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Maine Revised Statutes Annotated [Currentness](#)

Title 33. Property

▢ [Chapter 7. Conveyance of Real Estate](#)

▢ [Subchapter 1-A. Residential Property Disclosures \(Refs & Annos\)](#)

→ **§ 173. Required disclosures**

Unless the transaction is exempt under section 172, the seller of residential real property shall provide to the purchaser a property disclosure statement containing the following information:

**1. Water supply system.** The type of system used to supply water to the property. If the property has a private water supply, the seller shall disclose:

- A. The type of system;
- B. The location of the system;
- C. Any malfunctions of the system;
- D. The date of the most recent water test, if any; and
- E. Whether the seller has experienced a problem such as an unsatisfactory water test or a water test with notations;

**2. Repealed.** Laws [2005, c. 378, § 25](#), eff. July 1, 2006.

**2-A. Heating system or heating source.** Detailed information on the system or source used to supply heat to the property, including:

- A. The type of heating system or source;
- B. The age of the heating system or source;

- C. The name of the company that services the heating system or source;
- D. The date of the most recent service call on the heating system or source;
- E. The annual fuel consumption per heating system or source; and
- F. Any malfunctions per heating system or source within the past 2 years;

**3. Waste disposal system.** The type of waste disposal system used on the property. If the property has a private waste disposal system, the seller shall disclose:

- A. The type of system;
- B. The size and type of the tank;
- C. The location of the tank;
- D. Any malfunctions of the tank;
- E. The date of installation of the tank;
- F. The location of the leach field;
- G. Any malfunctions of the leach field;
- H. The date of installation of the leach field;
- I. The date of the most recent servicing of the system;
- J. The name of the contractor who services the system; and
- K. For systems within shoreland zones, disclosures on septic systems required by Title 30-A, section 4216;

**4. Hazardous materials.** The presence or prior removal of hazardous materials or elements on the residential real property, including, but not limited to:

A. Asbestos;

B. Lead-based paint for pre-1978 homes in accordance with federal regulations and Title 22, section 1328;

C. Radon; and

D. Underground oil storage tanks as required under Title 38, section 563, subsection 6; and

**5. Known defects.** Any known defects.

CREDIT(S)

1999, c. 476, § 1; 2005, c. 339, § 3; 2005, c. 378, §§ 25, 26, eff. July 1, 2006.

HISTORICAL AND STATUTORY NOTES

2008 Electronic Pocket Part Update

2005 Legislation

Laws 2005, c. 339, § 3, in subsec. 4, par. B, added “and Title 22, section 1328”.

Laws 2005, c. 378, § 25 repealed subsec. 2, which read:

“**2. Insulation.** The type and location of insulation used on the property;”

Laws 2005, c. 378, § 26 enacted subsec. 2-A.

Laws 2005, c. 378, § 29, provides:

“**Sec. 29. Effective date.** Except as otherwise provided, this Act takes effect July 1, 2006.”

33 M. R. S. A. § 173, ME ST T. 33 § 173

Current with emergency legislation through Chapter 212; 214 through 282 of the 2009 First Regular Session of the 124th Legislature

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