---|---|--|--|---|
| <input type="checkbox"/> Fences/Gates | <input type="checkbox"/> Rain Gutters | <input type="checkbox"/> Insulation | <input type="checkbox"/> Electrical Systems | <input type="checkbox"/> Electronic Air Cleaner |
| <input type="checkbox"/> Driveways | <input type="checkbox"/> Exterior Walls | <input type="checkbox"/> Woodstove(s) # of _____ | <input type="checkbox"/> Sewage Systems | <input type="checkbox"/> Heat Recovery |
| <input type="checkbox"/> Private Walkways | <input type="checkbox"/> Interior Walls | <input type="checkbox"/> Fireplace(s) # of _____ | <input type="checkbox"/> Water Supply | <input type="checkbox"/> Ventilator System |
| <input type="checkbox"/> Retaining Walls | <input type="checkbox"/> Floors | <input type="checkbox"/> Gas Starter | <input type="checkbox"/> Garage | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Foundation | <input type="checkbox"/> Ceilings | <input type="checkbox"/> Chimneys | <input type="checkbox"/> Garage Floor Drain | <input type="checkbox"/> Mechanical |
| <input type="checkbox"/> Crawl Space | <input type="checkbox"/> Doors | <input type="checkbox"/> Plumbing Systems | <input type="checkbox"/> Carport | <input type="checkbox"/> Filtration |
| <input type="checkbox"/> Roof | <input type="checkbox"/> Windows | <input type="checkbox"/> Heating Systems | <input type="checkbox"/> Washer/Dryer Hook-ups | <input type="checkbox"/> Pool Cover |
| <input type="checkbox"/> Patio/Decking | <input type="checkbox"/> Skylights | <input type="checkbox"/> Solar Panels | <input type="checkbox"/> Humidifier | <input type="checkbox"/> Pool Cover |
| <input type="checkbox"/> Slabs | <input type="checkbox"/> Venting | <input type="checkbox"/> Wind Generators | <input type="checkbox"/> Air Conditioner | <input type="checkbox"/> Hot Water Heater |

Describe the defect, malfunction, or repair on the Addendum/Amendment(s) To The Disclosure Statement. _____

Describe other items not covered above? _____

Comments: _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____

Documentation: Check the documents for the subject property that the seller has available for review:

- | | | |
|---|---|--|
| <input type="checkbox"/> Engineer/Property/Home | <input type="checkbox"/> Written Agreement with Adjacent Property Owner | <input type="checkbox"/> Party Wall Agreement |
| <input type="checkbox"/> Inspection Report(s) | <input type="checkbox"/> Energy Rating Certificate | <input type="checkbox"/> Lease/Rental Agreement |
| <input type="checkbox"/> Title Information | <input type="checkbox"/> PUR-101 | <input type="checkbox"/> Soil Tests |
| <input type="checkbox"/> As-Built Survey | <input type="checkbox"/> Resale Certificate | <input type="checkbox"/> Well Log & Water Tests |
| <input type="checkbox"/> Certificate of Occupancy | <input type="checkbox"/> Deed Restrictions | <input type="checkbox"/> Hazardous Materials Test(s) |
| <input type="checkbox"/> PUR-102 | <input type="checkbox"/> Water Rights Certificate | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Subdivision Covenants/Restrictions | <input type="checkbox"/> Other: _____ | |

○ **Supply information for the following items:**

Average Annual-Monthly Utility Costs:

Utility History Attached.

Gas	\$ _____	<input type="checkbox"/>	Company/Source: _____
Electric	\$ _____	<input type="checkbox"/>	Company/Source: _____
Oil	\$ _____/Gallons: _____	<input type="checkbox"/>	Company/Source: _____
Propane	\$ _____	<input type="checkbox"/>	Company/Source: _____
Wood	\$ _____	<input type="checkbox"/>	Company/Source: _____
Coal	\$ _____	<input type="checkbox"/>	Company/Source: _____
Water	\$ _____	<input type="checkbox"/>	Company/Source: _____
Sewer	\$ _____	<input type="checkbox"/>	Company/Source: _____
Refuse	\$ _____	<input type="checkbox"/>	Company/Source: _____
Other	\$ _____	<input type="checkbox"/>	Company/Source: _____

Additional Information:

To the best of your knowledge, are you aware of any of the following conditions with respect to the subject property? If answer is "Yes," indicate the relevant item number and explain the condition on the Addendum/Amendment(s) to the Disclosure Statement.

	Yes	No	NA/UNK
1. Title:			
2. Do you know of any existing, pending, or potential legal action(s) concerning the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Do you know of any street or utility improvements planned that will affect the property?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Road maintenance provided by? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Is the property currently rented or leased?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, expiration date: _____ / _____ / _____			
5. Is there a homeowner's association (HOA) for the property?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, HOA name: _____ HOA Telephone: _____			
<input type="checkbox"/> Mandatory <input type="checkbox"/> Voluntary <input type="checkbox"/> Inactive Monthly Dues Amount: \$ _____ per _____			
Are there any levied or pending assessments?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Who is responsible for issuing the resale certificate?			
Name: _____ Telephone: _____			

○ **Setbacks/Restrictions:**

1. Have you been notified of any proposed zoning changes for the property?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are you aware of features of the property shared in common with adjoining property owners, such as			
a. walls, fences, and driveways, whose use or responsibility for maintenance may affect the property?..	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Are there subdivision conditions, covenants, or restrictions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Are you aware of any violations of building codes, zoning, setback requirements, subdivision covenants, borough, or city restrictions on this property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. . Are you aware of any nonconforming uses of this property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

○ **Heating System(s):**

Mark all types that apply: Hot Water Baseboard Forced Air Radiant Heat Electrical Heat
 Wood Stove Other _____

Age: _____ years. Last Cleaned: _____ Last Inspected: _____

Source: Natural Gas Electric Propane Tank leased or owned? _____ Wood Coal
 Oil with _____ gallon storage which is Buried Above Ground Other _____

Age of Tank? _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____

Sewer System: **Yes** **No** **NA/UNK**
 Type: Public Private Community Other _____

◆ Does your sewer system have a lift station/lift pump?

If Private: Septic Tank Holding Tank Other: _____

Drain field System: Bed Trench Mound Pit Crib Other: _____

Innovative Sewer System Intermittent Sand Filter Biocycle Recirculating Upflow Filter
 Secondary Sewer Treatment Plant Other: _____

◆ Has the sewer system failed while you owned the property?

If Yes, explain: _____
 Age of sewer system: _____ Location: _____

◆ Have you had any work maintenance or inspections done on the sewer system during your ownership?

◆ If Yes, explain: _____

Approval/Certification source (and date if known): _____

◆ Are you aware of any abandoned sewer systems, leach fields, cribs, etc. on the property?.....

Water Supply:

Type: Public Private Community Cistern/Water Tank If Cistern/Water Tank: _____ Size
 Other _____

Provide Shared Well agreement if any

If Private: Well Depth: _____ feet. Flow Rate: _____ gallons per minute. Date Tested: _____

Have you had any problems with your water supply?.....

Has the water supply been tested in the past 12 months?.....

If Yes, attach all documentation from all tests.

Are you aware of any contaminants in your water supply, to include but not limited to E-coli, nitrates, heavy metals, arsenic or other contaminants?

Has the well failed while you have owned the property?.....

Have you ever had a well pump problem or failure?.....

Do you supply water to, or receive water from others?.....

If Yes, is there a recorded agreement?.....

Do you have a water rights certificate for this property?.....

Hot Water Heater:

Age: _____ years. Capacity: _____ gallons. Type: Gas Electric Other _____

.Roof or Other Leakage:

Type: Asphalt/Composition Shingle Cedar Shake Built-up Metal Other _____
 Age: _____ years. Location of attic access? _____

◆ Are you aware of any ice damming on the roof?

If Yes, provide location. _____

◆ Are you aware of any water leaking into the home? i.e., windows, lights, fireplace, etc.

◆ If Yes, provide location. _____

Fireplace and/or Woodstove: What type? _____ Electric _____ Gas _____ Wood _____ Pellet _____ Other? _____

Date chimney(s) last cleaned or serviced? _____ Who cleaned/serviced? _____
 years.

Freeze-ups:

➢ Have you had any frozen water lines, sewer lines, drains, or heating systems?.....

➢ If yes, please explain. _____

➢ Are there any heat tapes, heat lamps, or other freeze prevention devices?

➢ Location, and explain use. _____

Drainage:

◆ Are you aware of ever having any water in the crawl space, basement, or lower level?.....

◆ If Yes, how has the problem been resolved?
 Sump Pump(s) Curtain Drain Rain Gutter/Extension Other _____
 When was problem resolved? _____
 Location of each sump pump: _____

♥ To where does the water drain after it leaves the sump pump? _____
 If gutters, where do downspouts discharge? _____

◆ Is there a floor drain in the structure, including garage?.....

