Brandly Real Estate & Auction

OHIO RESIDENTIAL PROPERTY DISCLOSURE EXEMPTION CERTIFICATION

Property address: _____

Transferor(s)/Owner(s): _____

Ohio Revised Code § 5302.30 generally requires a residential property disclosure form for covered transfers of property improved with one to four dwelling units. The transferor identifies below the applicable exemption(s) under § 5302.30(B)(2). Check every applicable box. This document is not the statutory Residential Property Disclosure Form.

☐ **(a)** Transfer pursuant to a court order, including probate administration, writ of execution, bankruptcy trustee transfer, eminent domain, or decree of specific performance.

☐ **(b)** Transfer to a mortgagee by a mortgagor by deed in lieu of foreclosure or in satisfaction of mortgage debt.

☐ **(c)** Transfer to a beneficiary of a deed of trust by a trustor in default.

☐ **(d)** Transfer by foreclosure sale following default on an obligation secured by a mortgage.

☐ **(e)** Transfer by sale under a power of sale following default on an obligation secured by a deed of trust or other instrument containing a power of sale.

☐ **(f)** Transfer by a mortgagee or deed-of-trust beneficiary who acquired the property at a power-of-sale sale under a mortgage or deed of trust, or by deed in lieu of foreclosure.

☐ **(g)** Transfer by a fiduciary in administration of a decedent's estate, guardianship, conservatorship, or trust.

☐ **(h)** Transfer from one co-owner to one or more other co-owners.

☐ **(i)** Transfer to the transferor's spouse or to one or more persons in the lineal line of consanguinity of one or more transferors.

☐ **(j)** Transfer between spouses or former spouses resulting from divorce, dissolution, annulment, legal separation, or an incidental property settlement agreement.

☐ **(k)** Transfer to or from the state, a political subdivision, or another governmental entity.

☐ **(l)** Transfer involving newly constructed residential real property that has never been inhabited.

☐ **(m)** Transfer to a transferee who occupied the property as a personal residence for at least one year immediately before the transfer.

☐ **(n)** Transfer from a transferor who BOTH (1) did not occupy the property as a personal residence within the year immediately before transfer AND (2) acquired the property through inheritance or devise.

IMPORTANT: Exemption from this particular disclosure form does not eliminate duties imposed by other laws or Ohio common law, including duties concerning fraud, misrepresentation, concealment, or nondisclosure. See § 5302.30(J). Buyers should consider independent inspections.

TRANSFEROR CERTIFICATION I/We certify that the checked exemption(s) accurately describe this proposed transfer, to the best of my/our knowledge.

Transferor: _____ Date: _____

Transferor: _____ Date: _____

TRANSFEREE ACKNOWLEDGMENT Receipt of this exemption certification is acknowledged; acknowledgment is not agreement that the claimed exemption applies.

Transferee: _____ Date: _____

Transferee: _____ Date: _____

Prepared as an independent informational form based on Ohio Revised Code § 5302.30(B)(2). Not a government-prescribed form or legal opinion. Confirm applicability with Ohio legal counsel when uncertain.