◆ If Yes, where is it located and where does it drain to? _____

Additional Information (Continued):

- | | Yes | No | NA/UNK |
|--|--------------------------|--------------------------|--------------------------|
| 1. To the best of your knowledge, has the property been inspected by an engineer/home inspector in the last 5 years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Are you aware of any deed, or other private restrictions on the use of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are you aware of any variances being applied for, or granted, on this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Are you aware of any easements on the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Encroachments:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 5. Does anything on your property encroach (extend) onto your neighbor's property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Does anything on your neighbor's property encroach onto your property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Environmental Concerns:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 7. Are you aware of any substances, materials, or products that may be an environmental hazard such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, contaminated soil, water or by-products from the production of methamphetamines on the subject property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are you aware of any mildew or mold issues affecting this property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Are you aware of any underground storage tanks on this property, other than previously referenced fuel? or septic tanks? Number of tanks:..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Are you aware if the property is in an avalanche zone/mudslide area?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Are you aware if the property has flooded? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Flood zone designation:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 12. Are you aware of any erosion/erosion zone or accretion affecting this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Are you aware of any damage to the property or any of the structures from flood, landslide, avalanche, high winds, fire, earthquake, or other natural causes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Have you ever filed an insurance claim for any environmental damage to the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Are you aware of a waste disposal site or a gravel pit within a one-mile radius of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Soil Stability:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 14. Are you aware of any debris burial or filling on any portion of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Are you aware of any permafrost or other soil problems which have caused settling, slippage, sliding, or heaving that affect the improvements of the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Are you aware of any drainage, or grading problems that affect this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Construction, Improvements/Remodel:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 17. Have you remodeled, made any room additions, structural modifications, or improvements?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, please describe. Was the work performed with necessary permits in compliance with building codes?..... | | | |
| b. Was a final inspection performed, if applicable?..... | | | |
| 18. Has a fire ever occurred in the structure?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Pest Control or Wood Destroying Organisms:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 19. Are you aware of any termites, ants, insects, squirrels, vermin, rodents, bed bugs etc. in the structure? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, when? _____ | | | |
| b. If Yes, what type? _____ | | | |
| c. If Yes, where? _____ | | | |
| d. If Yes, describe what was done to resolve the problem: _____ | | | |
| 20. Has there been damage in the past resulting from termites, ants, insects, squirrels, rodents, etc. in the structure?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, when? _____ | | | |
| b. If Yes, what type? _____ | | | |
| c. If Yes, where? _____ | | | |
| d. If Yes, describe what was done to resolve the problem: _____ | | | |

Other:

Yes No NA/UNK

- 21. Are you aware of any murder or suicide having occurred on the property within the preceding 3 years?.....
- 22. Are you aware of any human burial sites on the property?.....

Additional Information (Continued):

Noise

- a. Are you aware of any noise sources that may affect the property, including airplanes, trains, dogs, traffic, racetracks, neighbors, etc.?
- b. If Yes, explain: _____

Pets

- a. Have there been any pets/animals in the house?
- b. If Yes, ~~what kind~~ **how many and what type?** _____

I/We have completed this disclosure statement according to AS 34.70.010 - AS 34.70.200 and these instructions, and the statements are made in good faith and are true and correct to the best of my/our knowledge as of the date signed. I/We authorize any licensees involved or participating in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated transfer of the property or interest in the property.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer's Notice and Receipt of Copy

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.

The Buyer is urged to inspect the property carefully and to have the property inspected by an expert. Buyer understands that there are aspects of the property of which the Seller may not have knowledge and that this disclosure statement does not encompass those aspects. Buyer also acknowledges that ~~he/she~~ **they have** read and received a signed copy of this statement from the Seller or any licensee involved or participating in this transaction.

**Licensees are not responsible for an act, error, or omission on the part of the seller/s.
Licensees are not responsible for an act, error, or omission on the party of a buyer/s when the buyer/s choose not to have the property professionally inspected prior to purchase.**

Buyer: _____ Date: _____

Buyer: _____ Date: _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____



State of Alaska Residential Real Property Transfer Disclosure Statement

Exemption For First Sale

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

Legal Description: _____

Property Address/City: _____

Under AS 34.70.120, the first transfer of an interest in residential real property that has never been occupied is exempt from the requirement for the Seller to complete the Disclosure Statement.

Buyer may wish to obtain inspections of the property and seek other professional advice.



Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.



Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.



I certify that this is the first transfer of an interest in the property identified above and that the property has not been occupied before this transfer of interest.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer: _____ Date: _____

Buyer: _____ Date: _____

_____/_____/_____
Seller's Initials Date Property Address Buyer's Initials ____/____/____



State of Alaska Residential Real Property Transfer Disclosure Statement

Waiver By Agreement

AS 34.70.110

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

Legal Description: _____

Property Address/City: _____

Under AS 34.70.110, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Seller and Buyer agree in writing.

Parties may wish to obtain professional advice and/or inspection of the property.

It is recommended that the buyer read the complete State of Alaska Residential Real Property Transfer Disclosure Statement.

★ ★ ★ ★ ★ ★ ★ ★

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.

★ ★ ★ ★ ★ ★ ★ ★

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.

★ ★ ★ ★ ★ ★ ★ ★

By law, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Transferor (Seller) and the Transferee (Buyer) agree in writing. If both parties agree to waive the requirement to complete this disclosure statement, please sign below.

Signing this waiver does not affect other obligations for disclosure.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer: _____ Date: _____

Buyer: _____ Date: _____

_____/_____/_____
Seller's Initials Date Property Address Buyer's Initials Date

From: Kathi Johnson
To: [Consalo, Shyla M \(CED\)](#); [Regulations and Public Comment \(CED sponsored\)](#); [Gabe Stephan](#); ["Gina Bergt"](#)
Subject: FW: Notice of Proposed Regulations (Alaska Real Estate Commission - 12 AAC 64.930)
Date: Thursday, September 16, 2021 10:59:27 AM
Attachments: [REC-Notice-0921.pdf](#)

Dear Shyla,

Under Utilities:

Can we add a space for Security Alarms

_____ leased

_____ owned

Monthly fee for:

_____ Equipment Lease

_____ monthly monitoring fee

Cordially,

Kathi Johnson (907) 762-3123 auto forwards to cell kathi@kathijohnson.net
The Johnson Group, a family business at Jack White Real Estate

From: Regulations and Public Comment (CED sponsored)
<regulationsandpubliccomment@alaska.gov>
Sent: Thursday, September 16, 2021 10:20 AM
Subject: Notice of Proposed Regulations (Alaska Real Estate Commission - 12 AAC 64.930)

Dear Licensee,

The Alaska Real Estate Commission proposes to update the residential real property transfer disclosure statement form.

Attached are copies of the public notice and draft of the proposed regulation changes.

Thank you,
Alaska Real Estate Commission

From: Jorge I. Acosta
To: [Consalo, Shyla M \(CED\); Regulations and Public Comment \(CED sponsored\)](#)
Subject: RE: Feedback for Proposed property disclosure updates
Date: Thursday, September 16, 2021 11:35:48 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Ohh, OK, PHEW!

Other than the silly formatting errors I noticed, the changes are welcomed!

Respectfully,

Jorge I. Acosta

REALTOR®



email: 907HomesByJorge@gmail.com

mobile: (907) 792-9677 | phone: (907) 865-4700

RE/MAX Dynamic Properties , 3350 Midtown Place, Anchorage, AK 99503

From: Consalo, Shyla M (CED) <shyla.consalo@alaska.gov>
Sent: Thursday, September 16, 2021 11:35
To: 907HomesByJorge@gmail.com; Regulations and Public Comment (CED sponsored)
<regulationsandpubliccomment@alaska.gov>
Subject: RE: Feedback for Proposed property disclosure updates

Thank you for your input, Jorge. I will present this to the Commission for consideration once the public comment period has ended. Just to note, the draft form is not formatted the way it would ultimately look – the changes were made via the edit function in Adobe, so alignment and spacing was affected. The formatting of the form will be completed by our publication specialist at the end of this process, after any changes are finalized and approved by the Commission.

Shyla Consalo
Executive Administrator
Alaska Real Estate Commission
550 W. 7th Ave., Suite 1500
Anchorage, AK 99501

****PLEASE NOTE: We cannot accept applications or payments via email for security reasons. Please turn applications & payments in via in-person drop-off, courier service, or mail (USPS, FEDEX, UPS, ect.). Thank you****

From: Jorge I. Acosta [<mailto:907homesbyjorge@gmail.com>]
Sent: Thursday, September 16, 2021 11:26 AM
To: Regulations and Public Comment (CED sponsored) <regulationsandpubliccomment@alaska.gov>
Cc: Consalo, Shyla M (CED) <shyla.consalo@alaska.gov>
Subject: Feedback for Proposed property disclosure updates

Shyla,

Thank Please find the attached DRAFT Residential Real Property Transfer Disclosure Statement. I have made some highlights and each highlight should have a comment associated with it.

Sincerely,



Jorge I. Acosta
REALTOR® | RE/MAX Dynamic Properties

M (907) 792-9677 | **P** (907) 865-4700
E 907HomesByJorge@gmail.com

3350 Midtown Place, Anchorage, AK, 99503
dynamic-properties-anchorage-ak.remax.com/



RE/MAX
Dynamic Properties

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State of Alaska Residential Real Property Transfer Disclosure Statement

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

General Information

AS 34.70.010 requires that before **the a** Transferee/Buyer (hereafter referred to as Buyer) of an interest in residential real property makes a written offer of residential real property, the Transferor/Seller (hereafter referred to as Seller) must deliver a completed written disclosure form. This disclosure statement is in compliance with AS 34.70.010. It concerns the residential real property* located in the _____ Recording District, Judicial District, State of Alaska.

Legal Description: _____

Property Address/City/Other: _____

*Residential real property means any single-family dwelling, or two single family dwelling units under one roof, or any individual unit in a multi-unit structure or common interest ownership community whose primary purpose is to provide housing. AS 34.70.200(2) and (3).

Exemption for First Sale: Under AS 34.70.120, the first transfer of an interest in residential real property that has never been occupied is exempt from the requirement for the Seller to complete the Disclosure Statement.

Waiver by Agreement: Under AS 34.70.110, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Seller and Buyer agree in writing. Signing this waiver does not affect other obligations for disclosure.

Violation or Failure to Comply: A person who negligently violates or fails to perform a duty required by AS 34.70.010 - AS 34.70.200 is liable to the Buyer for actual damages suffered by the Buyer as a result of the violation or failure. If the person willfully violates or fails to perform a duty required by AS 34.70.010 - AS 34.70.200, the Seller is liable to the Buyer for up to three times the actual damages. In addition to the damages, a court may also award the Buyer costs and attorney fees to the extent allowed under the rules of court.

AS 34.70.020 provides that if a disclosure statement or material amendment is delivered to the transferee after the transferee has made a written offer, the transferee may terminate the offer by delivering a written notice of termination to the transferor or the transferor's licensee within three days after the disclosure statement or amendment is delivered in person or within six days after the disclosure statement or amendment is delivered by deposit in the mail.

AS 34.70.040(b) provides that if an item that must be completed in the disclosure statement is unknown or is unavailable to the Seller, and if the Seller or Seller's agent licensee has made a reasonable effort to ascertain the information, the Seller may make an approximation based on the best information available to the Seller or Seller's agent licensee. It must be reasonable, clearly labeled as an approximation, and not used to avoid the disclosure requirements of AS 34.70.010 – AS 34.70.200.

All disclosures made in this statement are required to be made in good faith (AS 34.70.060). The Seller is required to **must** disclose defects or other conditions in the real property, or the real property interest being transferred. **The Seller To comply, disclosure does not need not include** a search of the public records, nor does it require a professional inspection of the property.

If the information supplied in this disclosure statement becomes inaccurate as a result of an act or agreement after the disclosure statement is delivered to the Buyer, the Seller is required to deliver an amendment to the disclosure statement to the Buyer. An addendum/amendment form for that purpose may be attached to this disclosure statement.

Upon delivery to a buyer, any inspection/reports generated by a purchase agreement of this property automatically **becomes an addendum/amendment to the property disclosure.**

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____

Seller's Information Regarding Property

Property Type (check one):

- Single Family Zero Lot Line/Town House Condominium Townhome/PUD
 Duplex (Including Single Family with an Apartment)
 Other (please specify) _____

Do you currently occupy the property? Yes No If Yes, how long? _____

If not a **the** current occupant, have you ever occupied the property? Yes No If so, when? _____

Year Property Built: _____. **If property was built prior to 1978, or if Seller has any knowledge of lead-based paint, Seller must complete Disclosure of Information and Acknowledgment of Lead-based Paint and/or Lead-based Paint Hazards** in accordance with Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (also known as Title X) and provide Buyer with the "Protect Your Family From Lead in Your Home" pamphlet. The pamphlet can be found on the Internet at <http://www.epa.gov/lead/leadprot.htm>.

Construction Overview: Wood Frame Manufactured Modular Other: _____

Foundation: Masonry Block Poured Concrete Piling Treated Wood Other: _____

Name of original builder (if known): _____

Property Features: *(This section has been alphabetized)*

Check all items that are built in and will remain with the property. **Also . . .**

Circle those checked items that have known defects or malfunctions. **Also . . .**

Describe the defect or malfunction on the Addendum/Amendment(s) to the Disclosure Statement.

- | | | |
|---|---|--|
| <input type="checkbox"/> Auto Garage Door Opener(s) # of _____ | <input type="checkbox"/> Hot Tub <input type="checkbox"/> Cover | <input type="checkbox"/> Smoke Detector(s) # of _____ |
| <input type="checkbox"/> Built-In Barbecue | <input type="checkbox"/> Instant Hot Water Dispenser | <input type="checkbox"/> Steam Shower Room |
| <input type="checkbox"/> Central Vacuum Installed | <input type="checkbox"/> Intercom | <input type="checkbox"/> Storage Shed(s) # of _____ |
| <input type="checkbox"/> CO Detector(s) # of _____ | <input type="checkbox"/> Jetted Tub | <input type="checkbox"/> Trash Compactor(s) # of _____ |
| <input type="checkbox"/> Cooktop(s) # of _____ | <input type="checkbox"/> Microwave(s) # of _____ | <input type="checkbox"/> T.V. Antenna |
| <input type="checkbox"/> Dishwasher(s) # of _____ | <input type="checkbox"/> Oven(s) # of _____ | <input type="checkbox"/> Water Filtering System |
| <input type="checkbox"/> Fire Alarms | <input type="checkbox"/> Paddle Fan(s) # of _____ | <input type="checkbox"/> Water Softener |
| <input type="checkbox"/> Freezer(s) # of _____ | <input type="checkbox"/> Built-In Refrigerator(s) # of _____ | <input type="checkbox"/> Window Screens |
| <input type="checkbox"/> Garbage Disposal | <input type="checkbox"/> Rods & Blinds | <input type="checkbox"/> Wood Stove(s) # of _____ |
| <input type="checkbox"/> Greenhouse <input type="checkbox"/> Attached <input type="checkbox"/> Detached | <input type="checkbox"/> Satellite Dish | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Ventilating System | <input type="checkbox"/> Security System | |
| <input type="checkbox"/> Heating System | | |

Comments: _____

Structural Components:

Check only those items that have known defects, malfunctions, or have had major repairs performed within the last five years.

Also . . . Check items that need replaced/repaired

- | | | | | |
|---|---|--|--|---|
| <input type="checkbox"/> Fences/Gates | <input type="checkbox"/> Rain Gutters | <input type="checkbox"/> Insulation | <input type="checkbox"/> Electrical Systems | <input type="checkbox"/> Electronic Air Cleaner |
| <input type="checkbox"/> Driveways | <input type="checkbox"/> Exterior Walls | <input type="checkbox"/> Woodstove(s) # of _____ | <input type="checkbox"/> Sewage Systems | <input type="checkbox"/> Heat Recovery |
| <input type="checkbox"/> Private Walkways | <input type="checkbox"/> Interior Walls | <input type="checkbox"/> Fireplace(s) # of _____ | <input type="checkbox"/> Water Supply | <input type="checkbox"/> Ventilator System |
| <input type="checkbox"/> Retaining Walls | <input type="checkbox"/> Floors | <input type="checkbox"/> Gas Starter | <input type="checkbox"/> Garage | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Foundation | <input type="checkbox"/> Ceilings | <input type="checkbox"/> Chimneys | <input type="checkbox"/> Garage Floor Drain | <input type="checkbox"/> Mechanical |
| <input type="checkbox"/> Crawl Space | <input type="checkbox"/> Doors | <input type="checkbox"/> Plumbing Systems | <input type="checkbox"/> Carport | <input type="checkbox"/> Filtration |
| <input type="checkbox"/> Roof | <input type="checkbox"/> Windows | <input type="checkbox"/> Heating Systems | <input type="checkbox"/> Washer/Dryer Hook-ups | <input type="checkbox"/> Pool Cover |
| <input type="checkbox"/> Patio/Decking | <input type="checkbox"/> Skylights | <input type="checkbox"/> Solar Panels | <input type="checkbox"/> Humidifier | <input type="checkbox"/> Pool Cover |
| <input type="checkbox"/> Slabs | <input type="checkbox"/> Venting | <input type="checkbox"/> Wind Generators | <input type="checkbox"/> Air Conditioner | <input type="checkbox"/> Hot Water Heater |

Describe the defect, malfunction, or repair on the Addendum/Amendment(s) To The Disclosure Statement. _____

Describe other items not covered above? _____

Comments: _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____

Documentation: Check the documents for the subject property that the seller has available for review:

- | | | |
|---|---|--|
| <input type="checkbox"/> Engineer/Property/Home | <input type="checkbox"/> Written Agreement with Adjacent Property Owner | <input type="checkbox"/> Party Wall Agreement |
| <input type="checkbox"/> Inspection Report(s) | <input type="checkbox"/> Energy Rating Certificate | <input type="checkbox"/> Lease/Rental Agreement |
| <input type="checkbox"/> Title Information | <input type="checkbox"/> PUR-101 | <input type="checkbox"/> Soil Tests |
| <input type="checkbox"/> As-Built Survey | <input type="checkbox"/> Resale Certificate | <input type="checkbox"/> Well Log & Water Tests |
| <input type="checkbox"/> Certificate of Occupancy | <input type="checkbox"/> Deed Restrictions | <input type="checkbox"/> Hazardous Materials Test(s) |
| <input type="checkbox"/> PUR-102 | <input type="checkbox"/> Water Rights Certificate | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Subdivision Covenants/Restrictions | <input type="checkbox"/> Other: _____ | |

Supply information for the following items:

Average Annual-Monthly Utility Costs:

Utility History Attached.

Gas	\$ _____	<input type="checkbox"/>	Company/Source: _____
Electric	\$ _____	<input type="checkbox"/>	Company/Source: _____
Oil	\$ _____ /Gallons: _____	<input type="checkbox"/>	Company/Source: _____
Propane	\$ _____	<input type="checkbox"/>	Company/Source: _____
Wood	\$ _____	<input type="checkbox"/>	Company/Source: _____
Coal	\$ _____	<input type="checkbox"/>	Company/Source: _____
Water	\$ _____	<input type="checkbox"/>	Company/Source: _____
Sewer	\$ _____	<input type="checkbox"/>	Company/Source: _____
Refuse	\$ _____	<input type="checkbox"/>	Company/Source: _____
Other	\$ _____	<input type="checkbox"/>	Company/Source: _____

Additional Information:

To the best of your knowledge, are you aware of any of the following conditions with respect to the subject property? If answer is "Yes," indicate the relevant item number and explain the condition on the Addendum/Amendment(s) to the Disclosure Statement.

- | | Yes | No | NA/UNK |
|---|--------------------------|--------------------------|--------------------------|
| 1. Title: | | | |
| 2. Do you know of any existing, pending, or potential legal action(s) concerning the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Do you know of any street or utility improvements planned that will affect the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Road maintenance provided by? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Is the property currently rented or leased? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If Yes, expiration date: _____ / _____ / _____ | | | |
| 5. Is there a homeowner's association (HOA) for the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If Yes, HOA name: _____ HOA Telephone: _____ | | | |
| <input type="checkbox"/> Mandatory <input type="checkbox"/> Voluntary <input type="checkbox"/> Inactive Monthly Dues Amount: \$ _____ per _____ | | | |
| Are there any levied or pending assessments?..... <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA/UNK | | | |
| Who is responsible for issuing the resale certificate? | | | |
| Name: _____ Telephone: _____ | | | |

Setbacks/Restrictions:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 1. Have you been notified of any proposed zoning changes for the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Are you aware of features of the property shared in common with adjoining property owners, such as | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. walls, fences, and driveways, whose use or responsibility for maintenance may affect the property?.. | | | |
| 3. Are there subdivision conditions, covenants, or restrictions? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Are you aware of any violations of building codes, zoning, setback requirements, subdivision covenants, borough, or city restrictions on this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Are you aware of any nonconforming uses of this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Heating System(s):

Mark all types that apply: Hot Water Baseboard Forced Air Radiant Heat Electrical Heat
 Wood Stove Other _____

Age: _____ years. Last Cleaned: _____ Last Inspected: _____

Source: Natural Gas Electric Propane Tank leased or owned? Wood Coal
 Oil with _____ gallon storage which is Buried Above Ground Other _____

Age of Tank? _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____

Sewer System: Type: Public Private Community Other _____ **Yes No NA/UNK**

◆ Does your sewer system have a lift station/lift pump?

If Private: Septic Tank Holding Tank Other: _____

Drain field System: Bed Trench Mound Pit Crib Other: _____

Innovative Sewer System Intermittent Sand Filter Biocycle Recirculating Upflow Filter

Secondary Sewer Treatment Plant Other: _____

◆ Has the sewer system failed while you owned the property?

If Yes, explain: _____

Age of sewer system: _____ Location: _____

◆ Have you had any work maintenance or inspections done on the sewer system during your ownership?

◆ If Yes, explain: _____

Approval/Certification source (and date if known): _____

◆ Are you aware of any abandoned sewer systems, leach fields, cribs, etc. on the property?.....

Water Supply: Type: Public Private Community Cistern/Water Tank If Cistern/Water Tank: _____ Size Other _____

Provide Shared Well agreement if any

If Private: Well Depth: _____ feet. Flow Rate: _____ gallons per minute. Date Tested: _____ .

Have you had any problems with your water supply?.....

Has the water supply been tested in the past 12 months?.....

If Yes, attach all documentation from all tests.

Are you aware of any contaminants in your water supply, to include but not limited to E-coli, nitrates, heavy metals, arsenic or other contaminants?

Has the well failed while you have owned the property?.....

Have you ever had a well pump problem or failure?.....

Do you supply water to, or receive water from others?.....

If Yes, is there a recorded agreement?.....

Do you have a water rights certificate for this property?.....

Hot Water Heater: Age: _____ years. Capacity: _____ gallons. Type: Gas Electric Other _____

.Roof or Other Leakage: Type: Asphalt/Composition Shingle Cedar Shake Built-up Metal Other _____

Age: _____ years. Location of attic access? _____

◆ Are you aware of any ice damming on the roof?

If Yes, provide location. _____

◆ Are you aware of any water leaking into the home? i.e., windows, lights, fireplace, etc.

◆ If Yes, provide location. _____

Fireplace and/or Woodstove: What type? _____ Electric _____ Gas _____ Wood _____ Pellet _____ Other? _____

Date chimney(s) last cleaned or serviced? _____ Who cleaned/serviced? _____

years.

Freeze-ups:

➤ Have you had any frozen water lines, sewer lines, drains, or heating systems?.....

➤ If If yes, please explain. _____

➤ Are there any heat tapes, heat lamps, or other freeze prevention devices?

➤ Location, and explain use. _____

Drainage:

◆ Are you aware of ever having any water in the crawl space, basement, or lower level?.....

◆ If Yes, how has the problem been resolved?

Sump Pump(s) Curtain Drain Rain Gutter/Extension Other _____

When was problem resolved? _____

Location of each sump pump: _____

♥ To where does the water drain after it leaves the sump pump? _____

If gutters, where do downspouts discharge? _____

◆ Is there a floor drain in the structure, including garage?.....

◆ If Yes, where is it located and where does it drain to? _____

Additional Information (Continued):

- | | Yes | No | NA/UNK |
|--|--------------------------|--------------------------|--------------------------|
| 1. To the best of your knowledge, has the property been inspected by an engineer/home inspector in the last 5 years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Are you aware of any deed, or other private restrictions on the use of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are you aware of any variances being applied for, or granted, on this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Are you aware of any easements on the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Encroachments:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 5. Does anything on your property encroach (extend) onto your neighbor's property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Does anything on your neighbor's property encroach onto your property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Environmental Concerns:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 7. Are you aware of any substances, materials, or products that may be an environmental hazard such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, contaminated soil, water or by-products from the production of methamphetamines on the subject property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are you aware of any mildew or mold issues affecting this property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Are you aware of any underground storage tanks on this property, other than previously referenced fuel? or septic tanks? Number of tanks:..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Are you aware if the property is in an avalanche zone/mudslide area?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Are you aware if the property has flooded? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Flood zone designation:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 12. Are you aware of any erosion/erosion zone or accretion affecting this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Are you aware of any damage to the property or any of the structures from flood, landslide, avalanche, high winds, fire, earthquake, or other natural causes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Have you ever filed an insurance claim for any environmental damage to the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Are you aware of a waste disposal site or a gravel pit within a one-mile radius of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Soil Stability:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 14. Are you aware of any debris burial or filling on any portion of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Are you aware of any permafrost or other soil problems which have caused settling, slippage, sliding, or heaving that affect the improvements of the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Are you aware of any drainage, or grading problems that affect this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Construction, Improvements/Remodel:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 17. Have you remodeled, made any room additions, structural modifications, or improvements?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, please describe. Was the work performed with necessary permits in compliance with building codes?..... | | | |
| b. Was a final inspection performed, if applicable?..... | | | |
| 18. Has a fire ever occurred in the structure?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Pest Control or Wood Destroying Organisms:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 19. Are you aware of any termites, ants, insects, squirrels, vermin, rodents, bed bugs etc. in the structure? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, when? _____ | | | |
| b. If Yes, what type? _____ | | | |
| c. If Yes, where? _____ | | | |
| d. If Yes, describe what was done to resolve the problem: _____ | | | |
| 20. Has there been damage in the past resulting from termites, ants, insects, squirrels, rodents, etc. in the structure?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, when? _____ | | | |
| b. If Yes, what type? _____ | | | |
| c. If Yes, where? _____ | | | |
| d. If Yes, describe what was done to resolve the problem: _____ | | | |

Other:

Yes No NA/UNK

- 21. Are you aware of any murder or suicide having occurred on the property within the preceding 3 years?.....
- 22. Are you aware of any human burial sites on the property?.....

Additional Information (Continued):

Noise

- a. Are you aware of any noise sources that may affect the property, including airplanes, trains, dogs, traffic, racetracks, neighbors, etc.?
- b. If Yes, explain: _____

Pets

- a. Have there been any pets/animals in the house?
- b. If Yes, what kind how many and what type? _____

I/We have completed this disclosure statement according to AS 34.70.010 - AS 34.70.200 and these instructions, and the statements are made in good faith and are true and correct to the best of my/our knowledge as of the date signed. I/We authorize any licensees involved or participating in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated transfer of the property or interest in the property.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer's Notice and Receipt of Copy

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.

The Buyer is urged to inspect the property carefully and to have the property inspected by an expert. Buyer understands that there are aspects of the property of which the Seller may not have knowledge and that this disclosure statement does not encompass those aspects. Buyer also acknowledges that he/she they have has read and received a signed copy of this statement from the Seller or any licensee involved or participating in this transaction.

Licensees are not responsible for an act, error, or omission on the part of the seller/s.
Licensees are not responsible for an act, error, or omission on the party of a buyer/s when the buyer/s choose not to have the property professionally inspected prior to purchase.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____



State of Alaska Residential Real Property Transfer Disclosure Statement

Exemption For First Sale

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

Legal Description: _____

Property Address/City: _____

Under AS 34.70.120, the first transfer of an interest in residential real property that has never been occupied is exempt from the requirement for the Seller to complete the Disclosure Statement.

Buyer may wish to obtain inspections of the property and seek other professional advice.



Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.



Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.



I certify that this is the first transfer of an interest in the property identified above and that the property has not been occupied before this transfer of interest.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer: _____ Date: _____

Buyer: _____ Date: _____

_____/_____/_____
Seller's Initials Date Property Address Buyer's Initials ____/____/____



State of Alaska Residential Real Property Transfer Disclosure Statement

Waiver By Agreement

AS 34.70.110

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

Legal Description: _____

Property Address/City: _____

Under AS 34.70.110, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Seller and Buyer agree in writing.

Parties may wish to obtain professional advice and/or inspection of the property.

It is recommended that the buyer read the complete State of Alaska Residential Real Property Transfer Disclosure Statement.



Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.



Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.



By law, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Transferor (Seller) and the Transferee (Buyer) agree in writing. If both parties agree to waive the requirement to complete this disclosure statement, please sign below.

Signing this waiver does not affect other obligations for disclosure.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer: _____ Date: _____

Buyer: _____ Date: _____

_____/_____/_____
Seller's Initials Date Property Address Buyer's Initials Date

From: Margaret Nelson
To: [Regulations and Public Comment \(CED sponsored\): Consalo, Shyla M \(CED\)](#)
Subject: Public comment - proposed new property disclosure form - suggested changes, additions
Date: Monday, September 20, 2021 2:16:45 PM

Dear Real Estate Commission:

I recommend the following changes to your proposed new property disclosure form.

*On page 3 Heating System add "on demand heating" as an option

*On Page 4 add a number 6 and ask if the access is via shared driveway and if so provide a copy of the shared driveway or access agreement.

*On Page 4 Many developers are using community wells. I believe it would be clearer if you used the words: Provide Shared Well/Community Well Agreement/Information, if any.

*Finally, on page 6 the additional box in red strike the words "on the part of" and add the word "by" so it reads: "Licensees are not responsible for an act, error, or omission by the seller/s. Licensees are not responsible for an act, error, or omission by the buyer/s when the buyer/s choose not to have the property professionally inspected prior to purchase."

Thank you for your consideration.

Margaret

Margaret Nelson, Broker

Denali Real Estate

of Rose Capital, Inc.

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(907)632-4594

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From: Debbie Lewis
To: [Consalo, Shyla M \(CED\)](#); [commerce-rec](#); [Regulations and Public Comment \(CED sponsored\)](#)
Subject: Re: [commerce-rec] News from the Real Estate Commission
Date: Monday, September 20, 2021 8:14:43 PM
Attachments: [REC-Notice-0921 \(005\)\[1\].pdf](#)

Hi,

I just highlighted a couple of items that I think need to be reworded or corrected on the attached document. I highlighted the areas in blue.

Page 1 – wording?

The Seller To comply, disclosure **does not** need **not** include a search of the public records, nor does it require a professional inspection of the property.

Page 2 – Are these items supposed to be indented?

Ventilating System
Heating System

Page 6 – spelling?

Page 6 -Licensees are not responsible for an act, error, or omission on the party of a buyer/s when the buyer/s choose not to have the property professionally inspected prior to purchase.

I am not sure that I understand this statement. Is this saying that if the Buyer has a property inspection, we could be responsible for any errors or omissions.

Sincerely,

Debbie Lewis

Associate Broker

Re/Max of Juneau

907 321-3076

debbielewis@gci.net

www.debbielewis.realtor

From: "Consalo, Shyla M (CED)" <shyla.consalo@alaska.gov>

Date: Monday, September 20, 2021 at 1:41 PM

To: commerce-rec <commerce-rec@list.state.ak.us>

Subject: [commerce-rec] News from the Real Estate Commission

Welcome to the Alaska Real Estate Commission List Serv

This List Serv was established as a tool for the Commission to provide real estate licensees with information pertinent to the practice of real estate in Alaska.

-
Real Estate Commission Regulation Changes

The Real Estate Commission proposes to make changes to the Residential Real Property Transfer Disclosure Statement under 12 AAC 64.930. The proposed changes are attached for your reference, and are also available on the Commission website. Written comment for these changes must be submitted by October 21, 2021. Instructions on how to submit written comments are provided in the attached notice.

Contact Us

We appreciate your understanding and patience during these uncertain and ever-changing circumstances. Please visit the REC website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateCommission.aspx> for more information.

Alaska Real Estate Commission
550 W 7th Ave., Suite 1500
Anchorage, AK 99501
Phone: (907) 269-8160
Fax: (907) 269-8196
Office Hours: Monday - Friday, 7:30 a.m. to 4:30 p.m.

List Name: commerce-rec@list.state.ak.us
You subscribed as: debbielewis@gci.net
Unsubscribe at: <https://list.state.ak.us/mailman/options/commerce-rec/debbielewis%40gci.net>



State of Alaska Residential Real Property Transfer Disclosure Statement

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

General Information

AS 34.70.010 requires that before ~~the a~~ Transferee/Buyer (hereafter referred to as Buyer) of an interest in residential real property makes a written offer of residential real property, the Transferor/Seller (hereafter referred to as Seller) must deliver a completed written disclosure form. This disclosure statement is in compliance with AS 34.70.010. It concerns the residential real property* located in the _____ Recording District, Judicial District, State of Alaska.

Legal Description: _____

Property Address/City/Other: _____

*Residential real property means any single-family dwelling, or two single family dwelling units under one roof, or any individual unit in a multi-unit structure or common interest ownership community whose primary purpose is to provide housing. AS 34.70.200(2) and (3).

Exemption for First Sale: Under AS 34.70.120, the first transfer of an interest in residential real property that has never been occupied is exempt from the requirement for the Seller to complete the Disclosure Statement.

Waiver by Agreement: Under AS 34.70.110, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Seller and Buyer agree in writing. Signing this waiver does not affect other obligations for disclosure.

Violation or Failure to Comply: A person who negligently violates or fails to perform a duty required by AS 34.70.010 - AS 34.70.200 is liable to the Buyer for actual damages suffered by the Buyer as a result of the violation or failure. If the person willfully violates or fails to perform a duty required by AS 34.70.010 - AS 34.70.200, the Seller is liable to the Buyer for up to three times the actual damages. In addition to the damages, a court may also award the Buyer costs and attorney fees to the extent allowed under the rules of court.

AS 34.70.020 provides that if a disclosure statement or material amendment is delivered to the transferee after the transferee has made a written offer, the transferee may terminate the offer by delivering a written notice of termination to the transferor or the transferor's licensee within three days after the disclosure statement or amendment is delivered in person or within six days after the disclosure statement or amendment is delivered by deposit in the mail.

AS 34.70.040(b) provides that if an item that must be completed in the disclosure statement is unknown or is unavailable to the Seller, and if the Seller or Seller's agent licensee has made a reasonable effort to ascertain the information, the Seller may make an approximation based on the best information available to the Seller or Seller's agent licensee. It must be reasonable, clearly labeled as an approximation, and not used to avoid the disclosure requirements of AS 34.70.010 – AS 34.70.200.

All disclosures made in this statement are required to be made in good faith (AS 34.70.060). The Seller is required to **must** disclose defects or other conditions in the real property, or the real property interest being transferred. ~~The Seller To comply, disclosure does not need not~~ include a search of the public records, nor does it require a professional inspection of the property.

If the information supplied in this disclosure statement becomes inaccurate as a result of an act or agreement after the disclosure statement is delivered to the Buyer, the Seller is required to deliver an amendment to the disclosure statement to the Buyer. An addendum/amendment form for that purpose may be attached to this disclosure statement.

Upon delivery to a buyer, any inspection/reports generated by a purchase agreement of this property automatically becomes an addendum/amendment to the property disclosure.

Seller's Information Regarding Property

Property Type (check one):

- Single Family Zero Lot Line/Town House Condominium Townhome/PUD
 Duplex (Including Single Family with an Apartment)
 Other (please specify) _____

Do you currently occupy the property? Yes No If Yes, how long? _____

If not a **the** current occupant, have you ever occupied the property? Yes No If so, when? _____

Year Property Built: _____. If property was built prior to 1978, or if Seller has any knowledge of lead-based paint, Seller must complete Disclosure of Information and Acknowledgment of Lead-based Paint and/or Lead-based Paint Hazards in accordance with Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (also known as Title X) and provide Buyer with the "Protect Your Family From Lead in Your Home" pamphlet. The pamphlet can be found on the Internet at <http://www.epa.gov/lead/leadprot.htm>.

Construction Overview: Wood Frame Manufactured Modular Other: _____

Foundation: Masonry Block Poured Concrete Piling Treated Wood Other: _____

Name of original builder (if known): _____

Property Features: *(This section has been alphabetized)*

Check all items that are built in and will remain with the property. **Also . . .**

Circle those checked items that have known defects or malfunctions. **Also . . .**

Describe the defect or malfunction on the Addendum/Amendment(s) to the Disclosure Statement.

- | | | |
|---|---|--|
| <input type="checkbox"/> Auto Garage Door Opener(s) # of _____ | <input type="checkbox"/> Hot Tub <input type="checkbox"/> Cover | <input type="checkbox"/> Smoke Detector(s) # of _____ |
| <input type="checkbox"/> Built-In Barbecue | <input type="checkbox"/> Instant Hot Water Dispenser | <input type="checkbox"/> Steam Shower Room |
| <input type="checkbox"/> Central Vacuum Installed | <input type="checkbox"/> Intercom | <input type="checkbox"/> Storage Shed(s) # of _____ |
| <input type="checkbox"/> CO Detector(s) # of _____ | <input type="checkbox"/> Jetted Tub | <input type="checkbox"/> Trash Compactor(s) # of _____ |
| <input type="checkbox"/> Cooktop(s) # of _____ | <input type="checkbox"/> Microwave(s) # of _____ | <input type="checkbox"/> T.V. Antenna |
| <input type="checkbox"/> Dishwasher(s) # of _____ | <input type="checkbox"/> Oven(s) # of _____ | <input type="checkbox"/> Water Filtering System |
| <input type="checkbox"/> Fire Alarms | <input type="checkbox"/> Paddle Fan(s) # of _____ | <input type="checkbox"/> Water Softener |
| <input type="checkbox"/> Freezer(s) # of _____ | <input type="checkbox"/> Built-In Refrigerator(s) # of _____ | <input type="checkbox"/> Window Screens |
| <input type="checkbox"/> Garbage Disposal | <input type="checkbox"/> Rods & Blinds | <input type="checkbox"/> Wood Stove(s) # of _____ |
| <input type="checkbox"/> Greenhouse <input type="checkbox"/> Attached <input type="checkbox"/> Detached | <input type="checkbox"/> Satellite Dish | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Venting System | <input type="checkbox"/> Security System | |
| <input type="checkbox"/> Heating System | | |

Comments: _____

Structural Components:

Check only those items that have known defects, malfunctions, or have had major repairs performed within the last five years.

Also . . . Check items that need replaced/repared

- | | | | | |
|---|---|--|--|---|
| <input type="checkbox"/> Fences/Gates | <input type="checkbox"/> Rain Gutters | <input type="checkbox"/> Insulation | <input type="checkbox"/> Electrical Systems | <input type="checkbox"/> Electronic Air Cleaner |
| <input type="checkbox"/> Driveways | <input type="checkbox"/> Exterior Walls | <input type="checkbox"/> Woodstove(s) # of _____ | <input type="checkbox"/> Sewage Systems | <input type="checkbox"/> Heat Recovery |
| <input type="checkbox"/> Private Walkways | <input type="checkbox"/> Interior Walls | <input type="checkbox"/> Fireplace(s) # of _____ | <input type="checkbox"/> Water Supply | <input type="checkbox"/> Ventilator System |
| <input type="checkbox"/> Retaining Walls | <input type="checkbox"/> Floors | <input type="checkbox"/> Gas Starter | <input type="checkbox"/> Garage | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Foundation | <input type="checkbox"/> Ceilings | <input type="checkbox"/> Chimneys | <input type="checkbox"/> Garage Floor Drain | <input type="checkbox"/> Mechanical |
| <input type="checkbox"/> Crawl Space | <input type="checkbox"/> Doors | <input type="checkbox"/> Plumbing Systems | <input type="checkbox"/> Carport | <input type="checkbox"/> Filtration |
| <input type="checkbox"/> Roof | <input type="checkbox"/> Windows | <input type="checkbox"/> Heating Systems | <input type="checkbox"/> Washer/Dryer Hook-ups | <input type="checkbox"/> Pool Cover |
| <input type="checkbox"/> Patio/Decking | <input type="checkbox"/> Skylights | <input type="checkbox"/> Solar Panels | <input type="checkbox"/> Humidifier | <input type="checkbox"/> Pool Cover |
| <input type="checkbox"/> Slabs | <input type="checkbox"/> Venting | <input type="checkbox"/> Wind Generators | <input type="checkbox"/> Air Conditioner | <input type="checkbox"/> Hot Water Heater |

Describe the defect, malfunction, or repair on the Addendum/Amendment(s) To The Disclosure Statement. _____

Describe other items not covered above? _____

Comments: _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____

Documentation: Check the documents for the subject property that the seller has available for review:

- | | | |
|---|---|--|
| <input type="checkbox"/> Engineer/Property/Home | <input type="checkbox"/> Written Agreement with Adjacent Property Owner | <input type="checkbox"/> Party Wall Agreement |
| <input type="checkbox"/> Inspection Report(s) | <input type="checkbox"/> Energy Rating Certificate | <input type="checkbox"/> Lease/Rental Agreement |
| <input type="checkbox"/> Title Information | <input type="checkbox"/> PUR-101 | <input type="checkbox"/> Soil Tests |
| <input type="checkbox"/> As-Built Survey | <input type="checkbox"/> Resale Certificate | <input type="checkbox"/> Well Log & Water Tests |
| <input type="checkbox"/> Certificate of Occupancy | <input type="checkbox"/> Deed Restrictions | <input type="checkbox"/> Hazardous Materials Test(s) |
| <input type="checkbox"/> PUR-102 | <input type="checkbox"/> Water Rights Certificate | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Subdivision Covenants/Restrictions | <input type="checkbox"/> Other: _____ | |

○ **Supply information for the following items:**

Average Annual-Monthly Utility Costs:

Utility History Attached.

Gas	\$ _____	<input type="checkbox"/>	Company/Source: _____
Electric	\$ _____	<input type="checkbox"/>	Company/Source: _____
Oil	\$ _____ /Gallons: _____	<input type="checkbox"/>	Company/Source: _____
Propane	\$ _____	<input type="checkbox"/>	Company/Source: _____
Wood	\$ _____	<input type="checkbox"/>	Company/Source: _____
Coal	\$ _____	<input type="checkbox"/>	Company/Source: _____
Water	\$ _____	<input type="checkbox"/>	Company/Source: _____
Sewer	\$ _____	<input type="checkbox"/>	Company/Source: _____
Refuse	\$ _____	<input type="checkbox"/>	Company/Source: _____
Other	\$ _____	<input type="checkbox"/>	Company/Source: _____

Additional Information:

To the best of your knowledge, are you aware of any of the following conditions with respect to the subject property? If answer is "Yes," indicate the relevant item number and explain the condition on the Addendum/Amendment(s) to the Disclosure Statement.

	Yes	No	NA/UNK
1. Title:			
2. Do you know of any existing, pending, or potential legal action(s) concerning the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Do you know of any street or utility improvements planned that will affect the property?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Road maintenance provided by? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Is the property currently rented or leased?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, expiration date: _____ / _____ / _____			
5. Is there a homeowner's association (HOA) for the property?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, HOA name: _____ HOA Telephone: _____			
<input type="checkbox"/> Mandatory <input type="checkbox"/> Voluntary <input type="checkbox"/> Inactive Monthly Dues Amount: \$ _____ per _____			
Are there any levied or pending assessments?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Who is responsible for issuing the resale certificate?			
Name: _____ Telephone: _____			

○ **Setbacks/Restrictions:**

1. Have you been notified of any proposed zoning changes for the property?.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are you aware of features of the property shared in common with adjoining property owners, such as	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. walls, fences, and driveways, whose use or responsibility for maintenance may affect the property?..			
3. Are there subdivision conditions, covenants, or restrictions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Are you aware of any violations of building codes, zoning, setback requirements, subdivision covenants, borough, or city restrictions on this property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. . Are you aware of any nonconforming uses of this property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

○ **Heating System(s):**

Mark all types that apply: Hot Water Baseboard Forced Air Radiant Heat Electrical Heat
 Wood Stove Other _____

Age: _____ years. Last Cleaned: _____ Last Inspected: _____

Source: Natural Gas Electric Propane Tank leased or owned? _____ Wood Coal
 Oil with _____ gallon storage which is Buried Above Ground Other _____

Age of Tank? _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____

Sewer System: **Yes** **No** **NA/UNK**
 Type: Public Private Community Other _____

◆ Does your sewer system have a lift station/lift pump?

If Private: Septic Tank Holding Tank Other: _____

Drain field System: Bed Trench Mound Pit Crib Other: _____

Innovative Sewer System Intermittent Sand Filter Biocycle Recirculating Upflow Filter
 Secondary Sewer Treatment Plant Other: _____

◆ Has the sewer system failed while you owned the property?

If Yes, explain: _____
 Age of sewer system: _____ Location: _____

◆ Have you had any work maintenance or inspections done on the sewer system during your ownership?

◆ If Yes, explain: _____

Approval/Certification source (and date if known): _____

◆ Are you aware of any abandoned sewer systems, leach fields, cribs, etc. on the property?.....

Water Supply:

Type: Public Private Community Cistern/Water Tank If Cistern/Water Tank: _____ Size
 Other _____

Provide Shared Well agreement if any

If Private: Well Depth: _____ feet. Flow Rate: _____ gallons per minute. Date Tested: _____

Have you had any problems with your water supply?.....

Has the water supply been tested in the past 12 months?.....

If Yes, attach all documentation from all tests.

Are you aware of any contaminants in your water supply, to include but not limited to E-coli, nitrates, heavy metals, arsenic or other contaminants?

Has the well failed while you have owned the property?.....

Have you ever had a well pump problem or failure?.....

Do you supply water to, or receive water from others?.....

If Yes, is there a recorded agreement?.....

Do you have a water rights certificate for this property?.....

Hot Water Heater:

Age: _____ years. Capacity: _____ gallons. Type: Gas Electric Other _____

.Roof or Other Leakage:

Type: Asphalt/Composition Shingle Cedar Shake Built-up Metal Other _____
 Age: _____ years. Location of attic access? _____

◆ Are you aware of any ice damming on the roof?

If Yes, provide location. _____

◆ Are you aware of any water leaking into the home? i.e., windows, lights, fireplace, etc.

◆ If Yes, provide location. _____

Fireplace and/or Woodstove: What type? _____ Electric _____ Gas _____ Wood _____ Pellet _____ Other? _____

Date chimney(s) last cleaned or serviced? _____ Who cleaned/serviced? _____
 years.

Freeze-ups:

➢ Have you had any frozen water lines, sewer lines, drains, or heating systems?.....

➢ If If yes, please explain. _____

➢ Are there any heat tapes, heat lamps, or other freeze prevention devices?

➢ Location, and explain use. _____

Drainage:

◆ Are you aware of ever having any water in the crawl space, basement, or lower level?.....

◆ If Yes, how has the problem been resolved?
 Sump Pump(s) Curtain Drain Rain Gutter/Extension Other _____
 When was problem resolved? _____
 Location of each sump pump: _____

♥ To where does the water drain after it leaves the sump pump? _____
 If gutters, where do downspouts discharge? _____

◆ Is there a floor drain in the structure, including garage?.....

◆ If Yes, where is it located and where does it drain to? _____

Additional Information (Continued):

- | | Yes | No | NA/UNK |
|--|--------------------------|--------------------------|--------------------------|
| 1. To the best of your knowledge, has the property been inspected by an engineer/home inspector in the last 5 years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Are you aware of any deed, or other private restrictions on the use of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are you aware of any variances being applied for, or granted, on this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Are you aware of any easements on the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Encroachments:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 5. Does anything on your property encroach (extend) onto your neighbor's property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Does anything on your neighbor's property encroach onto your property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Environmental Concerns:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 7. Are you aware of any substances, materials, or products that may be an environmental hazard such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, contaminated soil, water or by-products from the production of methamphetamines on the subject property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are you aware of any mildew or mold issues affecting this property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Are you aware of any underground storage tanks on this property, other than previously referenced fuel? or septic tanks? Number of tanks:..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Are you aware if the property is in an avalanche zone/mudslide area?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Are you aware if the property has flooded? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Flood zone designation:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 12. Are you aware of any erosion/erosion zone or accretion affecting this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Are you aware of any damage to the property or any of the structures from flood, landslide, avalanche, high winds, fire, earthquake, or other natural causes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. Have you ever filed an insurance claim for any environmental damage to the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. Are you aware of a waste disposal site or a gravel pit within a one-mile radius of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Soil Stability:

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 14. Are you aware of any debris burial or filling on any portion of the property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. Are you aware of any permafrost or other soil problems which have caused settling, slippage, sliding, or heaving that affect the improvements of the property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. Are you aware of any drainage, or grading problems that affect this property?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Construction, Improvements/Remodel:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 17. Have you remodeled, made any room additions, structural modifications, or improvements?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, please describe. Was the work performed with necessary permits in compliance with building codes?..... | | | |
| b. Was a final inspection performed, if applicable?..... | | | |
| 18. Has a fire ever occurred in the structure?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Pest Control or Wood Destroying Organisms:

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 19. Are you aware of any termites, ants, insects, squirrels, vermin, rodents, bed bugs etc. in the structure? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, when? _____ | | | |
| b. If Yes, what type? _____ | | | |
| c. If Yes, where? _____ | | | |
| d. If Yes, describe what was done to resolve the problem: _____ | | | |
| 20. Has there been damage in the past resulting from termites, ants, insects, squirrels, rodents, etc. in the structure?..... | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a. If Yes, when? _____ | | | |
| b. If Yes, what type? _____ | | | |
| c. If Yes, where? _____ | | | |
| d. If Yes, describe what was done to resolve the problem: _____ | | | |

Other:

Yes No NA/UNK

- 21. Are you aware of any murder or suicide having occurred on the property within the preceding 3 years?.....
- 22. Are you aware of any human burial sites on the property?.....

Additional Information (Continued):

Noise

- a. Are you aware of any noise sources that may affect the property, including airplanes, trains, dogs, traffic, racetracks, neighbors, etc.?
- b. If Yes, explain: _____

Pets

- a. Have there been any pets/animals in the house?
- b. If Yes, ~~what kind~~ **how many and what type?** _____

I/We have completed this disclosure statement according to AS 34.70.010 - AS 34.70.200 and these instructions, and the statements are made in good faith and are true and correct to the best of my/our knowledge as of the date signed. I/We authorize any licensees involved or participating in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated transfer of the property or interest in the property.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer's Notice and Receipt of Copy

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.

The Buyer is urged to inspect the property carefully and to have the property inspected by an expert. Buyer understands that there are aspects of the property of which the Seller may not have knowledge and that this disclosure statement does not encompass those aspects. Buyer also acknowledges that ~~he/she~~ **they have** read and received a signed copy of this statement from the Seller or any licensee involved or participating in this transaction.

Licensees are not responsible for an act, error, or omission on the part of the seller/s.
Licensees are not responsible for an act, error, or omission on the party of a buyer/s when the buyer/s choose not to have the property professionally inspected prior to purchase.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

Seller's Initials _____ Date _____ Property Address _____ Buyer's Initials _____ Date _____



State of Alaska Residential Real Property Transfer Disclosure Statement

Exemption For First Sale

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

Legal Description: _____

Property Address/City: _____

Under AS 34.70.120, the first transfer of an interest in residential real property that has never been occupied is exempt from the requirement for the Seller to complete the Disclosure Statement.

Buyer may wish to obtain inspections of the property and seek other professional advice.



Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.



Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.



I certify that this is the first transfer of an interest in the property identified above and that the property has not been occupied before this transfer of interest.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer: _____ Date: _____

Buyer: _____ Date: _____

_____/_____/_____
Seller's Initials Date Property Address Buyer's Initials ____/____/____



State of Alaska Residential Real Property Transfer Disclosure Statement

Waiver By Agreement

AS 34.70.110

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

Legal Description: _____

Property Address/City: _____

Under AS 34.70.110, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Seller and Buyer agree in writing.

Parties may wish to obtain professional advice and/or inspection of the property.

It is recommended that the buyer read the complete State of Alaska Residential Real Property Transfer Disclosure Statement.

★ ★ ★ ★ ★ ★ ★ ★

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether a person who has been convicted of a sex offense resides in the vicinity of the property that is the subject of the Transferee's (Buyer's) potential real estate transaction. This information is available at the following locations: Alaska State Trooper Posts, Municipal Police Departments, and on the State of Alaska, Department of Public Safety Internet site: www.dps.state.ak.us.

★ ★ ★ ★ ★ ★ ★ ★

Transferee (Buyer) Awareness Notice: Under AS 34.70.050, Transferee (Buyer) is independently responsible for determining whether, in the vicinity of the property that is the subject of the transferee's potential real estate transaction, there is an agricultural facility or agricultural operation that might produce odor, fumes, dust, blowing snow, smoke, burning, vibrations, noise, insects, rodents, the operation of machinery including aircraft, and other inconveniences or discomforts as a result of lawful agricultural operations.

★ ★ ★ ★ ★ ★ ★ ★

By law, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Transferor (Seller) and the Transferee (Buyer) agree in writing. If both parties agree to waive the requirement to complete this disclosure statement, please sign below.

Signing this waiver does not affect other obligations for disclosure.

Seller: _____ Date: _____

Seller: _____ Date: _____

Buyer: _____ Date: _____

Buyer: _____ Date: _____

_____/_____/_____
Seller's Initials Date Property Address Buyer's Initials Date

From: Jerry Koerner
To: [Consalo, Shyla M \(CED\); commerce-rec](#)
Subject: RE: Disclosure statement changes
Date: Monday, September 27, 2021 9:04:54 AM

Shyla, I thought of a couple things not on the disclosure.

Under Water Supply, I would like to see “Provide shared Water Well, Water line, and Easement documents”. I know of a shared water line easement between two lots and it is not uncommon to have shared driveway easements where those parties that use it must maintain it. I am not sure, but it is possible, Byler construction is developing their four detached units, that share one water well, a shared water line, not just water well.

Under “Sewer System”. The only time the Seller has to say ‘Yes’ to DEC approval is if they answer yes to “Have you had any work maintenance or inspections on the sewer system during your ownership?”. What I suggest is the Seller provide verification, for new construction, that the system meets DEC requirements and they must attach documentation. I am seeing a number of new systems go in that likely do not meet DEC requirements and will likely fail in a shorter period of time, and/or may saturate the ground water at or near the water table, putting contaminates in subsurface water.

Drain in Garage: One other thing: What is legal for residential home: drain in garage to private sewer, to public sewer, or water tight drainage can? We know garage floors are not sealed from vehicle leakage into drain. Here in North Pole, if they drain to the big garage doors, it can freeze the door down, forcing the property owner to chip the ice to get out. This does not happen with a heated garage floor.

Appreciate all you do.

Jerry Koerner

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Broker Jeriko Real Estate

From: Consalo, Shyla M (CED) <shyla.consalo@alaska.gov>
Sent: Monday, September 20, 2021 1:39 PM
To: commerce-rec <commerce-rec@list.state.ak.us>
Subject: [commerce-rec] News from the Real Estate Commission

Welcome to the Alaska Real Estate Commission List Serv

This List Serv was established as a tool for the Commission to provide real estate licensees with information pertinent to the practice of real estate in Alaska.

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Real Estate Commission Regulation Changes

The Real Estate Commission proposes to make changes to the Residential Real Property Transfer Disclosure Statement under 12 AAC 64.930. The proposed changes are attached for your reference, and are also available on the Commission website. Written comment for these changes must be submitted by October 21, 2021. Instructions on how to submit written comments are provided in the attached notice.

Contact Us

We appreciate your understanding and patience during these uncertain and ever-changing circumstances. Please visit the REC website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateCommission.aspx> for more information.

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New Business



MEMORANDUM

TO: Members of professional licensing boards DATE: September 1, 2021
FROM: Sara Chambers, Division Director RE: Military licensing provisions in state law

On January 1, 2022, several augmentations to existing licensing laws pertaining to military personnel and spouses will go into effect. The purpose of this memo is to ensure board members are aware of and understand these requirements so they can adopt regulations and implement processes, if necessary, to comply with these requirements.

Since the earliest military spouse licensing provisions of AS 08.02.063 went into effect in 2011, and military personnel licensing provisions of AS 08.01.064 and AS 08.01.100 went into effect in 2013, only a few boards have executed the legislature's intent. The Board of Examiners in Optometry, the State Physical Therapy and Occupational Therapy Board, and the Board of Dental Examiners have each addressed matters arising from individual applications from military personnel. At the request of a board member who is a military veteran, the Board of Nursing has formed a committee to "crosswalk" military experience and education to align with existing license types and to explore options to bridge education gaps that may exist.

In recent years, the plight of military servicemembers and their spouses has gained national attention among state regulators and military communities within their jurisdictions. The U.S. Department of Defense has shined an unflattering light on how Alaska has handled military licensing transfers—just as Eielson AFB expanded to welcome thousands of new servicemembers and their families. In addition, a 2018 memo from the Secretaries of the Army, Navy, and Air Force sent a clear message about their expectations and the economic pressure they intended to apply on states:

"While focus on the mission is always our priority, the factors military families cite most frequently as drawbacks to military service include military dependent's difficulty assimilating into local school systems following a duty station transfer, the quality of schools available for their children, and the ability of spouses to obtain jobs and sustain careers. With that in mind, we will encourage leadership to consider the quality of schools near bases and whether reciprocity of professional licenses is available for military families when evaluating future basing or mission alternatives."

Various reports on this issue have been published in the last few years: although sources range from the Department of Defense to the National Governors Association to both the Obama and Trump Administrations, the need for military-friendly licensing policies is universally agreed-upon.

The information below and attached should assist boards in review and determination of next steps to reach compliance with the legislature's statutory expectations. I encourage boards to take the following steps to move forward on this project:

1. Board chairs review and/or assign a member to begin analysis and draft motions to come into compliance. Preparing ahead of time will help the meeting be more productive.
2. Schedule time during the next meeting to review this information and plan the next steps required.
3. Propose and adopt regulations regarding:
 - a. Application processes,
 - b. Practice limitations based on Alaska-specific requirements (such as Arctic engineering),
 - c. What the board deems "substantially equivalent," if necessary,
 - d. Other relevant matters.

Consistent with AS 08.01.063(g), the division has maintained a military-specific [web page](#), email address, and coordinator since 2014. Later this year, Records and Licensing Supervisor Terry Ryals will take over coordination of all military licensing matters. In addition to his role managing several CBPL programs, he is an Army veteran and advocate for military families. CBPL Information Systems Coordinator Chelsea Childress, is leading the technical implementation of new licensing forms, structures, and workflow related to these changes.

Our team looks forward to assisting your board in the successful roll-out of this legislation.

Overview of military-related legislative licensing mandates:

Citation	Effect	Effective Date
AS 08.01.063	Requires boards and CBPL to issue temporary licenses to military spouses with substantially equivalent unencumbered licenses*	2022
	Requires boards and CBPL to issue temporary licenses to active duty military personnel with substantially equivalent unencumbered licenses*	2022
	Requires boards and CBPL to issue temporary licenses to military applicants 30 days after completing the license application package**	2022
	Requires CBPL to report on all military licensing regulations, applications, and licenses by March 1 of each year	2022
	Requires CBPL to equip boards to support applicants for these licenses	2022
AS 08.01.064	Requires boards and CBPL to accept military training and education toward licensure	2013
	Requires boards and CBPL to issue an expedited temporary license to military veterans with equivalent licensure or military experience	2013
AS 08.01.100	Allows boards and CBPL to waive fees and continuing education requirements for certain deployed military personnel	2013
* Optional since 2011		
** Prior to 2022, military applications were required to be "expedited" without a specific time frame		

Military licensing statutes (pending changes as noted become effective January 1, 2022):

AS 08.01.063. Military courtesy licenses. (a) Except as provided in (d) of this section, and notwithstanding another provision of law, the department or appropriate board **shall** [MAY] issue a temporary courtesy license to **an active duty member of the armed forces of the United States or the spouse of an active duty member of the armed forces of the United States if the active duty member or spouse meets the requirements of this section and applies to the department or appropriate board in the manner prescribed by the department or appropriate board.** An application must include evidence satisfactory to the department or appropriate board that the applicant

- (1) is **an active duty member of the armed forces of the United States or is** married to and living with a member of the armed forces of the United States who is on active duty and assigned to a duty station in this state under official active duty military orders;
- (2) holds a current license or certificate in another state, district, or territory of the United States, **or that is recognized by the United States, including a branch of the armed forces of the United States,** with requirements that the department or appropriate board determines are **substantially** equivalent to those established under this title for that occupation;
- (3) if required by the department or appropriate board for obtaining a license in the applicant's profession, has been fingerprinted and has provided the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check; the fingerprints and fees shall be forwarded to the Department of Public Safety to obtain a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;

(4) has not committed an act in any jurisdiction that would have constituted grounds for the refusal, suspension, or revocation of a license or certificate to practice that occupation under this title at the time the act was committed;

(5) has not been disciplined by a licensing or credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing or credentialing entity in another jurisdiction; and

(6) pays any fees required under this title.

(b) The department or appropriate board shall issue a temporary license under this section to a person who meets the requirements [EXPEDITE THE PROCEDURE FOR ISSUANCE OF A LICENSE] under (a) of this section within 30 days after the department or appropriate board receives the person's completed application for the temporary license.

(c) A temporary courtesy license issued under this section is valid for 180 days and may be extended at the discretion of the department or appropriate board for one additional 180-day period, on application of the holder of the temporary courtesy license.

(d) This section does not apply to the practice of law or the regulation of attorneys under AS 08.08.

(e) The department shall prepare an annual report that describes, for the previous fiscal year, information on temporary courtesy licenses issued under this section, including

(1) expedited application procedures;

(2) progress made toward implementing regulations for the licenses, changes to regulations made to accommodate the needs of military spouses, and any plans for future regulations;

(3) the number and type of the licenses that have been issued; and

(4) the department's efforts to inform each board authorized to issue a temporary courtesy license under this section and the military community in the state about the licenses.

(f) The department shall submit the report prepared under (e) of this section to the Joint Armed Services Committee on or before the first day of March each year. In addition, the department shall consolidate the two most recent reports and submit a biennial report to the legislature on or before the first day of March during the first regular session of each legislature. The department shall deliver a copy of the biennial report to the senate secretary and the chief clerk of the house of representatives and notify the legislature that the report is available.

(g) The department shall annually produce and distribute to each board authorized to issue a temporary courtesy license under this section informational materials for the purpose of improving the board's knowledge of the licenses, the application process, and best practices in providing applicant support. The department shall encourage the boards to designate a single employee to serve as the point of contact for public information and inquiries related to temporary courtesy licenses for military spouses.

AS 08.01.064. Military education, training, and service credit; temporary license. (a) Notwithstanding another provision of law, the department or applicable board shall accept military education, training, and service for some or all of the qualifications otherwise required of an applicant for a license or certificate issued under this chapter if

(1) the department or applicable board determines that the military education, training, and service is substantially equivalent to some or all of the qualifications otherwise required of an applicant for a license or certificate issued under this chapter; and

(2) the applicant provides satisfactory evidence of successful completion of the education, training, or service as a member of the armed forces of the United States, the United States Reserves, the National Guard of any state, the Military Reserves of any state, or the Naval Militia of any state.

(b) If the department issues temporary licenses or certificates as authorized by the department or applicable board under AS 08.01.050(a)(9), the department or applicable board shall issue a temporary license or certificate to a person who

(1) applies to the department or applicable board in a manner prescribed by the department or board;

(2) meets the requirements in AS 08.01.063(a)(3) - (6); and

(3) while in the armed forces of the United States or any state, as described in (a) of this section,

(A) held a current license or certificate in another state, district, or territory of the United States, practiced in the area of the license or certificate, and maintained the license or certificate in active status before and at the time of application for a license or certificate under this subsection; or

(B) was awarded a degree, diploma, or certificate by a branch of the armed forces of the United States or any state, as described in (a) of this section, that met standards for an equivalent license or a certificate of technical training.

(c) The department or applicable board shall expedite the procedure for issuance of a license or certificate under (b) of this section for an applicant who is on active duty.

(d) A license or certificate issued under (b) of this section is valid for 180 days and may be extended at the discretion of the department or applicable board for one additional 180-day period if the holder of the license or certificate applies for an extension on a form approved by the department or applicable board.

(e) The department or applicable board may adopt regulations necessary to implement this section.

Sec. 08.01.100. License renewal, lapse, and reinstatement.

(f) The department may establish and implement a waiver of continuing education requirements for renewal of a license regulated by the department and a board may establish and implement a waiver of continuing education requirements for renewal of a license regulated by the board for the period in which a licensee is engaged in active duty military service in the armed forces of the United States.

(g) A member of the armed forces of the United States on active duty in a combat zone, danger pay post, or qualified hazardous duty area, who is a licensee under this title in good standing at the time of the licensee's active duty order is exempt from any fees or other requirements to maintain that license or good standing while the licensee is in that zone, at that post, or in that area. This exemption is valid for 180 days after returning to the licensee's permanent duty station, if the licensee does not engage in licensed practice for profit in the private sector. The licensee shall pay fees and meet all other requirements for the license period beginning after the exemption ends. In this subsection,

(1) "combat zone" has the meaning given in 26 U.S.C. 112(c)(2) (Internal Revenue Code);

(2) "danger pay post" means a post so designated by the United States Secretary of State in the Department of State Standardized Regulations for purposes of danger pay under 5 U.S.C. 5928;

(3) "qualified hazardous duty area" means an area that, during the applicant's deployment, is treated as if it were a combat zone for purposes of a federal tax exemption under 26 U.S.C. 112 (Internal Revenue Code).

Centralized regulations pertaining to military licensure for division-managed/non-board programs:

12 AAC 02.956. TEMPORARY LICENSE FOR SPOUSES OF MILITARY PERSONNEL. (a) The department will issue a temporary license to the spouse of an active duty member of the armed forces of the United States who meets the requirements of AS 08.01.063 and this section, authorizing the holder to practice a profession that is regulated by the department under AS 08.01.010 and this title.

(b) An applicant for a temporary license under this section must submit

- (1) a completed application, on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.105 for a temporary license;
- (3) a copy of the applicant's military dependent identification card and a copy of the spouse's current active duty military orders showing assignment to a duty station in this state;
- (4) verification of licensure from each jurisdiction where the applicant holds or has ever held a license to practice the profession for which the temporary license is requested, one of which must be a current license in good standing and meet the requirements of AS 08.01.063(a)(2); the verifications must meet the requirements of AS 08.01.063(a)(4) and (5); and
- (5) if the profession for which the applicant is seeking a temporary license requires a criminal history background check, a completed fingerprint card and the fee required by the Department of Public Safety to obtain state and national criminal justice information required under AS 08.01.063(a)(3).

(c) The department will expedite the issuance of the license under this section as required by AS 08.01.063(b).

(d) A temporary license issued under this section is valid for 180 days and may be extended for an additional 180-day period by applying on a form provided by the department and submitting the temporary license fee established in 12 AAC 02.105.

Authority: AS 08.01.050 AS 08.01.063 AS 08.01.065

12 AAC 02.957. TEMPORARY LICENSE FOR MILITARY PERSONNEL. (a) The department will issue a temporary license to a member of the armed forces of the United States who meets the requirements of AS 08.01.064 and this section, authorizing the holder to practice a profession that is regulated by the department under AS 08.01.010 and this title.

(b) An applicant for a temporary license under this section must submit

- (1) a completed application, on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.105 for a temporary license;
- (3) verification of licensure from each jurisdiction where the applicant holds or has ever held a license to practice the profession for which the temporary license is requested; the verifications must meet the requirements of AS 08.01.063(a)(4) and (5);
- (4) evidence satisfactory to the department of meeting the requirements of AS 08.01.064(b)(3) as follows:
 - (A) verification of a current license or certificate issued by another jurisdiction that provides proof of licensure during the time the applicant provided the practice in the area of the license or certificate while in the military, and proof that the applicant practiced the profession, as described in AS 08.01.064(b)(3)(A); or
 - (B) documentation of receiving education, training, or service as a member of the armed forces and being awarded a degree, diploma, or certificate by a branch of the armed forces of the United States or any state, that meets the requirements of AS 08.01.064(b)(3)(B); and
- (5) if the profession for which the applicant is seeking a temporary license requires a criminal history background check, a completed fingerprint card and the fee required by the Department of Public Safety to obtain state and national criminal justice information required under AS 08.01.063(a)(3).

(c) The department will expedite the issuance of the license under this section for an applicant who is on active duty as required by AS 08.01.064(c)

(d) A temporary license issued under this section is valid for 180 days and may be extended for an additional 180-day period by applying on a form provided by the department and submitting the temporary license fee established in 12 AAC 02.105.

Authority: AS 08.01.050 AS 08.01.064 AS 08.01.065

Commission Members Comments & Questions

Adjournment